ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1974

TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

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ACTS AND RESOLVES

OF

MASSACHUSETTS

1974

☞ The General Court, which was chosen November 7, 1972, assembled on Wednesday, the second day of January, 1974, 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 1974.

ACTS

Chap. 1. AN ACT RELATING TO THE DISSOLVING OF CERTAIN POLITICAL COMMITTEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide for the dissolution of certain political committees, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Chapter 1173 of the acts of 1973 is hereby amended by striking out section 14 and inserting in place thereof the following section:—

Section 14. The state secretary, within thirty days of the effective date of this act, shall notify by registered mail, return receipt requested, any non-elected political committee which is in existence on said effective date as to the provisions of this act. Any such non-elected committee may file a statement of organization as required by section four of chapter fifty-five of the General Laws, as amended by section one of this act, within fourteen days after the receipt of such notification; provided, however, that if no such statement is filed, said non-elected political committee shall be considered to have been dissolved.

Approved January 29, 1974.

Chap. 2. AN ACT ASCERTAINING THE WILL OF THE VOTERS OF THE TOWN OF DRACUT RELATIVE TO THE LOCATION OF AN OIL REFINERY IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any special or general law to the contrary, in order to ascertain the will of the voters of the town of Dracut the selectmen of the town of Dracut shall cause to be placed on the official ballot to be used in the town of Dracut by the registered voters of said town at the annual town meeting, or at any special town meeting to be held in the year nineteen hundred and seventy-four the following question:— "Shall the town of Dracut allow an oil refinery to be located within the confines of said town?" Whether or not a majority of the votes cast in answer to said question is in the affirmative or negative, the result of such vote shall not be deemed to be binding upon the selectmen and other officers of said town.

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

Approved February 7, 1974.

Chap. 3. AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO APPROPRIATE A SUM OF MONEY TO CONSTRUCT AN INFORMATION FACILITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter two hundred and seventeen of the acts of nineteen hundred and seventy, or section six A of chapter forty of the General Laws, the town of Plymouth may appropriate during the nineteen hundred and seventy-four fiscal year a sum not exceeding sixty thousand dollars for the purposes of constructing and equipping an information facility in said town. The money so appropriated by the town shall be expended under the direction of the selectmen.

Approved February 7, 1974.

Chap. 4. AN ACT AUTHORIZING THE CITY OF LOWELL TO ISSUE CERTAIN TEMPORARY NOTES FOR A PERIOD NOT EXCEEDING TWO YEARS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding section seventeen of chapter forty-four of the General Laws, as amended, the city treasurer, with the approval of the city manager of the city of Lowell, heretofore authorized under an order of the city council passed October twenty-eighth, nineteen hundred and sixty-nine to issue bonds in the amount of fifteen million three hundred thousand dollars pursuant to clause (15) of section eight of said chapter forty-four, as amended, may make a temporary loan for a period of not more than two years in anticipation of the money to be derived from the sale of such bonds, and may issue notes therefor; but the time within which the bonds shall become due and payable shall not be extended by reason of the making of such temporary loan. Temporary notes issued for a period of less than two years may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed two years.

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

Approved February 8, 1974.

Chap. 5. AN ACT PROVIDING THAT JOHN JOSEPH DRISCOLL SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A FIRE FIGHTER IN THE TOWN OF NORTH ANDOVER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make John Joseph Driscoll eligible to take the next open competitive civil service examination for fire fighter in the town of North Andover, notwithstanding the fact that

he has passed the maximum age for eligibility for said examination, 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 any law to the contrary regulating the maximum age of applicants for appointment as a fire fighter, John Joseph Driscoll shall be eligible to take the next open competitive examination for fire fighter in the town of North Andover and, provided he meets all other requirements, shall be eligible for certification and appointment as a fire fighter in said town.

Approved February 14, 1974.

Chap. 6. AN ACT AUTHORIZING CITIES AND TOWNS TO LEASE CERTAIN PROPERTY TO THE UNITY WAR VETERANS ASSOCIATION, INC., POST NO. 1 FOR USE AS POST HEADQUARTERS.

Be it enacted, etc., as follows:

Section 9 of chapter 40 of the General Laws is hereby amended by inserting after the word "Inc.", in line 10, as appearing in chapter 57 of the acts of 1961, the words:— , of the Unity War Veterans Association, Inc., Post No. 1.

Approved February 14, 1974.

Chap. 7. AN ACT REPEALING THE LAW REGULATING THE SALE OF BRAKE FLUID.

Be it enacted, etc., as follows:

Section two hundred and ninety-five X of chapter ninety-four of the General Laws is hereby repealed.

Approved February 14, 1974.

Chap. 8. AN ACT RELATIVE TO THE TIME PERIOD FOR TOWN MEETINGS AND ELECTIONS OF TOWN OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 39 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 23 of chapter 849 of the acts of 1969, and inserting in place thereof the following section:—

Section 9. Except as otherwise provided by special law or a charter adopted or revised or amended under Sections two, three, or four of Article LXXXIX of the Amendments to the Constitution of the Commonwealth which may provide for a different time for the

election of town officials and other matters to be determined by ballot, the annual meeting of each town shall be held in February, March, April or May; and other meetings may be held at such times as the selectmen may order or the charter or by-law prescribe. Meetings may be adjourned from time to time and meet and adjourn to any place authorized by law provided that officers shall be elected, and matters required by law to be elected or determined by ballot, shall be so elected or determined during the hours during which polls shall remain open as hereinafter provided. If the day set for a town meeting by by-law or otherwise falls on a legal holiday, such meetings shall be held on the day following. A town may by by-law designate the hour at which the annual town meeting shall be called and subject to section sixty-four of chapter fifty-four by vote or by-law designate the hours during which polls shall remain open in meetings for the election of officers and the determination of other matters that are required by law to be determined by ballot.

SECTION 2. Said chapter 39 is hereby further amended by inserting after section 9 the following section:—

Section 9A. Except as otherwise provided by special law or a charter adopted or revised or amended under Sections two, three or four of Article LXXXIX of the Amendments to the Constitution of the Commonwealth, a town may provide by charter or by-law that the election of town officials and other matters to be determined by ballot shall take place in February, March, April or May before or after the annual meeting held for the transaction of other business, provided said annual meeting for the transaction of other business is also held or commences in February, March, April or May. The time and place of holding such election and vote and meeting for the transaction of other business may be stated in one warrant for the annual town meeting if called within thirty-five days of each other and such election and vote shall be deemed parts of the annual town meeting. If the election and other matters to be determined upon by ballot and the annual meeting for the transaction of other business are more than thirty-five days apart, separate warrants shall be used.

SECTION 3. Said chapter 39 is hereby further amended by striking out section 20, as most recently amended by chapter 1136 of the acts of 1973, and inserting in place thereof the following section:—

Section 20. Towns divided into voting precincts may, for their annual town election, establish precinct voting for all town officers to be chosen thereat, by accepting this section at a meeting held seventy days at least before the annual town meeting. The acceptance of this section or corresponding provisions of earlier laws may be revoked by the town at a meeting held seventy days at least before the annual town meeting; and if so revoked this section shall cease to be in force therein. Towns by vote or by-law may authorize voting precincts at special elections of town officers.

SECTION 4. Sections twenty-two and twenty-three of said chapter thirty-nine are hereby repealed.

SECTION 4A. The provisions of the last sentence of section nine

A of chapter thirty-nine of the General Laws, inserted by section two of this act, shall take effect on January first, nineteen hundred and seventy-five in any town which has posted the warrant for its annual town meeting prior to the effective date of this act, if the selectmen thereof so vote.

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

Approved February 22, 1974.

Chap. 9. AN ACT RELATIVE TO THE DATES OF THE ANNUAL TOWN ELECTION AND TOWN MEETING HELD IN THE TOWN OF MONTAGUE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or by-law of the town of Montague to the contrary, said town shall hold the annual town meeting for the election of town officers and the determination of such matters as by law or vote of the town are required to be elected or determined by official ballot on the third Monday in May of each year. All other business shall be considered at a meeting to be held on the first Saturday of May of each year. Separate warrants may be posted for said election and business meetings.

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

Approved February 22, 1974.

Chap. 10. AN ACT AUTHORIZING THE MERGER, CONSOLIDATION OR PURCHASE OF A SAVINGS AND LOAN ASSOCIATION WITH OR BY A CO-OPERATIVE BANK.

Be it enacted, etc., as follows:

Section 34 of chapter 93 of the General Laws, as amended by section 2 of chapter 202 of the acts of 1959, is hereby further amended by adding the following paragraph:—

With the approval of the shareholders and boards of directors of both institutions, the commissioner may authorize a merger or consolidation of a savings and loan association with a co-operative bank or the purchase of the assets and assumption of the liabilities of a savings and loan association by a co-operative bank upon such terms, conditions and adjustments as the commissioner shall prescribe.

Approved February 22, 1974.

Chap. 11. AN ACT RELATIVE TO BRANCH OFFICES OR DEPOTS OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

The first paragraph of section 12 of chapter 170 of the General Laws is hereby amended by adding the following sentence:— With

the written consent of the commissioner a branch office or depot may be closed, or the location thereof may be changed subject to the requirements and restrictions contained in this paragraph for the establishment of such branch or depot.

Approved February 22, 1974.

Chap. 12. AN ACT REGULATING THE INSPECTION OF REAL PROPERTY MORTGAGED TO SECURE LOANS HELD BY CREDIT UNIONS.

Be it enacted, etc., as follows:

Subsection *(b)* of subdivision (B) of section 24 of chapter 171 of the General Laws is hereby amended by inserting after paragraph 13 the following paragraph:—

14. In the event of a delinquency of ninety days in the scheduled payment of interest, principal or taxes, the parcel of real estate mortgaged to secure the loan shall be inspected forthwith by at least two members of the credit committee for the purpose of possible revaluation and thereafter a similar inspection shall be made at least quarterly while such loan shall be in such default and a report thereof shall be made in writing, and signed by one of such members or by such members and shall be filed with the board of directors.

Approved February 22, 1974.

Chap. 13. AN ACT RELATIVE TO THE COMPUTATION OF FINANCE CHARGES IN CONNECTION WITH CERTAIN OPEN END CREDIT ACCOUNTS.

Be it enacted, etc., as follows:

Section 114B of chapter 140 of the General Laws, as amended by section 1 of chapter 273 of the acts of 1973, is hereby further amended by adding the following paragraph:—

A finance charge imposed on a transaction subject to this section but not subject to the provisions of the first paragraph of section six B of chapter one hundred and forty C shall be computed on *(i)* the previous balance after deducting all payments on account received by the creditor during the cycle and all credits to the account during the cycle applicable to any transaction 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 and dividing the total by the number of days in the billing cycle; or *(iii)* daily balances.

Approved February 22, 1974.

Chap. 14. AN ACT RELATIVE TO THE ELECTION OF OFFICERS AND THE ADMINISTRATION OF THE NORTHERN MIDDLESEX AREA COMMISSION.

Be it enacted, etc., as follows:

Section 2 of chapter 357 of the acts of 1972 is hereby amended by adding the following five sentences:— The commission shall annually elect a chairman, vice-chairman, treasurer, and clerk from among its members, and may elect an assistant treasurer. The 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 sums and upon such conditions as the commission may require. The commission may employ expert, clerical and other assistants. All meetings of the commission shall be held at the call of the chairman and at such other times as the members of the commission may determine. The commission may adopt and from time to time amend such by-laws, rules and regulations as it deems appropriate to conduct its business and carry out its purposes, powers and duties.

Approved February 22, 1974.

Chap. 15. AN ACT FURTHER DEFINING THE TERM "SAFETY GLASS" RELATIVE TO MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 9A of chapter 90 of the General Laws, as most recently amended by chapter 100 of the acts of 1952, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— The term "safety glass", as used herein, shall include any glass designed to minimize the likelihood of personal injury from its breaking or scattering when broken.

Approved February 22, 1974.

Chap. 16. AN ACT RELATIVE TO THE EXAMINATION AND AUDIT OF CERTAIN CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 17 of chapter 171 of the General Laws, as most recently amended by chapter 55 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following three sentences:— It shall, under regulations prescribed by the commissioner, and within a period of time not exceeding three years, cause an examination and audit to be made of the books, securities, cash, assets, liabilities, income and expenditures of the credit union including a trial balance of the deposit and share account. Such examination and audit shall be made in such form and manner as the commissioner may prescribe, and shall be made by a certified public accountant or public accountant not connected with

the credit union. The person selected to conduct the examination and audit shall be subject to the approval of the commissioner.

Approved February 22, 1974.

Chap. 17. AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE DISCLOSURE OF CONSUMER CREDIT COSTS AND TERMS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, 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, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 140C of the General Laws, as appearing in section 1 of chapter 517 of the acts of 1969, is hereby amended by striking out subsection (*u*) and inserting in place thereof the following subsection:—

(*u*) "Periodic rate", a percentage rate of finance charge which is or may be imposed by a creditor against a balance for a period.

SECTION 2. Section 5 of said chapter 140C is hereby amended by striking out subsection (*a*), as so appearing, and inserting in place thereof the following subsection:—

(*a*) The disclosures required to be given by this chapter shall be made clearly, conspicuously, in meaningful sequence, in accordance with the further requirements of this section, and at the time and in the terminology prescribed in applicable sections. Except with respect to the requirements of section nine, where the terms "finance charge" and "annual percentage rate" are required to be used, they shall be printed more conspicuously than other terminology required by this chapter and all numerical amounts and percentages shall be stated in figures and shall be printed in not less than the equivalent of 10 point type, seventy-five one thousandths inch computer type, or elite size typewritten numerals, or shall be legibly handwritten.

SECTION 3. Subsection (*b*) of section 7 of said chapter 140C, as so appearing, is hereby amended by striking out clause (7) and inserting in place thereof the following clause:—

(7) Identification of the method of computing any unearned portion of the finance charge in the event of prepayment in full of an obligation which includes precomputed finance charges and a statement of the amount or method of computation of any charge that may be deducted from the amount of any rebate of such unearned finance charge that will be credited to an obligation or refunded to the customer. If the credit contract does not provide for any rebate of unearned finance charges upon prepayment in full, this fact shall be disclosed.

SECTION 4. Section 9 of said chapter 140C is hereby amended by striking out subsections (*c*) and (*d*), as so appearing, and inserting in

place thereof the following two subsections:—

(*c*) No advertisement to aid, promote, or assist directly or indirectly the extension of open end credit may set forth any of the terms described in subsection (*a*) of section six, or that a specified downpayment or periodic payment is required, either in dollars or as a percentage, the period of repayment on any of the following items, unless it also clearly and conspicuously sets forth all the following items in terminology prescribed under subsection (*b*) of section six:

(1) An explanation of the time period, if any, within which any credit extended may be paid without incurring a finance charge.

(2) The method of determining the balance upon which a finance charge may be imposed.

(3) The method of determining the amount of the finance charge, including the determination of any minimum, fixed, check service, transaction, activity, or similar charge, which may be imposed as a finance charge.

(4) Where one or more periodic rates may be used to compute the finance charge, each corresponding annual percentage rate determined by multiplying the periodic rate by the number of periods in a year and, where there is more than one corresponding annual percentage rate, the range of balances to which each is applicable. A creditor imposing minimum charges is not required to adjust the disclosure of the range of balances to which each rate would apply in order to reflect the range of the balances below which the minimum charge applies. If a creditor does not impose a finance charge when the outstanding balance is less than a certain amount, the creditor is not required to disclose that fact or the balance below which no such charge will be imposed.

(*d*) No advertisement to aid, promote, or assist directly or indirectly any credit sale including the sale of residential real estate, loan, or other extension of credit, other than open end credit, subject to the provisions of this chapter, shall state (1) the rate of the finance charge except as an "annual percentage rate", using that term, and no other rate of finance charge may be stated, except that: (*i*) where the total finance charge includes, as a component, interest computed at a simple annual rate, the simple annual rate may be stated in conjunction with, but not more conspicuously than, the annual percentage rate, or (*ii*) where the finance charge is computed solely by the application of a periodic rate to an unpaid balance, the periodic rate may be stated in conjunction with, but not more conspicuously than, the annual percentage rate; (2) that no downpayment is required, or the amount of the downpayment or of any installment payment required, either in dollars or as a percentage, the dollar amount of any finance charge, the number of instalments or the period of repayment, or that there is no charge for credit, unless it also clearly and conspicuously sets forth all of the following items in terminology prescribed under section seven: (*i*) the cash price or the amount of the loan, as applicable, (*ii*) in a credit sale, the amount of the downpayment required or that no downpayment is required, as applicable, (*iii*) the number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit

is extended, (*iv*) the amount of the finance charge expressed as an annual percentage rate, and (*v*) except in the case of the sale of a dwelling or a loan secured by a first lien on a dwelling to purchase that dwelling, the deferred payment price in a credit sale, or the total of payments in a loan or other extension of credit which is not a credit sale, as applicable.

Approved February 27, 1974.

Chap. 18. AN ACT RELATIVE TO THE MINIMUM AGE REQUIREMENT FOR BEACH OR SWIMMING POOL LIFEGUARDS EMPLOYED BY THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section forty-eight C of chapter thirty-one of the General Laws is hereby repealed.

SECTION 2. Chapter 92 of the General Laws is hereby amended by inserting after section 66 the following section:—

Section 66A. No person shall be employed by the metropolitan district commission as a beach or swimming pool lifeguard unless he has attained his eighteenth birthday, except that said commission may, if there is no suitable list of eligible applicants to fill existing vacancies, appoint subject to the provisions of chapter thirty-one, except for age requirements, applicants who have attained the age of sixteen years as beach or swimming pool lifeguards, provided that such applicants meet all other requirements.

Approved February 27, 1974.

Chap. 19. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO RENEW CERTAIN FEDERAL AID ANTICIPATION NOTES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section three of chapter seventy-four of the acts of nineteen hundred and forty-five to the contrary, the treasurer of the city of New Bedford, with the approval of the mayor of said city, is hereby authorized to renew six hundred and seventy-eight thousand, four hundred dollars federal aid anticipation notes of the city, payable in not more than one year from their dates, in order to pay the two hundred and forty-eight thousand, four hundred dollars federal aid anticipation notes of the city, dated March first, nineteen hundred and seventy-two, which were most recently renewed on September first, nineteen hundred and seventy-three, and the four hundred and thirty thousand dollars federal aid anticipation notes of the city, dated November tenth, nineteen hundred and seventy-two, which were most recently renewed on November ninth, nineteen hundred and seventy-three and which are payable March first, nineteen hundred and seventy-four. Notes issued under this act for a period of less than one year

may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note issued under this act to the maturity of any note issued to renew or pay the same debt shall not exceed one year.

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

Approved February 28, 1974.

Chap. 20. AN ACT AUTHORIZING THE CITY OF QUINCY TO APPROPRIATE CERTAIN PROCEEDS OF THE SALE OF CERTAIN BONDS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws or of any general or special law to the contrary, the city of Quincy may, by a two-thirds vote of the city council of said city, appropriate certain proceeds of the sale of certain bonds authorized by chapter two hundred of the acts of nineteen hundred and seventy-one, not exceeding, in the aggregate, six hundred thousand dollars, for any purpose for which a loan may be incurred for a term of ten years or longer.

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

Approved March 7, 1974.

Chap. 21. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE CITY OF REVERE AS THE JOSEPH T. MORETTI MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge at the intersection of North street and Whitten avenue in the city of Revere shall be designated and known as the Joseph T. Moretti Memorial bridge, in memory of Joseph T. Moretti, a former member of the police department of said city. A suitable marker bearing such designation shall be erected thereat by the department of public works.

Approved March 7, 1974.

Chap. 22. AN ACT RELATIVE TO THE ELECTION OF OFFICERS OF DISTRICT PLANNING COMMISSIONS.

Be it enacted, etc., as follows:

Section 4 of chapter 40B of the General Laws is hereby amended by striking out the fourth sentence, as amended by chapter 181 of the acts of 1973, and inserting in place thereof the following sentence:— Such district planning commission shall annually elect a chairman, a vice chairman, a treasurer, and a clerk from among its members and alternate designees, and may elect an assistant clerk, from among such members and alternate designees.

Approved March 7, 1974.

Chap. 23. AN ACT AUTHORIZING THE COUNTY TREASURER OF BARNSTABLE COUNTY TO PAY A SUM OF MONEY TO JOHN P. CURLEY, JR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the country treasurer of Barnstable county is hereby authorized, subject to appropriation, to pay to John P. Curley, Jr. the sum of one hundred and sixty dollars for services rendered by him as a master sitting in the superior court of said county in the year nineteen hundred and seventy-one and which sum is legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said treasurer under authority of this act unless and until a certificate has been signed and filed with said treasurer stating under the penalties of perjury that the services for which such bill has been submitted were ordered by an official or an employee of said county and that such services were rendered to said county.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for services which were not rendered to said 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 March 7, 1974.

Chap. 24. AN ACT PROHIBITING THE WEARING OF HEADPHONES WHILE OPERATING A MOTOR VEHICLE.

Be it enacted, etc., as follows:

Section 13 of chapter 90 of the General Laws is hereby amended by adding the following sentence:— No person shall operate a motor vehicle while wearing headphones, unless said headphones are used for communication in connection with controlling the course or movement of said vehicle.

Approved March 7, 1974.

Chap. 25. AN ACT FURTHER REGULATING COMPONENTS, DEVICES AND SUBSTANCES USED ON MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 7 of chapter 90 of the General Laws is hereby amended by inserting after the third paragraph, as amended by chapter 145 of the acts of 1973, the following paragraph:—

No person shall sell, offer for sale or install on, or in, any motor vehicle or trailer, any component, device or substance which does not comply with the federal motor vehicle safety standard, if any,

established for such component, device or substance. Nothing in this act shall prevent the registrar from prescribing minimum standards for any component, device, or substance for which no federal motor vehicle safety standard is or has been established and no person shall sell, offer for sale or install on, or in, any motor vehicle or trailer, any such component, device or substance which does not comply with the said standards so prescribed.

Approved March 7, 1974.

Chap. 26. AN ACT FURTHER REGULATING THE ADMINISTRATION OF THE MASSACHUSETTS CLEAN WATERS ACT.

Be it enacted, etc., as follows:

Paragraph (1) of section 44 of chapter 21 of the General Laws, as appearing in section 10 of chapter 546 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—

Whenever it appears to the director that there are discharges of pollutants without a required permit, or that such discharges are in violation of a permit issued under this chapter, or in contravention of any regulation, standard or plan adopted by the division, the director may order the discharger to apply forthwith for a permit, or for a new permit, or to take other appropriate action under rules and regulations adopted by the director subject to the provisions of chapter thirty A, and to cease and desist from making or allowing further discharges beyond a specified date until compliance with the order is fully achieved.

Approved March 7, 1974.

Chap. 27. AN ACT PROVIDING THAT THE TOWN MANAGER OF THE TOWN OF SOUTHBRIDGE AND THE TOWN ADMINISTRATOR OF THE TOWN OF NORTHBOROUGH SHALL BE EX OFFICIO MEMBERS OF THE MASSACHUSETTS REGIONAL PLANNING DISTRICT COMMISSION.

Be it enacted, etc., as follows:

Chapter 578 of the acts of 1972 is hereby amended by striking out section 3, as amended by section 2 of chapter 23 of the acts of 1973, and inserting in place thereof the following section:—

Section 3. The commissioner of community affairs or his designee, the city manager of the city of Worcester, the town managers of the towns of Holden, Oxford, Shrewsbury and Southbridge, and the town administrator of the town of Northborough shall be ex officio members of the commission without the right to vote.

Approved March 7, 1974.

Chap. 28. AN ACT FURTHER REGULATING THE CALLING OF A SPECIAL TOWN MEETING.

Be it enacted, etc., as follows:

Section 10 of chapter 39 of the General Laws is hereby amended by striking out the sixth sentence, as amended by chapter 32 of the acts of 1954, and inserting in place thereof the following sentence:— The selectmen shall call a special town meeting upon request in writing, upon a form approved by the state secretary, of two hundred registered voters or of twenty per cent of the total number of registered voters of the town, whichever number is the lesser; such meeting to be held not later than forty-five days after the receipt of such request, and shall insert in the warrant therefor all subjects the insertion of which shall be requested by said petition.

Approved March 7, 1974.

Chap. 29. AN ACT RELATIVE TO THE DETERMINATION OF DAMAGES FOR CERTAIN PROPERTY DIMINISHED IN VALUE BY CERTAIN DISASTERS AND TAKEN BY EMINENT DOMAIN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide full compensation for certain property diminished in value by a certain disaster in nineteen hundred and seventy-three and taken by eminent domain, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 79 of the General Laws is hereby amended by striking out section 12A, inserted by section 1 of chapter 1207 of the acts of 1973, and inserting in place thereof the following section:—

Section 12A. Notwithstanding any special or general law to the contrary, if property which is known to be subject to an imminent taking under this chapter is diminished in value by a disaster as determined by the President of the United States pursuant to section 102 of the Disaster Relief Act of 1970, 42 U.S.C. 4402(1), prior to or within two years after the recording of such order of taking, the damages for such property not compensated by insurance or otherwise shall be fixed at the fair market value prior to the time of the disaster. If property diminished in value by such a disaster is not subject to the original notice of taking but, within said two years, is included within such order of taking, damages for such property shall also be fixed at the fair market value prior to the time of the disaster.

SECTION 2. This act shall take effect as of October fourteenth, nineteen hundred and seventy-three.

Approved March 11, 1974.

Chap. 30. AN ACT INCREASING THE AMOUNT OF MONEY WHICH MAY BE EXPENDED BY THE COUNTY COMMISSIONERS OF NORFOLK COUNTY FOR PROMOTING THE RECREATIONAL, VACATION AND CONVENTION, COMMERCIAL AND INDUSTRIAL RESOURCES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 18 of the acts of 1972 is hereby amended by striking out, in line 4, the word "fifty" and inserting in place thereof the words:— one hundred.

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 March 11, 1974.

Chap. 31. AN ACT RELATING TO THE APPOINTMENT OF CERTAIN PERSONNEL IN COUNTY AGRICULTURAL SCHOOLS.

Be it enacted, etc., as follows:

Section 31B of chapter 74 of the General Laws, as appearing in chapter 481 of the acts of 1960, is hereby amended by inserting after the word "coaches", in line 21, the words:— , an athletic director, a faculty manager, and a physician.

Approved March 11, 1974.

Chap. 32. AN ACT EXTENDING THE PERIOD OF TIME FOR WHICH THE COUNTY OF DUKES COUNTY MAY LEASE THE COUNTY AIRPORT.

Be it enacted, etc., as follows:

Section 2 of chapter 212 of the acts of 1945 is hereby amended by striking out, in line 4, the word "twenty" and inserting in place thereof the word:— ninety-nine.

Approved March 11, 1974.

Chap. 33. AN ACT PROVIDING FOR THE EXPANSION OF THE FACILITIES OF A VOCATIONAL REGIONAL SCHOOL DISTRICT BY VOTE OF TWO THIRDS OF THE MEMBER TOWNS COMPRISING SUCH DISTRICT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expedite the borrowing of money by certain school districts for the expansion of facilities, 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:

Clause (*d*) of section 16 of chapter 71 of the General Laws, as most recently amended by chapter 1049 of the acts of 1973, is hereby further amended by adding the following paragraph:—

In the case of a vocational regional school district, if the district agreement so provides or is amended to so provide, such debt may also be incurred if two thirds of the member towns do not vote disapproval within said thirty day period provided that said towns which have not voted disapproval agree, within ninety days of the date on which said debt was authorized, to pay the total bond indebtedness authorized by the district committee without contribution by the member towns which voted disapproval of the amount of said debt. The member towns of such vocational regional school district which have voted disapproval of the new indebtedness shall have the right to retain their membership in the school district as provided in their district agreement except that they shall not be allowed any added enrollment that might result solely from the expansion of facilities that occurs on account of said new indebtedness.

Approved March 15, 1974.

Chap. 34. AN ACT PROVIDING FOR THE ALTERATION, RENOVATION, AND FURNISHING OF CERTAIN BUILDINGS ACQUIRED WITHIN THE TOWN OF DEDHAM BY THE COUNTY OF NORFOLK.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 741 of the acts of 1973 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— For such purposes, and for the purpose of renovating, altering, equipping and furnishing any structures or buildings acquired under this act, said commissioners may expend a sum not to exceed five hundred thousand dollars.

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

Approved March 15, 1974.

Chap. 35. AN ACT DESIGNATING THE BRIDGE OVER INTERSTATE HIGHWAY ROUTE 195, EASTBOUND, AT NORTH STREET IN THE TOWN OF MATTAPOISETT AS THE FLORENCE EASTMAN MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over interstate highway route 195, eastbound, at North street in the town of Mattapoisett shall be designated and known as the Florence Eastman Memorial bridge, in memory of Florence Eastman, an army nurse who died in the service of her country during World War I. A suitable marker bearing such designation

shall be attached thereto by the department of public works in compliance with the standards of said department and as authorized by the federal highway administration.

Approved March 15, 1974.

Chap. 36. AN ACT DESIGNATING THE BRIDGE OVER INTERSTATE HIGHWAY ROUTE 195, WESTBOUND, AT NORTH STREET IN THE TOWN OF MATTAPOISETT AS THE JOSEPH FURTADO MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over interstate highway route 195, westbound, at North street in the town of Mattapoisett shall be designated and known as the Joseph Furtado Memorial bridge, in memory of Joseph Furtado, a veteran of World War I who was prominent in civic affairs in the town of Mattapoisett. A suitable marker bearing such designation shall be attached thereto by the department of public works in compliance with the standards of said department and as authorized by the federal highway administration.

Approved March 15, 1974.

Chap. 37. AN ACT DESIGNATING THE BRIDGE OVER INTERSTATE HIGHWAY ROUTE 195 AT ACUSHNET ROAD IN THE TOWN OF MATTAPOISETT AS THE JOHN RAPHAEL MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over interstate highway route 195 at Acushnet road in the town of Mattapoisett shall be designated and known as the John Raphael Memorial bridge, in memory of John Raphael, a veteran of World War II who was prominent in civic affairs in the town of Mattapoisett. A suitable marker bearing such designation shall be attached thereto by the department of public works in compliance with the standards of said department and as authorized by the federal highway administration.

Approved March 15, 1974.

Chap. 38. AN ACT FURTHER REGULATING THE DISCHARGE OF CERTAIN COUNTY EMPLOYEES.

Be it enacted, etc., as follows:

The third paragraph of section 51 of chapter 35 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 70 of the acts of 1970, and inserting in place thereof the following sentence:— Any employee subject to sections forty-eight to fifty-six, inclusive, except superintendent and assistant superintendent of hospital, superintendent and assistant

superintendent of training school, superintendent and assistant superintendent of buildings, superintendent of industrial farm, superintendent of state reservation, director of agricultural school, director of extension service, master and keeper and assistant master and keeper of jail and house of correction, assistant registers of deeds, district court officer, superior court officer, court stenographer, county health officer, county engineer and county dog officer, who has completed at least five years of service may not be discharged from such employment except for just cause and for reasons specifically given him in writing by the appointing authority.

Approved March 15, 1974.

Chap. 39. AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO SUSPEND AN OPERATOR'S LICENSE OR AN OWNER'S CERTIFICATE OF REGISTRATION FOR USING A MOTOR VEHICLE FOR CERTAIN DUMPING.

Be it enacted, etc., as follows:

Chapter 270 of the General Laws is hereby amended by striking out section 16, as most recently amended by chapter 835 of the acts of 1973, and inserting in place thereof the following section:—

Section 16. Whoever places, throws, deposits or discharges, or causes to be placed, thrown, deposited or discharged, any trash, refuse, rubbish, debris or any other materials of any kind on a public highway or within twenty yards thereof, or on any other public land, 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, debris or materials.

If a motor vehicle is used in committing such an offense, a conviction under this section shall forthwith be reported by the court to the registrar of motor vehicles, and the registrar may suspend the license of the operator of such vehicle for not more than thirty days, and if it appears from the records of the registrar of motor vehicles that the person so convicted is the owner of the motor vehicle so used, the registrar may suspend the certificate of registration of said vehicle for thirty days.

The provisions of this section shall not be applicable to any dumping ground approved under section one hundred and fifty A of chapter one hundred and eleven or by other appropriate public authority.

This section shall be enforced by natural resources officers, by the director of the division of motorboats or his authorized agents, by harbormasters and assistant harbormasters, by members of the state police and inspectors of the registry of motor vehicles and by city,

town and metropolitan district commission police officers. In the city of Boston this section shall also be enforced by the commissioner of health and hospitals, by the commissioner of housing inspection, and by the commissioner of public works, and their respective authorized agents, and in section sixteen A, the commissioner of health and hospitals, the commissioner of housing inspection, and the commissioner of public works shall be deemed to be the commanding officers of their respective authorized agents.

Approved March 15, 1974.

Chap. 40. AN ACT RELATIVE TO EXTENDING THE TIME FOR THE REPAYMENT OF NOTES ISSUED BY CITIES AND TOWNS FOR SUMS BORROWED TO REPLACE FUNDS LOST OR UNAVAILABLE DUE TO THE INSOLVENCY OR LIQUIDATION OF A BANK WHEREIN ITS FUNDS WERE ON DEPOSIT.

Be it enacted, etc., as follows:

Section 8B of chapter 44 of the General Laws, inserted by chapter 565 of the acts of 1972, is hereby amended by striking out, in line 8, the word "five" and inserting in place thereof the word:— eight.

Approved March 15, 1974.

Chap. 41. AN ACT RELATIVE TO CHANGING THE DESIGNATION OF CERTAIN MEMORIALS DEDICATED TO VETERANS.

Be it enacted, etc., as follows:

Clause (10) of section 8 of chapter 44 of the General Laws, as amended by section 3 of chapter 23 of the acts of 1968, is hereby further amended by adding the following paragraph:—

The designation of any such memorial shall not be changed except after a public hearing by the board of selectmen or by the city council of the municipality wherein said memorial is located, notice of the time and place of which shall be given, at the expense of the proponents, by the town or city clerk as the case may be, by publication not less than thirty days prior thereto in a newspaper, if any, published in such town or city; otherwise, in the county in which such town or city lies; and notice of which shall also have been given by the proponents, by registered mail, not less than thirty days prior to such hearing, to all veterans' organizations of such town or city.

Approved March 15, 1974.

Chap. 42. AN ACT AUTHORIZING THE COUNTY OF BERKSHIRE TO ESTABLISH AND MAINTAIN A RADIO COMMUNICATION STATION FOR USE IN POLICE WORK.

Be it enacted, etc., as follows:

The county commissioners of Berkshire county are hereby authorized to establish and maintain a radio communication station for use in police work and for the promotion and preservation of the public safety. Said station shall be operated under the direction of the sheriff of said county, who shall employ as operators only such persons as are qualified under the rules and regulations of the federal communications commission or its successor. For said purposes said county commissioners may expend such sums as may be appropriated therefor.

Approved March 15, 1974.

Chap. 43. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ANNUAL TOWN MEETING OF THE TOWN OF WARREN HELD IN THE YEAR NINETEEN HUNDRED AND SEVENTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Warren at the annual town meeting and election held on March fourth, nineteen hundred and seventy-four, and at the adjourned session held on March ninth, nineteen hundred and seventy-four, and all acts done in pursuance thereof, are hereby ratified, validated and confirmed, notwithstanding the failure of said town to post the warrant for said annual town meeting at least seven days prior to March fourth, nineteen hundred and seventy-four.

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

Approved March 21, 1974.

Chap. 44. AN ACT PERMITTING TRUST COMPANIES TO HAVE AUTHORIZED BUT UNISSUED STOCK.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 172 of the General Laws is hereby amended by striking out subsection A, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following subsection:—

A. *Classes.* — The capital stock of such corporation may consist of common stock and one or more classes of preferred stock. The issuance of any such capital stock shall require the prior approval of the commissioner, and shall be subject to such conditions as the commissioner may impose.

SECTION 2. Said section 21 of said chapter 172 is hereby further amended by striking out subsection F, as so appearing.

Approved March 21, 1974.

Chap. 45. AN ACT RELATIVE TO TRANSACTIONS BY TRUST COMPANIES INVOLVING STOCK OF BANK HOLDING COMPANIES.

Be it enacted, etc., as follows:

Section 59 of chapter 172 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following paragraph:—

No such corporation shall directly or indirectly make a loan or discount on the security of the shares of its own capital stock or on the security of the shares of capital stock of any company, fifty per cent or more of the assets of which consists of capital stock of such corporation, nor may any such corporation be the purchaser or holder of such shares, unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith; and stock so purchased or acquired shall, within six months after its purchase or acquisition, be sold or disposed of at public or private sale; but the commissioner in his discretion, may grant additional periods of time for the holding of such stock. Any officer or employee of a trust company who knowingly violates any provision of this section, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

Approved May 21, 1974.

Chap. 46. AN ACT ESTABLISHING A PENALTY FOR FAILURE TO PROVIDE A LIFESAVING DEVICE FOR EVERY PERSON ABOARD CERTAIN VESSELS.

Be it enacted, etc., as follows:

Section 14 of chapter 90B of the General Laws is hereby amended by striking out subsection (*b*), as amended by chapter 110 of the acts of 1971, and inserting in place thereof the following subsection:—

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

Approved March 21, 1974.

Chap. 47. AN ACT FURTHER REGULATING THE PAYMENT OF DIVIDENDS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 20 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:— If the losses and bad debts of a credit union at the end of any dividend period exceed twenty per cent of the guaranty fund, including in said term the amount required by law to be contributed at the end of that

period to said fund, there shall thereafter be maintained a reserve fund which shall, before the payment of a dividend, unless the payment of the dividend is authorized and approved by the commissioner, be made equal, by payments from the earnings of that period, to the amount by which the losses and bad debts at the end of that period exceed twenty per cent of the guaranty fund, including the aforesaid contribution for that period; provided, that the excess in any subsequent period over the amount required to be maintained for that period as a reserve fund may be transferred from such fund and made available for the payment of dividends.

Approved March 21, 1974.

Chap. 48. AN ACT PERMITTING THE INVESTMENT OF FUNDS OF CREDIT UNIONS IN EVIDENCES OF INDEBTEDNESS WHICH ARE LEGAL INVESTMENTS FOR SAVINGS BANKS.

Be it enacted, etc., as follows:

The first sentence of section 21 of chapter 171 of the General Laws, as most recently amended by chapter 25 of the acts of 1973, is hereby further amended by inserting after the word "stocks", in line 12 the last time it appears, the words:— , and other evidences of indebtedness.

Approved March 21, 1974.

Chap. 49. AN ACT FURTHER REGULATING THE RATE 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 striking out the last sentence, added by chapter 463 of the acts of 1972.

Approved March 21, 1974.

Chap. 50. AN ACT ESTABLISHING A PROCEDURE FOR THE CHANGE OF NAME OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Chapter 170 of the General Laws is hereby amended by inserting after section 2 the following section:—

Section 2A. A corporation formed pursuant to section two may authorize, at a meeting duly called for the purpose, by vote of two thirds of the shareholders present and voting a change of its corporate name. Within sixty days after any meeting at which such change has been authorized, articles of amendment, signed under the penalties of perjury by the executive officer and by the clerk, setting

forth such change and the due adoption thereof, shall be submitted to the state secretary and the commissioner. If such amendment is approved by the commissioner, it shall take effect upon the filing of such approval with the state secretary.

Approved March 21, 1974.

Chap. 51. AN ACT RELATIVE TO FINES AND LATE CHARGES IMPOSED BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Chapter 170 of the General Laws is hereby amended by striking out section 33, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following section:—

Section 33. If authorized by the directors any such corporation may impose fines or late charges on dues and interest and principal in arrears. The directors shall prescribe the manner in which and the extent to which such fines may be waived.

The rate of fines on dues in arrears shall not exceed two per cent a month on each dollar in arrears, nor shall the fine for any one month exceed the fine imposed on payments six months in arrears, and no fine shall be imposed on a fine in arrears. No fine shall be charged upon arrears of dues or shares which are withdrawn, forfeited, suspended or retired, in excess of the profits, if any, which shall have been distributed thereto.

Subject to the provisions of this chapter and other applicable provisions of law, such corporation may charge fines on interest and principal in arrears.

Approved March 21, 1974.

Chap. 52. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO LIQUIDITY RESERVES OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Clause (*g*) of section 40 of chapter 170 of the General Laws, inserted by section 2 of chapter 461 of the acts of 1971, is hereby amended by striking out, in line 4, the word "two A" and inserting in place thereof the word:— four A.

Approved March 21, 1974.

Chap. 53. AN ACT REGULATING THE TIME WITHIN WHICH INSURANCE RATES SUBJECT TO THE APPROVAL OF THE COMMISSIONER OF INSURANCE SHALL BE FILED AND AUTHORIZING SAID COMMISSIONER TO POSTPONE THE EFFECTIVE DATE OF CERTAIN SUCH RATES.

Be it enacted, etc., as follows:

SECTION 1. Subsection (*a*) of section 6 of chapter 174A of the General Laws, as appearing in section 1 of chapter 614 of the acts of 1947, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences:— Every such filing shall be made with the commissioner at least fifteen days prior to the proposed effective date thereof and shall indicate the character and extent of the coverage contemplated and the extent and nature of any change in rates, rating plans or premium charges. The commissioner may by order delay the effective date for not more than thirty additional days in any case in which he determines such delay is needed to properly examine the filing and any supporting information filed as requested or to permit a hearing thereon.

SECTION 2. Section 7 of said chapter 174A, as so appearing, is hereby amended by adding the following subsection:—

(*c*) The commissioner may also call a hearing at any time prior to the proposed effective date of any filing or any later effective date called for by order made pursuant to this chapter. If after such hearing the commissioner finds that any such filing will not meet the requirements of this chapter, said filing shall not take effect.

SECTION 3. Subsection (*a*) of section 6 of chapter 175A of the General Laws, as appearing in section 1 of chapter 641 of the acts of 1947, is hereby amended by striking out the second sentence and by inserting in place thereof the following two sentences:— Every such filing shall be made with the commissioner at least fifteen days prior to the proposed effective date thereof and shall indicate the character and extent of coverage contemplated and the extent and nature of any change in rates, rating plans or premium charges. The commissioner may by order delay the effective date for not more than thirty additional days in any case where he determines such delay is needed to properly examine the filing and any supporting information filed as requested or to permit a hearing thereon.

SECTION 4. Section 7 of said chapter 175A, as so appearing, is hereby amended by adding the following subsection:—

(*c*) The commissioner may also call a hearing at any time prior to the proposed effective date of any filing or any later effective date called for by order made pursuant to this chapter. If after such hearing the commissioner finds that any such filing will not meet the requirements of this chapter, said filing shall not take effect.

Approved March 21, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
March 26, 1974

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 53 of the Acts of 1974, entitled "AN ACT REGULATING THE TIME WITHIN WHICH INSURANCE RATES SUBJECT TO THE APPROVAL OF THE COMMISSIONER OF INSURANCE SHALL BE FILED AND AUTHORIZING SAID COMMISSIONER TO POSTPONE THE EFFECTIVE DATE OF CERTAIN SUCH RATES." and the enactment of which received my approval on March 21, 1974, should take effect forthwith.

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

It is in the public interest that the powers and procedure set forth in this Act be made available to the Commissioner forthwith.

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

OFFICE OF THE SECRETARY, Boston, March 26, 1974

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

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

Chap. 54. AN ACT INCREASING THE AMOUNT OF MONEY WHICH CERTAIN CREDIT UNIONS MAY LOAN ON ONE PARCEL OF REAL ESTATE.

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 second and third paragraphs and inserting in place thereof the following two paragraphs:—

A credit union which is insured in full under federal or state law, or under both, and having assets of five hundred thousand dollars or more, may loan upon any one parcel of real estate to an amount not exceeding twenty-five thousand dollars, and the total liability of any one member as borrower on loans so secured shall not exceed fifty thousand dollars.

A credit union which is insured in full under federal or state law, or under both, and whose shares and deposits aggregate more than two million dollars, may loan upon any one parcel of real estate to an amount not exceeding forty thousand dollars, and the total liability of any one member as borrower on loans so secured shall not exceed eighty thousand dollars.

Approved March 21, 1974.

Chap. 55. 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 85 of the acts of 1972, and inserting in place thereof the 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 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 twenty thousand dollars, in the aggregate, and, provided that he has no other account, he may jointly with another member hold shares or make deposits or both to an amount not exceeding, in the aggregate, forty thousand dollars, exclusive of club deposits, and a member of a credit union whose deposit and

share liabilities are insured by the Massachusetts Credit Union Share Insurance Corporation having assets of four million dollars or more may hold shares or make deposits or both therein in his own name to an amount not exceeding twenty-five thousand dollars, in the aggregate, and provided that he has no other account, he may jointly with another member hold shares or make deposits or both to an amount not exceeding, in the aggregate, fifty thousand dollars, exclusive of club deposits.

Approved March 21, 1974.

Chap. 56. AN ACT PERMITTING CREDIT UNIONS TO MAKE LOANS FOR PURCHASES OF RECREATIONAL VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph 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 adding after clause (*e*) the following clause:—

(*f*) Recreational vehicle loans.

SECTION 2. Said section 24 of said chapter 171 is hereby further amended by adding the following subdivision:—

(F) RECREATIONAL VEHICLE LOANS.

A credit union may make a loan for the purpose of financing the purchase of a boat, camper, trailer, to an amount not exceeding, on each such loan, one per cent of its assets, or twelve thousand dollars, whichever is smaller. Loans on such vehicles shall be required to be repaid in substantially equal weekly or monthly installments within a period of not more than five years from the date of such purchase, and such loan shall be secured by a security interest on such recreational vehicle. The credit union shall promptly upon making any such loan, take all action necessary to perfect its security interest.

Approved March 21, 1974.

Chap. 57. AN ACT PERMITTING CREDIT UNIONS TO PAY INTEREST OR DIVIDENDS ON CLUB DEPOSITS AT THE RATE PAID ON REGULAR DEPOSITS OR SHARES.

Be it enacted, etc., as follows:

Section 10 of chapter 171 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by chapter 122 of the acts of 1971, and inserting in place thereof the following sentence:— A credit union may also contract, on terms to be agreed upon, with a person eligible for membership in the credit union or a member of the family of such a person, for the deposit at intervals within a period of twelve months, of sums of money, to be known as club deposits, in the aggregate not in excess of two

thousand dollars, and may pay interest or dividends thereon in the amount decided by its board of directors, but at no higher rate than that paid on its regular deposits or as regular dividends on shares.

Approved March 21, 1974.

Chap. 58. AN ACT FURTHER REGULATING THE GRANTING OF LOANS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 22 of chapter 171 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 5 of chapter 420 of the acts of 1971, and inserting in place thereof the following paragraph:—

Notwithstanding the provisions of this section, the board of directors may delegate to one or more loan officers, who need not be members of the credit committee or to an employee, who need not be a member of the board of directors, the power to make all loans provided for in section twenty-four, with the exception of real estate loans. All loans made by such loan officer or employee shall be reported to the credit committee within seven days from the date of the loan.

Approved March 21, 1974.

Chap. 59. AN ACT MAKING FURTHER CORRECTIVE CHANGES IN THE LAW CHANGING THE FISCAL CYCLES OF COUNTIES, CITIES, TOWNS AND CERTAIN DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to make further corrective changes in the law changing the fiscal cycles of counties, cities, towns and certain districts, 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 78 of chapter 849 of the acts of 1969, as appearing in section 8 of chapter 52 of the acts of 1973, is hereby amended by striking out the third paragraph and inserting in place thereof the following three paragraphs:—

The second bill shall be for real estate and personal property taxes assessed as of January first, nineteen hundred and seventy-four. The tax rate shown on said bill and used in computing said real estate and personal property taxes shall be based upon one third of the amount required to be assessed pursuant to section twenty-three of chapter fifty-nine of the General Laws for said eighteen-month fiscal year.

In computing said tax rate the assessors may deduct, from said one third of the amount required to be assessed, actual or estimated receipts from the commonwealth not previously taken into account

for said eighteen-month fiscal year, provided said tax rate for such period is fixed by the assessors no later than June thirtieth, nineteen hundred and seventy-four. Such amount may be increased by providing for additional overlay in such sum as may be necessary for tax rate stabilization through June thirtieth, nineteen hundred and seventy-five. Any deductions from or increases to said amount shall be subject to written approval by the state tax commission. Said bills shall be sent out not later than March fifteenth, nineteen hundred and seventy-four, and shall be due and payable on said March fifteenth in every city, town and district in which the taxes are assessed, or if such bill was first sent out after April first, nineteen hundred and seventy-four, on or before the thirtieth day after the date on which the bill was so sent out. Interest shall be paid at the rate of eight per cent per annum on so much of the second billing as remains unpaid after May first, nineteen hundred and seventy-four, computed from April first of said year, or if such second billing was first sent out after April first, nineteen hundred and seventy-four, interest shall be paid at the rate of eight per cent per annum on so much of such second billing as remains unpaid after the thirtieth day after the date on which the bill was so sent out computed from the date on which the second billing was so sent out. Section five of chapter fifty-nine of the General Laws shall be construed to provide an exemption from the taxes assessed as provided for in this paragraph based upon the valuation exempt under said section five multiplied by the tax rate provided for in this paragraph, except that in determining the amount of the tax relief under any clause of said section five which provides for an abatement of a fixed dollar amount, the sum specified shall be deemed to be one half of the sum actually specified under any such clause.

Applications for abatement or exemption with respect to taxes assessed as provided for in the preceding paragraph shall be filed on or before October first, nineteen hundred and seventy-four, or if the bill for such taxes was first sent out after September first, nineteen hundred and seventy-four, on or before the thirtieth day after the date on which the bill was so sent, or, in the case of an application for an exemption under clause Seventeenth Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Thirty-seventh or Forty-first of section five of chapter fifty-nine of the General Laws, on or before December fifteenth, nineteen hundred and seventy-four. Any lists and returns required to be filed in nineteen hundred and seventy-four pursuant to sections eight, eight A, twenty-nine, thirty-four, and fifty-one of chapter fifty-nine of the General Laws shall be filed on or before February fifteenth, nineteen hundred and seventy-four.

Approved March 25, 1974.

Chap. 60. AN ACT AUTHORIZING THE TOWN OF WEST BOYLSTON TO BORROW MONEY FOR RENOVATING CERTAIN OUTDOOR ATHLETIC AND RECREATIONAL FACILITIES IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of West Boylston is hereby authorized to borrow the sum of ninety-seven thousand dollars for the purpose of renovating the outdoor athletic and recreation facilities at Goodale park in said town, and to issue bonds or notes therefor which shall be payable in not more than three years from the date of issue thereof.

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

Approved March 25, 1974.

Chap. 61. 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 Worcester Bus Co., Inc., the amount of eleven thousand seven hundred dollars for the transportation of students residing in the said city to the Shepherd Knapp school, a private school located in the town of Boylston, and to St. John's high school, a private school located in the town of Shrewsbury, during the period of September tenth, nineteen hundred and seventy-three, through October twenty-sixth, nineteen hundred and seventy-three, at the request of the school committee of the city of Worcester, which sum is legally unenforceable against said city.

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

SECTION 3. Any person who knowingly files a certificate required by section two which is false, and who thereby receives payment for services which were not rendered to said 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 March 29, 1974.

Chap. 62. AN ACT REPEALING THE LAW LIMITING THE NUMBER OF SIGNATURES OF VOTERS OF ANY ONE COUNTY ON STATE-WIDE RECOUNT PETITIONS.

Be it enacted, etc., as follows:

The third paragraph of section 135 of chapter 54 of the General Laws, as amended by section 1 of chapter 353 of the acts of 1947, is hereby further amended by striking out, in lines 7 and 8, the words:— , not less than two hundred and fifty to be from each of four different counties.

Approved March 29, 1974.

Chap. 63. AN ACT FURTHER REGULATING THE CERTIFICATION OF SIGNATURES ON NOMINATION PAPERS AND INITIATIVE PETITIONS.

Be it enacted, etc., as follows:

Section 7 of chapter 53 of the General Laws is hereby amended by adding the following paragraph:—

Signatures shall not be certified on nomination papers or initiative and referendum petitions from more than one city or town per sheet.

Approved March 29, 1974.

Chap. 64. AN ACT AUTHORIZING THE CITY OF BEVERLY TO CONVEY CERTAIN LAND IN THE CITY OF BEVERLY.

Be it enacted, etc., as follows:

The city of Beverly, by its mayor, is hereby authorized to convey, without monetary consideration, by a deed approved as to form by the city solicitor of said city, to the commonwealth two parcels of land in said city shown as Parcel "C" and Parcel "D" on a plan entitled "Plan of Land Located in the Vicinity of Norwoods Pond, Beverly, Mass., Scale: One inch equals One Hundred feet April One Thousand Nine Hundred and Seventy-One, Edgar G. Mitchell, 'Acting Commissioner of Public Works' (Note: Revised-June Fourteenth, One Thousand Nine Hundred and Seventy-Two)," said plan being on file in the city engineer's office at city hall in said city and bounded and described as follows:—

PARCEL "C"

South Forty-Seven Degrees, Eight Minutes, Thirty Seconds East by land of Carnevale, Two Hundred Nine and Seventy-Seven One Hundredths Feet. South Eighty-Six Degrees, Forty-Four Minutes, Zero Seconds East, by land of Carnevale, Three Hundred Six and Thirty-Two One Hundredths Feet. North Eleven Degrees, Four Minutes, Forty Seconds West by land of Carnevale, Two Hundred Ninety-Five and Thirty-Seven One Hundredths Feet. North Forty

Degrees, Seventeen Minutes, Ten Seconds West, by land of Carnevale, One Hundred Fifty-Eight and Eighty-Four One Hundredths Feet. North Forty-Five Degrees, Eleven Minutes, Ten Seconds West, by land of Carnevale, Eighty and Twenty-One One Hundredths Feet. North Fifty-One Degrees, Three Minutes, Fifty Seconds East, by land of the Commonwealth of Massachusetts, One Hundred Thirty-Five and Sixty-Two One Hundredths Feet. South Forty-Four Degrees, Eight Minutes, Fifty Seconds East, by land of the Commonwealth of Massachusetts, Three Hundred One and Twenty-Five One Hundredths Feet. South Nine Degrees, One Minute, Thirty Seconds East by land of the Commonwealth of Massachusetts, Two Hundred Eleven and Eighty One Hundredths Feet. South Thirty-Seven Degrees Twenty Minutes, Twenty Seconds East by land of the Commonwealth of Massachusetts, One Hundred Fifty-Two and Eleven One Hundredths Feet. South Four Degrees, Thirty-Six Minutes, Twenty Seconds West, by land of the Commonwealth of Massachusetts, Four Hundred Forty-Nine and Fifty-One One Hundredths Feet. South Fifty-Seven Degrees, Forty-Three Minutes, Twenty-Two Seconds West, by land of Moses G. Brudno, Bernice E. Brudno, Sally B. Wyner, Trustee, Seven Hundred Twenty-Eight and Twenty-Eight One Hundredths Feet. North Thirty-Two Degrees, One Minute, Zero Seconds West, by land of the City of Beverly, (Parcel "D"), One Hundred Seventy-Six Feet. North Twenty-Nine Degrees, Forty-Eight Minutes, Ten Seconds West, by land of the City of Beverly, (Parcel "D"), One Hundred Seventy-Three and Sixty-Seven One Hundredths Feet. North Thirty-Three Degrees, Thirty-Three Minutes, Forty Seconds West, by land of the City of Beverly, (Parcel "D"), One Hundred Twenty and Seventeen One Hundredths Feet. North Thirty-Two Degrees, Eight Minutes, Forty Seconds West, by land of the City of Beverly, (Parcel "D"), One Hundred Fifty and Sixty-Seven One Hundredths Feet. North Thirty-Two Degrees, Fifty-Six Seconds, Ten Seconds West, by land of the City of Beverly, (Parcel "D"), Two Hundred Eight and Forty-Eight One Hundredths Feet. North Thirty-One Degrees, Thirty-Two Minutes, Ten Seconds West, by land of the City of Beverly, (Parcel "D"),Thirty and Sixty-Four One Hundredths Feet.

Containing about Sixteen and Two Tenths Acres.

PARCEL "D"

Beginning at a point marked "A" on the aforementioned plan, said point "A" being located on the extension of the northeasterly line of Berrywood Lane, One Hundred feet from the southerly corner of Lot "C" being land belonging to Katz, thence running North Fifty-Nine Degrees, Twenty-Three Minutes, Three Seconds East by land of the City of Beverly, a distance of Eighty-Three and Ninety-Eight One Hundredths feet to a point marked "B" on said plan, thence turning and running South Thirty-One Degrees, Fifty-Six Minutes, Fifty-Three Seconds East by land of Carnevale, a distance of Two Hundred Seventy-Five and Fifteen One Hundredths Feet to a point marked "C" on said plan, thence running South Thirty-One Degrees, Thirty-Two Minutes, Ten Seconds East by land of Carnevale and Brudno,

Wyner, Trustees a distance of One Hundred Thirty and Sixty-Four One Hundredths feet to a point marked "D" on said plan, thence running South Thirty-Two Degrees, Fifty-Six Minutes, Ten Seconds East by land of Brudno and Wyner Trustees, a distance of Two Hundred Eight and Forty-Eight One Hundredths Feet to a point marked "E" on said plan, thence running South Thirty-Two Degrees, Eight Minutes, Forty Seconds East by land of Brudno and Wyner Trustees, a distance of One Hundred Twenty and Seventeen One Hundredths feet to a point marked "G" on said plan, thence running South Twenty-Nine Degrees, Forty-Eight Minutes, Ten Seconds East by land of Brudno and Wyner, Trustees, a distance of One Hundred Seventy-Three and Sixty-Seven One Hundredths Feet, to a point marked "H" on said plan, thence running South Thirty-Two Degrees, One Minute, Zero Seconds East by land of Brudno and Wyner, Trustees, a distance of One Hundred Seventy-Six Feet to a point marked "I" on said plan, thence turning and running South Fifty-Seven Degrees, Thirty-Three Minutes, Fifty Seconds West by land of the City of Beverly, a distance of Three Hundred Fifty Feet to a point marked "J" on said plan, thence turning and running North Thirty-One Degrees, Fifty-Seven Minutes, Twenty Seconds West by land of the City of Beverly, a distance of One Thousand Two Hundred Forty-Five and Thirty-Four One Hundredths Feet to a point marked "K" on said plan, thence turning and running North Fifty-Nine Degrees, Twenty-Three Minutes, Three Seconds East, by land of the City of Beverly and the extension of Berrywood Lane, a distance of Two Hundred Sixty-Six and Two One Hundredths Feet to the point of beginning marked "A" upon said plan.

Containing about Ten and One One Hundredth Acres.

Approved March 29, 1974.

Chap. 65. AN ACT DESIGNATING THE PLAZA TO BE CONSTRUCTED AT THE JOHN W. MCCORMACK STATE OFFICE BUILDING AS THE EDWARD H. ROEMER MEMORIAL PLAZA.

Be it enacted, etc., as follows:

The plaza to be constructed at the John W. McCormack State Office Building shall, upon its completion, be designated and known as the Edward H. Roemer Memorial plaza, in memory of Edward H. Roemer, former three-term chairman of the government center commission. Said commission shall erect a suitable marker bearing said designation at said plaza.

Approved March 29, 1974.

Chap. 66. AN ACT REQUIRING THE STATE SECRETARY TO FILE WITH THE STATE LIBRARIAN TWO FREE COPIES OF ALL PUBLISHED RULES AND REGULATIONS WITHIN ONE WEEK AFTER PUBLICATION.

Be it enacted, etc., as follows:

Section 6 of chapter 30A of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 4 of chapter 712 of the acts of 1970, and inserting in place thereof the following paragraph:—

The state secretary shall file with the state librarian two free copies of all published rules and regulations within one week after publication. The secretary shall make readily available upon request of any person or group, at no more than the cost of publication and distribution, any or all of the separate agency compilations or portions thereof, including supplements. He shall, upon request, transmit a free copy of the same to the clerk of the house of representatives and of the senate and to the counsel thereof, respectively, and to the clerk of each city and town.

Approved March 29, 1974.

Chap. 67. AN ACT PROVIDING FOR THE DISTRIBUTION OF AN ANNUAL STREET LIST, SO CALLED, TO THE CHAIRMAN OF EACH CITY AND TOWN COMMITTEE.

Be it enacted, etc., as follows:

Section 7 of chapter 51 of the General Laws, as most recently amended by section 1 of chapter 205 of the acts of 1969, is hereby further amended by adding the following sentence:— A copy of said lists containing the information required by this section shall be made available to the chairman of each city and each town committee.

Approved March 29, 1974.

Chap. 68. AN ACT AUTHORIZING THE TOWN OF MIDDLEBOROUGH TO PAY A UNIFORM ALLOWANCE DIRECTLY TO CERTAIN EMPLOYEES OF ITS POLICE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Middleborough may appropriate and pay a uniform allowance directly to those employees of its police department who are entitled to such allowance. Said allowance shall be retroactive to April first, nineteen hundred and seventy-three.

SECTION 2. Any action taken by the town of Middleborough at a town meeting under the provisions of section one of this act, prior to

the effective date thereof, shall be valid to the same extent as if this act were in effect at the time of the posting of the warrant for said meeting.

Approved March 29, 1974.

Chap. 69. AN ACT PERMITTING CERTAIN INVESTMENTS OF CREDIT UNIONS IN BONDS OR NOTES OF CERTAIN FEDERAL AGENCIES TO BE USED AS LIQUIDITY.

Be it enacted, etc., as follows:

Section 21 of chapter 171 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 525 of the acts of 1971, and inserting in place thereof the following sentence:— At least five per cent of the total assets of a credit union shall be carried as cash on hand or as balances due from banks and trust companies or banking companies which are members of the Federal Deposit Insurance Corporation, or invested in the bonds or notes of the United States, or of any state, or subdivision thereof, or federal agencies which are on the legal list with a maturity of up to three years, or repurchase agreements secured by United States government obligations up to one year maturity, or certificates of deposit of up to one year maturity, which are legal investments for savings banks as above provided, or deposited in savings banks incorporated in the commonwealth or invested in paid-up shares and accounts of and in co-operative banks incorporated in the commonwealth, or in shares of savings and loan associations incorporated in the commonwealth, or in the shares of federal savings and loan associations having a usual place of business within the commonwealth, or in the shares of the Central Credit Union Fund, Inc.; provided, that such bonds, notes, or shares are the absolute property and under the control of such credit union.

Approved April 1, 1974.

Chap. 70. AN ACT INCREASING THE FEE FOR LICENSES FOR LODGING HOUSES.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 23, as amended by chapter 577 of the acts of 1952, and inserting in place thereof the following section:

Section 23. Licensing authorities may grant licenses for lodging houses which shall be for the period provided in section four, and shall charge for each license such fee, not exceeding twenty dollars, as the city council or selectmen may establish, otherwise the same shall be granted without charge.

Approved April 1, 1974.

Chap. 71. AN ACT RELATIVE TO THE QUALIFICATIONS OF CERTAIN VOTERS.

Be it enacted, etc., as follows:

Section 1 of chapter 51 of the General Laws is hereby amended by striking out the last paragraph, as amended by chapter 300 of the acts of 1960.

Approved April 1, 1974.

Chap. 72. AN ACT INCREASING THE PERSONAL LOAN LIMITATIONS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by striking out paragraphs 1 and 2, as appearing in section 6 of chapter 420 of the acts of 1971, and inserting in place thereof the following two paragraphs:—

1. To an amount of two hundred dollars or two per cent of the assets, whichever is greater, not exceeding five hundred dollars, if evidenced by the unendorsed and unsecured note of the borrower; provided, however, that if a credit union is insured in full under federal or state law, or under both, to an amount of two hundred dollars or two per cent of the assets, whichever is greater, not exceeding fifteen hundred dollars, if evidenced by the unendorsed and unsecured note of the borrower.

2. To an amount of five hundred dollars or two per cent of the assets, whichever is greater, not exceeding one thousand dollars, if evidenced by the note of the borrower with one or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same; provided, however, that if a credit union is insured in full under federal or state law, or under both, to an amount of one thousand dollars or two per cent of the assets, whichever is greater, not exceeding twenty-five hundred dollars, if evidenced by the note of the borrower with one or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same.

SECTION 2. Said fourth paragraph of said subdivision (A) of said section 24 of said chapter 171 is hereby further amended by striking out paragraph 3A, as so appearing, and inserting in place thereof the following paragraph:—

3A. Notwithstanding the limitations in paragraph 3, a credit union which is insured in full under federal or state law, or under both, may make loans to an amount not exceeding three thousand dollars, and if the assets of such credit union are more than five hundred thousand dollars to an amount not exceeding thirty-five hundred dollars, if evidenced by the note of the borrower with two or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same.

Approved April 1, 1974.

Chap. 73. AN ACT RELATIVE TO TERM DEPOSITS IN SAVINGS BANKS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 22C of chapter 168 of the General Laws, inserted by section 1 of chapter 354 of the acts of 1971, is hereby amended by striking out subsection 1 and inserting in place thereof the following subsection:—

1. *Term Deposit Account Plans.*— Any such deposit shall be received subject to the terms of a written plan consistent with applicable regulations promulgated by the commissioner which plan shall specify (*a*) the proposed rates of dividends to be paid on such term deposits, including day-to-day dividends or interest if the plan so provides, (*b*) the minimum amount which shall be not less than one thousand dollars, and the maximum amount of deposit balances and the minimum period, which shall be not less than six months, of maintenance of such balances to which such specified rates shall apply, (*c*) the additional reserve to be established for such rates of dividends, (*d*) the form and substance of the certificate or passbook which shall represent the deposits to which such dividends may apply and (*e*) such other provisions as are deemed necessary or advisable to give effect to the purposes of such plan.

SECTION 2. Subsection 3B of section 13 of chapter 170 of the General Laws is hereby amended by striking out provision 1, inserted by section 4 of said chapter 354, and inserting in place thereof the following provision:—

1. *Term Deposit Account Plans.*— Any such deposit shall be received subject to the terms of a written plan consistent with applicable regulations promulgated by the commissioner which plan shall specify (*a*) the proposed rates of dividends to be paid on such term deposits, including day-to-day dividends or interest if the plan so provides, (*b*) the minimum amount which shall be not less than one thousand dollars, and the maximum amount of deposit balances and the minimum period, which shall be not less than six months, of maintenance of such balances to which such specified rates shall apply, (*c*) the additional reserves to be established for such rates of dividends, (*d*) the form and substance of the certificate or passbook which shall represent the deposits to which such dividends may apply and (*e*) such other provisions as are deemed necessary or advisable to give effect to the purposes of such plan.

Approved April 1, 1974.

Chap. 74. AN ACT FURTHER REGULATING LOANS SECURED BY FIRST MORTGAGES ON UNITS OF CONDOMINIUMS.

Be it enacted, etc., as follows:

Section 51C of chapter 167 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 79 of the

acts of 1973, and inserting in place thereof the following sentence:— The aggregate balance of principal of all such loans outstanding at any one time shall not exceed ten per cent of the deposits of such bank.

Approved April 1, 1974.

Chap. 75. AN ACT REGULATING THE SERVICE OF DIRECTORS OR OFFICERS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of provision 3 of section 10 of chapter 168 of the General Laws, as amended by section 1 of chapter 520 of the acts of 1972, is hereby further amended by inserting after the word "bank", in line 3, the words:— , credit union.

SECTION 2. The second sentence of section 8A of chapter 170 of the General Laws, as amended by section 2 of said chapter 520, is hereby further amended by inserting after the word "bank", in line 4, the words:— , credit union.

SECTION 3. Chapter 171 of the General Laws is hereby amended by inserting after section 15 the following section:—

Section 15A. No person shall be a director of two credit unions at the same time. After January first, nineteen hundred and seventy-five, a director or other officer of a credit union may at the same time be a trustee, director 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 time of incorporation of said credit union.

SECTION 4. The second sentence of section 16 of chapter 172 of the General Laws, as amended by section 3 of chapter 520 of the acts of 1972, is hereby further amended by inserting after the word "bank", the second time it appears in line 4, the words:— , credit union.

Approved April 1, 1974.

Chap. 76. AN ACT RELATIVE TO THE INDUSTRIAL DEVELOPMENT OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of subsection (2) of section 12 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 clause (*e*) and inserting in place thereof the following clause:—

(*e*) The project will provide employment, or security against loss of employment, having a reasonable relationship to the principle amount of the bonds to be issued therefor, taking into account, among other things, the investment per employee of comparable industrial facilities;.

SECTION 2. Said second paragraph of said subsection (2) of said section 12 of said chapter 40D, as so appearing, is hereby further amended by striking out clause (*i*) and inserting in place thereof the following clause:—

(*i*) In cases where the project consists of or includes the acquisition, equipping or improvement of existing facilities and such acquisition, equipping or improvement is not incidental to the construction and equipping of entirely new facilities, the completed project will be of suitable type and scope for its intended purpose;.

Approved April 2, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
April 2, 1974

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 76 of the Acts of 1974, entitled "AN ACT RELATIVE TO THE INDUSTRIAL DEVELOPMENT OF CITIES AND TOWNS." and the enactment of which received my approval on April 2, 1974, should take effect forthwith.

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

It is in the public interest that the provisions of this Act which would better enable municipalities to enhance employment opportunities and encourage industrial enterprises take effect forthwith.

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

OFFICE OF THE SECRETARY, Boston, April 2, 1974.

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

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

Chap. 77. AN ACT RELATIVE TO THE TAXATION OF INTEREST AND DIVIDENDS ON CERTAIN TERM AND TIME DEPOSITS IN BANKS OR SAVINGS AND LOAN ASSOCIATIONS INCORPORATED IN, CHARTERED BY OR LOCATED IN THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to clarify the law regarding the taxation of certain term and time deposits in banks or savings and loan associations incorporated in, chartered by or located in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of subsection (*b*) of section 2 of chapter 62 of the General Laws is hereby amended by striking out subparagraph (A), as appearing in section 2 of chapter 723 of the acts of 1973, and inserting in place thereof the following subparagraph:—

(A) Interest and dividends from savings deposits, including term and time deposits having a principal amount of less than one hundred thousand dollars, savings accounts, share or share savings accounts in any savings or cooperative bank, trust company or credit union incorporated in or chartered by the commonwealth; in any national bank, federal savings and loan association or federal credit union located in the commonwealth; in any banking company or Morris Plan company subject to chapter one hundred and seventy-two A; in any savings or loan association under the supervision of the commissioner of banks.

SECTION 2. This act shall apply to taxable years commencing after December thirty-first, nineteen hundred and seventy-two.

Approved April 3, 1974.

Chap. 78. AN ACT GRANTING THE HOUSING COURT OF THE COUNTY OF HAMPDEN JURISDICTION OVER ACTIONS ARISING UNDER THE ZONING ENABLING ACT.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 21 of chapter 40A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 4 of chapter 1114 of the acts of 1973, and inserting in place thereof the following two sentences:— 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, or if the land is situated in Hampden county either to the superior court or to the housing court of the county of Hampden, by commencing a civil action 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. Any such bill in equity filed in the superior court in Hampden county or in the housing court of the county of Hampden may, upon motion of any party or upon motion of the court, be transferred between said superior court in Hampden county and said housing court of the county of Hampden.

SECTION 2. The first sentence of the first paragraph of section 3 of chapter 185B of the General Laws, as appearing in section 1 of chapter 591 of the acts of 1973, is hereby amended by inserting after the word "under", in line 4, the words:— chapter forty A,.

Approved April 3, 1974.

Chap. 79. AN ACT FURTHER REGULATING THE TIME FOR TAKING AND CHANGING PARTY ENROLMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 38 of chapter 53 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 115 of the acts of 1972, and inserting in place thereof the following sentence:— No voter enrolled under this section or section thirty-seven shall be allowed to receive the ballot of any political party except that with which he is so enrolled; but, except as otherwise provided by said section thirty-seven, a voter may, except within a period beginning at ten o'clock in the evening of the twenty-eighth day prior to a state or presidential primary or the twentieth day prior to a special state primary or city or town 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.

SECTION 2. Said section 38 of said chapter 53 is hereby further amended by striking out the third sentence, as so appearing, and inserting in place thereof the following sentence:— Except as otherwise provided in section twelve of chapter four, such enrolment, change or cancellation shall take effect at the expiration of twenty-eight days for a state and presidential primary or twenty days for a special state primary or city or town primary following the receipt by said board of such certificate, or such appearance, as the case may be.

Approved April 3, 1974.

Chap. 80. AN ACT FURTHER REGULATING THE DETERMINATION OF AVAILABLE FUNDS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

The first paragraph of section 23 of chapter 59 of the General Laws, as amended by section 5 of chapter 52 of the acts of 1973, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:— Deductions made by the assessors under any provision of this section shall not be subject to the approval of the commission or commissioner, as the case may be; provided, however, that deductions made under clause (*a*) on account of estimated receipts, other than those estimated by the commission, shall not exceed the aggregate amount of actual receipts received during the preceding calendar year from the same sources, except with the written approval of the commission; and provided, further, that deductions made under clauses (*b*) and (*c*) shall not exceed the sums certified to the assessors and the commissioner by the director of accounts, after such examination of the accounts of the town as he may deem proper, as the amounts of available funds on hand on the preceding July first together with the total of the proceeds from the sale of tax title possessions and the receipts from tax title redemptions, in addition to the real and personal taxes of prior years collected or received between said July first and the last day of the month preceding the month in which the tax rate is determined, but in no event later than March thirty-first of said current year.

Approved April 3, 1974.

Chap. 81. AN ACT REQUIRING CERTAIN COUNTY TREASURERS TO SHOW ALL PAYROLL DEDUCTIONS WHEN ISSUING SALARY CHECKS.

Be it enacted, etc., as follows:

Section 19 of chapter 35 of the General Laws is hereby amended by adding the following paragraph:—

Each treasurer making deductions from the salary, wages or

compensation of an employee shall notify in writing such employee of the amounts and nature of such deductions at the time of payment of the salary, wages or compensation from which such deductions are made. The provisions of this paragraph shall not apply to Suffolk county.

Approved April 3, 1974.

Chap. 82. AN ACT REQUIRING CERTAIN MONTHLY ACCOUNTS TO BE FILED BY COUNTY TREASURERS.

Be it enacted, etc., as follows:

Chapter 35 of the General Laws is hereby amended by striking out section 36 and inserting in place thereof the following section:—

Section 36. On or before the fifth day of each month the treasurer shall render to the county commissioners an account of all county receipts, cash on hand and expenditures for the prior month, and when approved and allowed by them, shall deliver it to their clerk.

Approved April 3, 1974.

Chap. 83. AN ACT EXTENDING THE REMEDY IN CASE OF NON-COMPLIANCE WITH THE LAW REQUIRING CERTAIN MEETINGS TO BE OPEN TO THE PUBLIC.

Be it enacted, etc., as follows:

Section 23C of chapter 39 of the General Laws, as amended by section 1 of chapter 323 of the acts of 1964, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:— Upon proof of failure by any public board or commission or by any member or officer thereof to carry out any of its or his responsibilities for public notice of meetings, for holding them open to the public, or for maintaining public records thereof, as such responsibilities are prescribed by this chapter and by chapters thirty A, thirty-four, and sixty-six, any justice of the supreme judicial or the superior court, sitting within and for the county in which such public board or commission acts or, in the case of such public board or commission of the commonwealth, sitting within and for any county, shall issue an appropriate order requiring such public board or commission or member or officer thereof to carry out as to meetings thereafter held all such responsibilities. Such order may invalidate any action taken at any meeting which violates the provisions of this chapter, chapter thirty A, thirty-four or sixty-six, providing that such petition is filed within fourteen days of the date when said action is taken.

Approved April 3, 1974.

Chap. 84. AN ACT AUTHORIZING THE TOWN OF BOXFORD TO ISSUE AN ALL ALCOHOLIC BEVERAGES LICENSE TO FAR CORNER FARM GOLF COURSE, INC.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of chapter one hundred and thirty-eight of the General Laws, the local licensing authority of the town of Boxford, as defined in section one of said chapter one hundred and thirty-eight, is hereby authorized to issue to Far Corner Farm Golf Course, Inc., a corporation duly established by law in the commonwealth and located in said town, a license to sell, during the year nineteen hundred and seventy-four, all alcoholic beverages to be consumed on its premises to its members and guests introduced by such members and to no others. Such license shall not be transferable, but shall be subject to all other provisions of said chapter one hundred and thirty-eight.

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

E. Shall an annual, nontransferable license, be granted in the town of Boxford for the sale therein of all alcoholic beverages by Far Corner Farm Golf Course, Inc. to its members and to guests introduced by such members and to no others?

If a majority of the votes cast in said town in answer to said subdivision E is in the affirmative, said town shall, irrespective of the results of the votes in answer to subdivisions A, B, C and D, be taken to authorize, for the two calendar years next succeeding, the issuance of a license, for the sale in said town of all alcoholic beverages to be consumed on the premises of Far Corner Farm Golf Course, Inc. Such license shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

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

Approved April 8, 1974.

Chap. 85. AN ACT RELATIVE TO THE VALIDATION OF CERTAIN ACTIONS TAKEN BY THE SWANSEA WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 776 of the acts of 1973 is hereby amended by striking out, in lines 28 and 29, the words "within ten days of the effective date of this act" and inserting in place thereof the words:— on or before May first, nineteen hundred and seventy-four.

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

Approved April 9, 1974.

Chap. 86. AN ACT VALIDATING ADOPTION BY THE GROTON-DUNSTABLE REGIONAL SCHOOL DISTRICT OF AN AMENDMENT TO ITS AGREEMENT.

Be it enacted, etc., as follows:

SECTION 1. The adoption by the Groton-Dunstable Regional School District of the amendment to its regional school district agreement entitled "Amendment No. 1 to the agreement between the Towns of Groton and Dunstable, Massachusetts with respect to the establishment of a Regional School District", which amendment was initiated by vote of the regional district school committee adopted on May twenty-third, nineteen hundred and seventy-three, and approved by the town of Groton at a special town meeting held on June fourth, nineteen hundred and seventy-three, and by the town of Dunstable at a special town meeting held on June eleventh, nineteen hundred and seventy-three, is hereby validated and confirmed and said amendment is declared to be effective to the same extent as though this act had been in full force and effect on June eleventh, nineteen hundred and seventy-three.

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

Approved April 9, 1974.

Chap. 87. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO SELL AND CONVEY TO ESTHER W. DECAS AND PAUL R. MORSE AND ELAINE P. MORSE CERTAIN LANDS ACQUIRED BY THE COUNTY OF PLYMOUTH FOR THE SITE OF A NEW COURTHOUSE FOR THE FOURTH DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Plymouth county are hereby authorized and directed to sell and convey, for consideration of eight thousand dollars, to Esther W. Decas, land described in the order of taking by the county commissioners of the county of Plymouth dated April 30, 1971 and recorded in the registry of deeds, in Plymouth county in Book 3667, at pages 188, 189, 190 and 191.

SECTION 2. Said county commissioners are hereby authorized and directed to sell and convey, for consideration of forty-five hundred dollars, to Paul R. Morse and Elaine P. Morse, land described in a deed from Doris A. Morse to the Inhabitants of the county of Plymouth dated December 29, 1972, and recorded in the registry of deeds, in Plymouth county in Book 3853, at pages 167 and 168.

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

Approved April 9, 1974.

Chap. 88. AN ACT ELIMINATING THE PERCENTAGES FOR BORROWING INSIDE THE DEBT LIMIT BY CITIES, TOWNS AND CERTAIN DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to conform certain sections of the General Laws with the newly established fiscal cycles of counties, cities, towns and certain districts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 44 of the General Laws is hereby amended by striking out section 7, as most recently amended by chapter 401 of the acts of 1973, and inserting in place thereof the following section:—

Section 7. Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the purposes hereinafter set forth, and payable within the periods hereinafter specified:

(1) For the construction or reconstruction of surface drains, sewers, sewerage systems and sewage treatment and disposal facilities, thirty years.

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

(2) For acquiring land for public parks or playgrounds or public domain under chapter forty-five, thirty years; but no indebtedness incurred for public domain shall exceed one half of one per cent of the equalized valuation of the city or town.

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

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

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

(3A) For remodeling, reconstructing or making extraordinary repairs to public buildings owned by the city or town such amounts as may be approved by the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, and for such maximum term, not exceeding ten years, as said board shall fix. Each city or town seeking approval by the board of a loan under this clause for the remodeling, reconstruction or repair of a public building shall submit to said board all plans and other information considered by the board to be necessary for a

determination of the probable extended use of such building likely to result from such remodeling, reconstruction or repair, and in considering approval of any such requested loan and the terms thereof, special consideration shall be given to such determination. The members of the emergency finance board, when acting on loans under this clause shall receive compensation to the same extent as provided under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended, including chapter seventy-four of the acts of nineteen hundred and forty-five.

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

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

(4B) For remodeling, reconstructing or making extraordinary repairs to incinerators owned by the city, town or district, and used for the purpose of disposing of waste, refuse and garbage, such amounts as may be approved by the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, and for such maximum term, not exceeding ten years, as said board shall fix; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to the department of public health and the approval of said department has been granted therefor.

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

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

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

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

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

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

(11) For the payment of final judgments rendered after the fixing of the tax rate for the current fiscal year for which other provision has not been made, one year.

(12)

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

(14) For traffic signal, or public lighting installations, fire alarm or police communication installations and for the purpose of extending and improving such installations, ten years.

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

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

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

(18) For the payment of charges incurred under contracts authorized by section four of chapter forty for the expert appraisal of taxable property or for the preparation of assessors' maps, two years.

(19) For the payment of charges incurred under contracts authorized by section four D of chapter forty, but only for such contracts as are for purposes comparable to the purposes for which loans may be authorized under the provisions of this section. Each authorized issue shall constitute a separate loan, and such loans shall be subject to the conditions of the applicable clauses of this section.

(20) For developing land for burial purposes and for constructing paths and avenues and embellishing the grounds in said developed areas in a cemetery owned by the city or town, five years. The proceeds from the sale of the exclusive rights of burials in any of the lots in such cemetery shall be kept separate from other funds and be appropriated for the payment of any indebtedness incurred for such developments, notwithstanding the provisions of section fifteen of chapter one hundred and fourteen.

(21) For the cost of architectural services for plans and specifications for any proposed building for which a city, town or district is authorized to borrow, or for the cost of architectural services for plans and specifications for additions to buildings owned by a city, town or district where such additions increase the floor space of said buildings, if authorized separately from any other debt relating to said buildings or additions, five years; provided, however, that at the time the loan is authorized the city, town or district owns the land on which the proposed building or addition would be constructed.

(22) For the cost of engineering or architectural services for plans and specifications for any project not defined in clause (21) for which a city or town is authorized to borrow, if authorized separately from any other debt relating to said project, five years.

Debts may be authorized under this section only by a two-thirds vote.

SECTION 2. The first paragraph of section 119 of chapter 41 of the General Laws is hereby amended by striking out the third sentence, inserted by section 9 of chapter 45 of the acts of 1967, and inserting in place thereof the following sentence:— Annual district meetings shall be held in February, March, April or May.

SECTION 3. Any authorization of debt under section seven of chapter forty-four of the General Laws voted after January first, nineteen hundred and seventy-four, but prior to the effective date of this act, shall be valid notwithstanding any defect relating to the appropriation arising from the requirements of the first paragraph of said section seven prior to said effective date.

Approved April 9, 1974.

Chap. 89. AN ACT PROVIDING THAT THE PLACEMENT OF THE NAMES OF CANDIDATES FOR PUBLIC OFFICE ON THE OFFICIAL BALLOT USED IN MUNICIPAL ELECTIONS IN THE TOWN OF DANVERS SHALL BE DRAWN BY LOT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or any by-law of the town of Danvers to the contrary, in all municipal elections held in said town, 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 elected incumbent thereof shall be added the words "Candidate for Re-election".

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

Approved April 9, 1974.

Chap. 90. AN ACT PROVIDING THAT THE TREASURER OF A CITY, TOWN OR DISTRICT MAY INVEST FUNDS IN SECURITIES OF UNITED STATES GOVERNMENT AGENCIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable cities, towns and districts to invest funds in certain securities, 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 last sentence of section 55 of chapter 44 of the General Laws, as most recently amended by chapter 224 of the acts of 1973, is hereby further amended by inserting after the word "securities", in line 4, the words:— or securities of United States government agencies.

Approved April 9, 1974.

Chap. 91. AN ACT RELATIVE TO THE PAYMENT OF SAVINGS BANKS DEPOSITS AND CO-OPERATIVE BANK SHARES AND ACCOUNTS STANDING IN THE NAME OF DECEASED DEPOSITORS AND SHAREHOLDERS.

Be it enacted, etc., as follows:

SECTION 1. Section 27 of chapter 168 of the General Laws, as amended by section 5 of chapter 169 of the acts of 1962, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— Deposits standing in the name of a deceased depositor shall, except as provided in sections twenty-one and twenty-two, be paid to his legal representative; provided that, if the deposit does not exceed two thousand dollars and there has been no demand for payment or notice of proposed withdrawal by a duly appointed executor or administrator, payment may be made, in the discretion of the treasurer or other duly authorized officer of the corporation, or pursuant to special vote of the board of investment, after the expiration of sixty days from the death of such depositor, to the surviving husband, wife or next of kin of such deceased, upon presentation of a copy of the death certificate and the surrender of the deposit book evidencing the deposit.

SECTION 2. Section 19 of chapter 170 of the General Laws, as most recently amended by section 3 of chapter 184 of the acts of 1968, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— The value of any shares and accounts standing in the individual name of a deceased shareholder shall be paid to his legal representative; provided, that if the value thereof does not exceed two thousand dollars and there has been no demand for payment or notice of proposed withdrawal by a duly appointed executor or administrator, payment may be made, in the discretion of the treasurer or other duly authorized officer of the corporation or pursuant to special vote of the board of directors, after the expiration of thirty days from the death of such shareholder, to the husband, widow or next of kin of such deceased, upon presentation of a copy of the death certificate and the surrender of the passbook or certificate evidencing the shares or accounts.

Approved April 9, 1974.

Chap. 92. AN ACT ESTABLISHING AN ELECTION PROCEDURE COMMITTEE FOR THE ELECTION OF STUDENT ADVISORY COMMITTEES.

Be it enacted, etc., as follows:

The commissioner of education shall appoint an election procedure committee, to consist of not less than fifteen nor more than thirty members, of whom not less than three fourths shall be students who are enrolled in a secondary school within the commonwealth. Said committee shall establish procedures for the election of members to

student advisory committees in secondary schools, as provided in section thirty-eight M of chapter seventy-one of the General Laws. Said election procedures need not be uniform for all schools.

Upon the establishment of such election procedures, said committee shall be abolished.

Approved April 9, 1974.

Chap. 93. AN ACT INCREASING THE AMOUNT WHICH THE PURCHASING AGENT OF THE CITY OF LAWRENCE MAY EXPEND EACH MONTH FOR ANY ONE CLASS OF SUPPLIES.

Be it enacted, etc., as follows:

SECTION 1. Part II of chapter 621 of the acts of 1911 is hereby amended by striking out section 51 and inserting in place thereof the following section:—

Section 51. The purchasing department shall consist of a purchasing agent and such assistants as the city council may from time to time deem necessary. The purchasing agent shall purchase all supplies for the city, except in case of an emergency; but all purchases or contracts for purchases exceeding two hundred and fifty dollars in amount shall be based upon competition, and no purchases or contracts for purchases shall be made involving the expenditure of more than two hundred and fifty dollars for any one class of supplies in any month, except by competition. The purchasing agent shall purchase all supplies for the school department in accordance with instructions given to him by the school committee. A record shall be kept by this department of the prices paid, and to whom paid, for all supplies, which shall be open to the inspection of any citizen. The salaries in this department shall be fixed by the city council.

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

Approved April 9, 1974.

Chap. 94. AN ACT REQUIRING WRITTEN NOTICE OF MATURITY OF TERM DEPOSITS RECEIVED BY TRUST COMPANIES.

Be it enacted, etc., as follows:

Section 50 of chapter 172 of the General Laws, as amended by chapter 350 of the acts of 1968, is hereby further amended by inserting after the third paragraph the following paragraph:—

Such corporation shall mail to the depositor a written notification of maturity at least thirty days prior to the date of maturity of said plan or deposit but in no event more than forty-five days prior to said date of maturity of the certificate or written agreement.

Approved April 9, 1974.

Chap. 95. AN ACT REQUIRING WRITTEN NOTICE OF MATURITY OF TERM DEPOSITS RECEIVED BY CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 10B of chapter 171 of the General Laws, inserted by chapter 909 of the acts of 1973, is hereby amended by striking out, in line 18, the word "and", — and by inserting after the word "plan", in line 20, the words:— , and (*f*) that any credit union shall mail to the depositor a written notification of maturity at least thirty days prior to the date of maturity of said plan or deposit but in no event more than forty-five days prior to said date of maturity of said deposit.

Approved April 9, 1974.

Chap. 96. AN ACT PROVIDING THAT THE REGISTRAR OF MOTOR VEHICLES MAY SUSPEND OR REVOKE A CERTIFICATE OF REGISTRATION OF A MOTOR VEHICLE IF A CERTIFICATE OF TITLE THERETO HAS BEEN SUSPENDED OR REVOKED.

Be it enacted, etc., as follows:

Clause (*b*) of section 22 of chapter 90 of the General Laws, as appearing in chapter 637 of the acts of 1969, is hereby amended by inserting after the first sentence, the following sentence:— The registrar may also, after due hearing, suspend or revoke any certificate of registration issued under this chapter, when a certificate of title issued by him under chapter ninety D has been suspended or revoked.

Approved April 9, 1974.

Chap. 97. AN ACT AUTHORIZING BANKS AND OTHER FIDUCIARIES TO DEPOSIT SECURITIES IN SECURITY DEPOSITORIES OR CLEARING CORPORATIONS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 54B the following section:—

Section 54C. Any association or corporation authorized to do a banking business and to exercise trust powers in the commonwealth, while acting as a fiduciary or as an agent or custodian for any other fiduciary, or any individual fiduciary holding securities in the capacities aforementioned, may deposit or arrange for the deposit of such securities in a securities depository, or in a clearing corporation, as defined in section 8-102 of chapter one hundred and six. Ownership of, and other interests in, such securities may be transferred by bookkeeping entry on the books of such clearing corporation without physical delivery of certificates representing

such securities. The records of any bank or trust company acting in the capacities described, or of any individual fiduciary, shall at all times show the name of the party for whose account the securities are so deposited. A bank or trust company depositing securities pursuant to this section shall be subject to such rules and regulations as, in the case of state chartered institutions, the commissioner of banks and, in the case of national banking associations, the comptroller of the currency, may from time to time issue. Any bank or trust company or any other fiduciary which has deposited securities with a clearing corporation shall on demand by any court, fiduciary, co-fiduciary, beneficiary or other interested party to an accounting, or by the attorney for any such fiduciary, co-fiduciary, beneficiary or other interested party to an accounting, certify in writing that the securities are held by such association or corporation as such fiduciary, and shall therein hold harmless any interested party to the account who has relied upon such certification.

Approved April 9, 1974.

Chap. 98. AN ACT CORRECTING A CLERICAL ERROR AND MAKING AN APPROPRIATION AND GRANTING A COUNTY TAX TO RESTORE AND MAKE AVAILABLE CERTAIN FUNDS FOR THE AMOUNT AVAILABLE FOR REDUCTION OF THE COUNTY TAX IN THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

In order to correct a clerical error in the estimated amount available for reduction of the county tax in the county of Plymouth, the sum of one hundred fourteen thousand six hundred and eighteen dollars and fifty cents is hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, and the county commissioners of said county are hereby authorized to levy said sum as a portion of the county tax of said county for the current year in the manner provided by law.

Approved April 9, 1974.

Chap. 99. AN ACT INCREASING THE AMOUNT OF MONEY WHICH TRUST COMPANIES MAY INVEST IN REAL ESTATE LOANS.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by striking out section 56, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following section:—

Section 56. The aggregate amount invested in real estate loans under subsection A of section fifty-five shall not exceed fifteen per cent of the total deposits of such corporation exclusive of the savings deposits, provided that the amount invested in the class of loans

described in paragraph (4) of said subsection shall not exceed five per cent of said deposits; nor shall the aggregate amount invested in real estate loans under subsection B of section fifty-five exceed seventy per cent of the total of the time and savings deposits, provided that in addition to such seventy per cent an amount equivalent to ten per cent of the time and savings deposits of such corporation may be invested in mortgages insured by the federal housing administrator or guaranteed in whole or in part by the United States under the Servicemen's Readjustment Act of 1944, as amended.

Approved April 9, 1974.

Chap. 100. AN ACT RELATING TO THE AREA WITHIN WHICH CO-OPERATIVE BANKS MAY MAKE OR ACQUIRE MORTGAGE LOANS UPON REAL ESTATE SITUATED WITHOUT THE COMMONWEALTH.

Be it enacted, etc., as follows:

The first paragraph of section 23 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:— Any such corporation may make or acquire loans of the following types, upon real estate situated in the commonwealth or in a city or town of a state contiguous to the commonwealth, provided, that such city or town is not more than fifty miles from the town in which the main office of such corporation is located as determined by the distance between the two nearest points of separation.

Approved April 9, 1974.

Chap. 101. AN ACT REQUIRING THAT VACANCIES IN CERTAIN TOWN BOARDS BE FILLED BY A ROLL CALL VOTE.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 11, as most recently amended by section 1 of chapter 151 of the acts of 1971, and inserting in place thereof the following section:—

Section 11. If there is a failure to elect, or if a vacancy occurs in any town office, other than the offices of selectmen, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such

vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

Approved April 9, 1974.

Chap. 102. AN ACT PROVIDING THAT UTTERING A FALSE PRESCRIPTION FOR A CONTROLLED SUBSTANCE SHALL BE A CRIME.

Be it enacted, etc., as follows:

Section 33 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 paragraph (*b*) and inserting in place thereof the following paragraph:—

(*b*) No person shall utter a false prescription for a controlled substance, nor knowingly or intentionally acquire or obtain possession of a controlled substance by means of forgery, fraud, deception or subterfuge, including but not limited to the forgery or falsification of a prescription or the nondisclosure of a material fact in order to obtain a controlled substance from a practitioner.

Approved April 9, 1974.

Chap. 103. AN ACT DIRECTING THE COUNTY TREASURER OF PLYMOUTH COUNTY TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the county treasurer of Plymouth county, with the approval of the county commissioners, shall pay, subject to appropriation, an unpaid bill in the amount of three hundred seventy-nine dollars and seventy-one cents to Kingston Oil & Gas, Inc. for goods sold and delivered to the jail and house of correction of the county of Plymouth in the year nineteen hundred and seventy-one, which bill is legally unenforceable against said county by reason of its having been incurred in excess of available appropriations.

SECTION 2. No bill shall be approved by the county treasurer of said county 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 county treasurer, stating under the penalties of perjury that the goods for which said bill has been submitted were ordered by an official or an employee of said county and that such goods were delivered and actually received by said county.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives

payment for goods which were not received by 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 April 9, 1974.

Chap. 104. AN ACT FURTHER REGULATING THE PAYMENT OF TAXES TO THE CITIES AND TOWNS BY MORTGAGEES.

Be it enacted, etc., as follows:

Chapter 183 of the General Laws is hereby amended by adding after section 61, inserted by chapter 299 of the acts of 1973, the following section:—

Section 62. Any mortgagee who requires the prepayment of taxes for real estate located in the commonwealth shall pay to the city or town wherein the property is located the full amount of taxes due on or before the date upon which said taxes become due provided that the mortgagor has paid said amount to the mortgagee. If the mortgagor has not paid the full amount of taxes due before said date, the mortgagee shall pay to the city or town wherein the property is located all amounts which have been paid to him by the mortgagor.

Approved April 9, 1974.

Chap. 105. AN ACT PROVIDING AN APPEAL TO THE SUPERIOR COURT BY CERTAIN SUPERVISORY PERSONNEL WHO HAVE BEEN DEMOTED BY A SCHOOL COMMITTEE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for an appeal to the superior court by certain supervisory personnel of public schools who have been demoted by a school committee, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 43A of chapter 71 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 5 of chapter 464 of the acts of 1972, 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 or any person who has been demoted by vote of a school committee under the provisions of section forty-two A, may within thirty days after the vote of dismissal or demotion appeal therefrom to the superior court in the county in which he was employed.

SECTION 2. This act shall take effect as of April first, nineteen hundred and seventy-four.

Approved April 11, 1974.

Chap. 106. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE BOARD OF SEWER COMMISSIONERS OF THE TOWN OF ROCKLAND RELATIVE TO APPORTIONING OF SEWER ASSESSMENTS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The fourth sentence of section 6 of chapter 338 of the acts of 1913, as appearing in section 1 of chapter 85 of the acts of 1949, is hereby amended by striking out, in line 16, the word "ten" and inserting in place thereof the word:— twenty.

SECTION 2. Any action taken by the board of sewer commissioners of the town of Rockland prior to the effective date of this act in apportioning sewer assessments into twenty equal parts without written request of the owners of the estates assessed is hereby validated and confirmed to the same extent as if section one of this act were in effect at the time said action was taken.

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

Approved April 11, 1974.

Chap. 107. AN ACT FURTHER REGULATING THE ELECTION OF THE CHAIRMAN OF THE STUDENT ADVISORY COUNCIL TO THE BOARD OF EDUCATION.

Be it enacted, etc., as follows:

The second sentence of 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, in line 2, the word "May" and inserting in place thereof the word:— June.

Approved April 11, 1974.

Chap. 108. AN ACT RELATIVE TO BENEFITS FOR CERTAIN FORMER EMPLOYEES OF CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 90D the following section:—

Section 90E. If the classification under which a former employee retired has been abolished since his retirement, a city, town or district, which accepts the provisions of sections ninety A, ninety C or ninety D, may increase the retirement allowance of such employee to an amount as nearly equal as possible to the increases which have been made and which shall be made in the retirement allowance of employees who were retired in the same grade as such former employee regardless of classification.

Approved April 11, 1974.

Chap. 109. AN ACT PROHIBITING CERTAIN CRIMINAL ACTION BY LANDLORDS AGAINST CERTAIN TENANTS OR OCCUPANTS OF RESIDENTIAL PROPERTY.

Be it enacted, etc., as follows:

Section 120 of chapter 266 of the General Laws, as amended by section 2 of chapter 463 of the acts of 1969, is hereby further amended by adding the following paragraph:—

This section shall not apply to tenants or occupants of residential premises who, having rightfully entered said premises at the commencement of the tenancy or occupancy, remain therein after such tenancy or occupancy has been or is alleged to have been terminated. The owner or landlord of said premises may recover possession thereof only through appropriate civil proceedings.

Approved April 11, 1974.

Chap. 110. AN ACT RELATIVE TO HOME IMPROVEMENT LOANS BY SAVINGS BANKS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 35 of chapter 168 of the General Laws is hereby amended by inserting after paragraph 10 the following paragraph:—

10A. Any such corporation may make or acquire a loan to the owner of improved real estate located within its lending area as defined in paragraph 2 of section thirty-four, for the purpose of financing the improvement, repair, alteration or rehabilitation of such real estate or the purchase and installation of fixtures to be affixed thereto; provided, that (*a*) each such loan shall be evidenced by a note and may, in the discretion of such corporation, be secured by a mortgage which shall be a lien on the real estate so loaned upon; (*b*) the unpaid balance of such loan 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, 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; (*c*) the note or mortgage shall provide that in any event it shall become due and payable simultaneously with the transfer of the mortgaged premises or with the payment of the balance due on any first mortgage of said premises; and (*d*) such loan shall be subject to all the provisions and limitations applicable to first mortgage loans authorized by paragraph 10 of this section; provided, however, that no such loan shall exceed seven thousand five hundred dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of real estate, and any such loan shall be payable not more than ten years from the date of the note.

SECTION 2. Section 26 of chapter 170 of the General Laws is hereby amended by inserting after subsection 6 the following subsection:—

6A. Any such corporation may make or acquire a loan to the owner of improved real estate located within its lending area as defined in the first paragraph of section twenty-three, for the purpose of financing the improvement, repair, alteration or rehabilitation of such real estate or the purchase and installation of fixtures to be affixed thereto; provided, that (*a*) each such loan shall be evidenced by a note and may, in the discretion of such corporation, be secured by a mortgage which shall be a lien on the real estate so loaned upon; (*b*) the unpaid balance of such loan 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, 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; (*c*) the note or mortgage shall provide that in any event it shall become due and payable simultaneously with the transfer of the mortgaged premises or with the payment of the balance due on any first mortgage of said premises; and (*d*) such loan shall be subject to all the provisions and limitations applicable to first mortgage loans authorized by subsection 6 of this section; provided, however, that no such loan shall exceed seven thousand five hundred dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of real estate, and any such loan shall be payable not more than ten years from the date of the note.

Approved April 11, 1974.

Chap. 111. AN ACT RELATIVE TO REGISTRATION FOR VOTING BY A NATURALIZED CITIZEN.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by inserting after section 45 the following section:—

Section 45A. An applicant for registration may produce papers of naturalization for inspection if he so desires, and notation of such production shall be made a part of the registration of said applicant.

Approved April 11, 1974.

Chap. 112. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF BATAAN-CORREGIDOR DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15Y, inserted by chapter 152 of the acts of 1973, the following section:—

Section 15Z. The governor shall annually issue a proclamation setting apart the ninth day of April as Bataan-Corregidor Day and recommending that said day be observed in an appropriate manner by the people.

Approved April 11, 1974.

Chap. 113. AN ACT RELATIVE TO THE MAKING OF LISTS OF CERTAIN PERSONS BY REGISTRARS OF VOTERS.

Be it enacted, etc., as follows:

Section 4 of chapter 51 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 3 of chapter 382 of the acts of 1971, and inserting in place thereof the following paragraph:—

Registrars, assistant registrars, or boards having similar duties under any special or general law, or one or more of them, shall annually in January or February visit or communicate with the residents of every building in their respective cities and towns, and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, age or date of birth, occupation, nationality if not a citizen of the United States, and residence on January first in the preceding year and in the current year, of every person seventeen years of age or older, residing in their respective cities and towns.

Approved April 11, 1974.

Chap. 114. AN ACT AUTHORIZING CITIES AND TOWNS TO PURCHASE SERVICES COLLECTIVELY.

Be it enacted, etc., as follows:

SECTION 1. Section 22A of chapter 7 of the General Laws, as most recently amended by section 2 of chapter 720 of the acts of 1973, is hereby further amended by striking out, in line 7, the words "or equipment" and inserting in place thereof the words:— , equipment or services.

SECTION 2. Section 22B of said chapter 7, inserted by said section 2 of said chapter 720, is hereby amended by striking out, in line 6, the words "or equipment" and inserting in place thereof the words:— , equipment or services.

Approved April 11, 1974.

Chap. 115. AN ACT INCREASING THE PENALTY FOR FALSIFYING A WEIGHT OF MEASURE.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by striking out section 177, as appearing in chapter 243 of the acts of 1960, and inserting in place thereof the following section:—

Section 177. Except as otherwise provided by section two hundred and forty-eight, whoever himself or by his servant or agent gives or attempts to give false or insufficient weight or measure, or inferentially misrepresents the weight or quantity of a commodity sold or delivered by weight or measure by stating a price without stating the weight or quantity of such commodity, such price being in fact greater than the price advertised for such commodity or

mutually understood by both parties to be the price for a given weight or measure, or demands or accepts payments in excess of the regularly quoted selling price of a commodity sold or delivered by weight or measure, or takes or attempts to take more than the quantity he represents when, as the buyer, he furnishes the weights, measures or weighing or measuring device by means of which the amount of commodity is determined, shall be punished for the first offence by a fine of not more than two hundred and fifty dollars, and for any subsequent offence committed within two years of the first offence by a fine of not more than five hundred dollars and by imprisonment for not less than one nor more than six months.

Approved April 11, 1974.

Chap. 116. AN ACT CHANGING THE REQUIRED PERIOD OF TIME FOR MAILING PERIODIC STATEMENTS OF ACCOUNT IN CONNECTION WITH OPEN END CREDIT AGREEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the first paragraph of section 6A of chapter 140C of the General Laws, as appearing in section 2 of chapter 860 of the acts of 1971, is hereby amended by striking out, in line 3, the word "nine" and inserting in place thereof the word:— fifteen.

SECTION 2. The first sentence of the first paragraph of subsection G of section 27 of chapter 255D of the General Laws, as appearing in section 5 of chapter 802 of the acts of 1973, is hereby amended by striking out, in line 3, the word "nine" and inserting in place thereof the word:—fifteen.

Approved April 16, 1974.

Chap. 117. AN ACT RELATIVE TO PERMITTING BOWLING ON SUNDAY.

Be it enacted, etc., as follows:

Section 4 of chapter 136 of the General Laws is hereby amended by striking out paragraph (7), as most recently amended by section 2 of chapter 944 of the acts of 1973, and inserting in place thereof the following paragraph:—

(7) Sections two and three and this section shall not apply to golf, tennis, bowling, skiing, or any activity in a gymnasium or on any rink, court, or field, for which a charge is made only for the privilege of engaging therein and not for the privilege of being present thereat as a spectator, nor to the conduct for charitable purposes of amateur contests involving time trial driving of automobiles nor to beano games licensed under the provisions of section thirty-eight of chapter ten.

Approved April 16, 1974.

Chap. 118. AN ACT RELATIVE TO THE USE OF SIGNAL LAMPS ON AND THE DISCHARGE OF PASSENGERS FROM SCHOOL BUSES.

Be it enacted, etc., as follows:

Section 7B of chapter 90 of the General Laws is hereby amended by striking out clause (7), as amended by section 2 of chapter 149 of the acts of 1966, and inserting in place thereof the following clause:—

(7) Each school bus shall be equipped with front and rear red signal lamps which shall flash alternately and which shall be left flashing when children are entering or leaving such bus. No person who operates such a bus shall permit the boarding or discharging of passengers therefrom unless the school bus is stopped as close as is practicable to the right-hand curb or edge of the way. Any person who operates a school bus shall announce, when discharging passengers therefrom, that all persons who wish to cross to the other side of the way shall do so by passing in front of the bus immediately upon alighting therefrom. No person shall operate a school bus on a way after discharging passengers therefrom unless all persons who wish to cross to the other side of the way have done so.

Approved April 16, 1974.

Chap. 119. AN ACT FURTHER REGULATING THE RIGHT OF THE REGISTRAR OF MOTOR VEHICLES TO SUSPEND OR REVOKE A CERTIFICATE OF REGISTRATION.

Be it enacted, etc., as follows:

Section 69 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:— A conviction of a violation of any of said sections, rules or regulations shall be reported forthwith by the court or magistrate to the registrar of motor vehicles who may, after a hearing, suspend or revoke any certificate of registration issued under section five of chapter ninety.

Approved April 16, 1974.

Chap. 120. AN ACT LOWERING THE MINIMUM AGE FOR PERSONS TRANSFERRING OWNERSHIP OF CERTAIN MOTOR VEHICLES.

Be it enacted, etc., as follows:

The third sentence of the fourth paragraph of section 2 of chapter 90 of the General Laws, inserted by section 1 of chapter 905 of the acts of 1973, is hereby amended by striking out, in line 2, the word "twenty-one" and inserting in place thereof the word:— eighteeen.

Approved April 16, 1974.

Chap. 121. AN ACT DESIGNATING THE LADY BUG AS THE INSECT OR INSECT EMBLEM OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 2 of the General Laws is hereby amended by adding the following section:—

Section 12. The lady bug shall be the insect or insect emblem of the commonwealth.

Approved April 17, 1974.

Chap. 122. AN ACT RELATIVE TO THE REPORTING OF BURN INJURIES BY PERSONS EXAMINING OR TREATING SUCH INJURIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate forthwith the reporting of burn injuries by persons examining or treating such injuries, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted, etc., as follows:

Section 200 of chapter 111 of the General Laws, added by chapter 650 of the acts of 1973, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

A physician, intern or medical assistant, registered as provided in section nine A of chapter 112, a public health nurse, or another person who professionally examines or treats a person with a burn injury affecting five per cent or more of the surface area of his body, or, whenever any such case is treated in a hospital, sanatorium or other institution, the manager, superintendent or other person in charge thereof, shall report such injury to the department in accordance with the rules and regulations of the department. Such report shall describe as fully as possible the etiology of said injury, shall be made on forms prescribed by the commissioner, and shall be submitted not later than fourteen days, unless special circumstances justify a later reporting, after said physician, intern, medical assistant, nurse, or other person examines the injured person, or after said patient has been admitted to a hospital, sanatorium, or other institution.

Approved April 19, 1974.

Chap. 123. AN ACT FURTHER REGULATING THE SOLICITATION OF CAMPAIGN CONTRIBUTIONS ON BEHALF OF CERTAIN PUBLIC EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify forthwith the law regulating the solicitation of campaign contributions on behalf of certain public

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 11 of chapter 55 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 644 of the acts of 1954, and inserting in place thereof the following paragraph:—

No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section shall not prevent such persons from being members of political organizations or committees. The soliciting or receiving of any gift, payment, contribution, assessment, subscription or promise of money or other thing of value by a nonelected political committee organized to promote the candidacy for public office of a person so employed for compensation by the commonwealth or any county, city or town, shall not be deemed to be a direct or indirect solicitation or receipt of such contribution by such person; provided, however, that no such gift, payment, contribution, assessment, subscription or promise of money or other thing of value may be solicited or received on behalf of such a person from any person or combination of persons if such person so employed knows or has reason to know that the person or combination of persons has an interest in any particular matter in which the person so employed participates or has participated in the course of such employment or which is the subject of his official responsibility.

Approved April 19, 1974.

Chap. 124. AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY A CERTAIN MEDICAL BILL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Taunton 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 two hundred and eighteen dollars to C. Nason Burden, M.D., for medical services rendered to Antone Perry, a former member of the police department of said city, on account of injuries sustained by him in the line of duty, payment for which is legally unenforceable against said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the services for which said bill was submitted were rendered as aforesaid.

SECTION 3. Any person who knowingly files a certificate

required by section two, which is false and who thereby receives payment for services which were not received by or rendered to said Antone Perry, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

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

Approved April 19, 1974.

Chap. 125. AN ACT REQUIRING WRITTEN NOTICE OF THE MATURITY OF TERM DEPOSITS RECEIVED BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Subsection 1 of section 22C of chapter 168 of the General Laws, as amended by section 1 of chapter 73 of the acts of 1974, is hereby further amended by adding the following paragraph:—

Any such corporation shall be required to mail to the depositor a written notification of maturity at least thirty days prior to the date of maturity of said plan or deposit but in no event more than forty-five days prior to said date of maturity of said deposit.

Approved April 19, 1974.

Chap. 126. AN ACT REQUIRING WRITTEN NOTICE OF THE MATURITY OF TERM DEPOSITS RECEIVED BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Provision 1 of subsection 3B of section 13 of chapter 170 of the General Laws, as amended by section 2 of chapter 73 of the acts of 1974, is hereby amended by adding the following paragraph:—

Any such corporation shall be required to mail to the depositor a written notification of maturity at least thirty days prior to the date of maturity of said plan or deposit but in no event more than forty-five days prior to said date of maturity of said deposit.

Approved April 19, 1974.

Chap. 127. AN ACT FURTHER REGULATING RETAIL INSTALLMENT SALES AGREEMENTS.

Be it enacted, etc., as follows:

Section 11 of chapter 255D of the General Laws, as most recently amended by section 37 of chapter 517 of the acts of 1969, is hereby further amended by adding the following subsection:—

D. No installment seller shall permit any person, or any husband and wife jointly or severally, to be obligated, either directly or contingently to said seller, under more than one retail installment sales agreement executed at the same time.

Approved April 19, 1974.

Chap. 128. AN ACT ESTABLISHING THE BURDEN OF PROOF IN DEALINGS BETWEEN COMMON CARRIERS AND AFFILIATED COMPANIES.

Be it enacted, etc., as follows:

Section 34A of chapter 159 of the General Laws, inserted by chapter 577 of the acts of 1945, is hereby amended by striking out paragraph (*e*) and inserting in place thereof the following two paragraphs:—

(*e*) Whenever, in any proceeding before the department under section fourteen, twenty, or twenty-four the reasonableness of any payment, charge, contract, or purchase, sale, obligation or other arrangement between a carrier and a company related to it as an affiliated company, as defined in paragraph (*d*), shall come into question, the burden of establishing and proving the reasonableness of such payment, charge contract, purchase, sale, obligation or other arrangement shall be upon such carrier.

(*f*) The supreme judicial court shall have jurisdiction in equity to enforce compliance with this section and with all orders of the department made under authority thereof.

Approved April 19, 1974.

Chap. 129. AN ACT RELATIVE TO THE REVALUATION OF CERTAIN MORTGAGE LOANS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

SECTION 1. Clause (*a*) of paragraph 6 of section 36 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Every parcel of real estate mortgage to secure a loan which by its terms is payable in three years or less from the date of the note, except a parcel of real estate on which is located a residence which is designed for not more than four families, shall be revalued as long as the loan is held, at intervals of three calendar years commencing not later than the end of the third calendar year after the year in which the loan is made or acquired.

SECTION 2. The first sentence of clause (*b*) of said paragraph 6 of said section 36 of said chapter 168, as amended by chapter 273 of the acts of 1963, is hereby further amended by striking out, in lines 13 and 14, the words "and which is mortgaged to secure a loan in the unpaid principal amount of thirty thousand dollars or less".

Approved April 19, 1974.

Chap. 130. AN ACT PROVIDING FOR THE DESIGNATION OF AN ASSISTANT CLERK OF THE COURTS FOR THE COUNTY OF HAMPDEN TO PERFORM THE DUTIES OF CLERK, PERTAINING TO EQUITY 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 6J, inserted by chapter 710 of the acts of 1973, the following section:—

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

Approved April 19, 1974.

Chap. 131. AN ACT FURTHER REGULATING THE ORDER OF NAMES OF CANDIDATES ON VOTING MACHINES.

Be it enacted, etc., as follows:

The second paragraph of section 33 of chapter 54 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 200 of the acts of 1969, and inserting in place thereof the following two sentences:— On voting machines which provide adequate mechanical safeguards, the names of candidates and the questions to be submitted to the voters may be arranged in the same manner as on the official paper ballot. On all other voting machines to be used at state elections the names of the candidates for each office shall be arranged in a horizontal row or vertical column under or opposite to the titles of the offices, to be determined in accordance with the type of mechanical safeguard against over-voting used in the particular machine.

Approved April 19, 1974.

Chap. 132. AN ACT REDUCING THE AGE AT WHICH CERTAIN PERSONS ARE REQUIRED TO GIVE THEIR TRUE NAMES TO A REGISTRAR OF VOTERS OR CERTAIN OTHER LISTING OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 51 of the General Laws is hereby amended by striking out the caption preceding section 4, as amended by section 12 of chapter 453 of the acts of 1943, and inserting in place

thereof the following caption:— LISTING OF PERSONS SEVENTEEN YEARS OF AGE OR OVER.

SECTION 2. Section 4 of chapter 56 of the General Laws, as appearing in section 11 of chapter 537 of the acts of 1946, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Whoever, being an inmate of a building and a resident seventeen years of age or upward, refuses or neglects to give his or her true name when asked by a registrar, assistant registrar, member of a listing board or police officer, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his or her knowledge relating to all persons residing in such building, when asked by such registrar or other officer, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

SECTION 3. Said chapter 56 is hereby further amended by striking out section 5, as so appearing, and inserting in place thereof the following section:—

Section 5. Whoever knowingly gives to a registrar, assistant registrar, member of a listing board or police officer, for the purpose of making a list of residents seventeen years of age or upward or a report under the laws relating to listing and registration of voters, the name of any person as a resident of a building, who is not a resident thereof, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

Approved April 19, 1974.

Chap. 133. AN ACT PROVIDING FOR PERMANENT RETENTION OF AFFIDAVITS OF VOTER REGISTRATIONS.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by striking out section 41, as amended by section 27 of chapter 453 of the acts of 1943, and inserting in place thereof the following section:—

Section 41. The registrars shall preserve all written applications, complaints, certificates and affidavits received by them, and all other documents in their custody relative to listing and registration, for two years after the dates thereof; provided, however, that original affidavits of registration, or microfilm copies thereof, shall be preserved and shall be deemed to be public records.

Approved April 19, 1974.

Chap. 134. AN ACT REQUIRING MEDICAL TESTS OF IMMUNITY TO RUBELLA FOR CERTAIN FEMALES SEEKING CERTIFICATES OF MARRIAGE.

Be it enacted, etc., as follows:

Section 28A of chapter 207 of the General Laws, as most recently amended by chapter 152 of the acts of 1970, is hereby further amended by inserting after the first paragraph the following paragraph:—

Prior to issuing a certificate to a female under section twenty-eight, the clerk or registrar shall also require from the physician signing the medical certificate required under the first paragraph certification that such female has (*i*) been tested and found immune to rubella infection or (*ii*) if tested and not found immune to rubella infection, been advised of the risks of contracting rubella during childbearing years and of the availability of an immunizing vaccine and of the risks involved in such immunization if there is a possibility of pregnancy at the time of or within four months of receiving the vaccine and has been advised of the advisability of receiving a pregnancy test, or (*iii*) if not tested, been offered a test to determine immunity to rubella infection and has been advised of the risks of contracting rubella during childbearing years and of the immunizing vaccine available to eliminate or protect against such risks. Any such tests performed shall include a recognized serological test made by a laboratory meeting the requirements specified in the first paragraph and may be done in conjunction with the serological test for syphilis. The requirements of this paragraph shall not apply, if there is certification by a physician that the female is past the childbearing age or incapable of conception.

Approved April 19, 1974.

Chap. 135. AN ACT AUTHORIZING ADDITIONAL FUNDS FOR THE COMPLETION OF THE AMELIA EARHART MYSTIC RIVER DAM AND BASIN AND APPURTENANCES THERETO.

Be it enacted, etc., as follows:

Section 7 of chapter 803 of the acts of 1972 is hereby amended by striking out, in lines 6 and 7, the words "construct a dam across the Mystic River" and inserting in place thereof the words:— complete the Amelia Earhart Mystic River Dam and Basin and appurtenances thereto, including pumping stations, said funds to be in addition to funds provided by chapter six hundred and forty-seven of the acts of nineteen hundred and fifty-seven and chapter five hundred and forty-seven of the acts of nineteen hundred and sixty-three.

Approved April 19, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
April 19, 1974

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 135 of the Acts of 1974, entitled "AN ACT AUTHORIZING ADDITIONAL FUNDS FOR THE COMPLETION OF THE AMELIA EARHART MYSTIC RIVER DAM AND BASIN AND APPURTENANCES THERETO." and the enactment of which received my approval on April 19, 1974, should take effect forthwith.

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

It is in the public interest that the construction of the Mystic River Dam Pumping Station, as provided for in this Act, proceed forthwith.

Sincerely,
FRANCIS W. SARGENT
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, Boston, April 19, 1974.

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-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-five of the acts of nineteen hundred and seventy-four.

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

Chap. 136. AN ACT RELATIVE TO INVESTMENTS BY SAVINGS BANKS IN CERTAIN SECURITIES

Be it enacted, etc., as follows:

Paragraph 1 of section 50 of chapter 168 of the General Laws, as amended by section 5 of chapter 218 of the acts of 1969, is hereby

further amended by striking out clause (*c*) and inserting in place thereof the following clause:— (*c*) preferred and common stock of any corporation described in the foregoing clause (*b*).

Approved April 19, 1974.

Chap. 137. AN ACT FURTHER REGULATING THE EXTENSION OF CONSUMER CREDIT.

Be it enacted, etc., as follows:

SECTION 1. Subsection B of section 17 of chapter 255D of the General Laws, as most recently amended by section 43 of chapter 517 of the acts of 1969, is hereby further amended by striking out clauses (2) and (3) and inserting in place thereof the following three clauses:—

(2) Shall incorporate by reference the agreement being refinanced and shall clearly set forth and itemize the unpaid total of payments being refinanced, the refund credit, the amount to be refinanced, the finance charge, additional cost for insurance or official fees or both, the total sum payable under the refinancing agreement, the amounts and times of installment payments, annual percentage rate;

(3) Shall comply with the provisions of subsection A, clauses (1) through (5), inclusive, of subsection D, and subsection E of section nine, and of sections ten, eleven, twelve, thirteen, fifteen and twenty-one; and

(4) Shall not include within the amount financed, as defined in section nine, any amounts representing the consideration for any transaction, retail installment sale, loan, or other extension of credit other than the retail installment sale then being refinanced.

SECTION 2. Said chapter 255D is hereby further amended by inserting after section 18 the following section:—

Section 18A. (1) No retail installment sales agreement may be modified in any way by the parties or by a holder, nor shall the amount financed, unpaid balance as defined in section nine, or any other amount owing under any retail installment sale agreement ever become due and owing under any extension of credit or obligation other than the original retail installment sale agreement, except as provided in sections sixteen, seventeen and eighteen; provided, however, that this section shall not apply to any transactions between the buyer and any person not a party to nor a holder of the retail installment sale agreement.

(2) No amount, either principal or interest, owing under any retail installment sale or other extension of credit may be collected by any person entitled to enforce such agreement or extension if such agreement or extension is in violation of this section.

Approved April 19, 1974.

Chap. 138. AN ACT AUTHORIZING THE CITY OF WORCESTER TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO JOHN HALLORAN.

Be it enacted, etc., as follows:

SECTION 1. 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 to John Halloran the sum of one thousand sixty-seven dollars and forty-nine cents for services rendered by him during the period from September first, nineteen hundred and seventy through December thirty-first, nineteen hundred and seventy-two, payment of which was computed incorrectly.

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

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

Approved April 19, 1974.

Chap. 139. AN ACT DESIGNATING A CERTAIN MENTAL HEALTH CENTER TO BE CONSTRUCTED IN THE CITY OF SPRINGFIELD AS THE DONALD R. NEWHOUSE COMPREHENSIVE MENTAL HEALTH CENTER.

Be it enacted, etc., as follows:

The mental health center to be constructed in the city of Springfield shall upon its completion be known and designated as the Donald R. Newhouse Comprehensive Mental Health Center, in memory of Donald R. Newhouse, a noted civic leader and humanitarian. A suitable marker bearing such designation shall be attached thereto by the department of mental health.

Approved April 22, 1974.

Chap. 140. AN ACT REGULATING THE SERVICE OF DIRECTORS AND OFFICERS OF TRUST COMPANIES WITH NONCOMPETING BANKS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 8 of chapter 168 of the General Laws, as most recently amended by chapter 997 of the acts

of 1973, is hereby further amended by adding the following sentence:— Any person serving as a corporator of a savings bank may at the same time serve as a director or other officer of a trust company that does not make real estate mortgage loans and does not accept savings deposits from natural persons.

SECTION 2. Provision 3 of section 10 of said chapter 168, as most recently amended by section 1 of chapter 75 of the acts of 1974, is hereby further amended by adding the following sentence:— Any person serving as a trustee or other officer of a savings bank may at the same time serve as a director or other officer of a trust company that does not make real estate mortgage loans and does not accept savings deposits from natural persons.

SECTION 3. Section 8A of chapter 170 of the General Laws, as most recently amended by section 2 of said chapter 75, is hereby further amended by adding the following sentence:— Any person serving as a director or other officer of a co-operative bank may at the same time serve as a director or other officer of a trust company that does not make real estate mortgage loans and does not accept savings deposits from natural persons.

SECTION 4. Section 16 of chapter 172 of the General Laws, as most recently amended by section 4 of said chapter 75, is hereby further amended by adding the following sentence:— Any person serving as a director or other officer of a trust company that does not make real estate mortgage loans and does not accept savings deposits from natural persons, may at the same time serve as a director, corporator, trustee or other officer of a savings bank, co-operative bank, state or federally chartered savings and loan association, or national banking association.

Approved April 22, 1974.

Chap. 141. AN ACT RELATIVE TO THE DESTRUCTION OF CERTAIN BOOKS OF REGISTRY OR RECORD.

Be it enacted, etc., as follows:

Section 8 of chapter 66 of the General Laws is hereby amended by striking out the first sentence, as amended by section 3 of chapter 427 of the acts of 1962, and inserting in place thereof the following sentence:— Every original paper belonging to the files of the commonwealth or of any county, city or town, bearing date earlier than the year eighteen hundred and seventy, every book of registry or record, except books which the supervisor of public records determines may be destroyed, every town warrant, every deed to the commonwealth or to any county, city or town, every report of an agent, officer or committee relative to bridges, public ways, sewers or other state, county or municipal interests not required to be recorded in a book and not so recorded, shall be preserved and safely kept; and every other paper belonging to such files shall be kept for seven years after the latest original entry therein or thereon, unless otherwise provided by law or unless such records are included in disposal

schedules approved by the records conservation board for state records or by the supervisor of public records for county, city, or town records; and no such paper shall be destroyed without the written approval of the supervisor of records.

Approved April 22, 1974.

Chap. 142. AN ACT PROVIDING THAT THE PLACEMENT OF THE NAMES OF CANDIDATES FOR PUBLIC OFFICE ON THE OFFICIAL BALLOT USED IN MUNICIPAL ELECTIONS IN THE CITY OF GLOUCESTER SHALL BE DRAWN BY LOT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or any ordinance of the city of Gloucester to the contrary, in all municipal elections held in said city, 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 Re-election".

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

Approved April 23, 1974.

Chap. 143. AN ACT PROVIDING FOR THE APPOINTMENT OF THE TREASURER OF THE CENTERVILLE-OSTERVILLE FIRE DISTRICT IN THE TOWN OF BARNSTABLE BY THE PRUDENTIAL COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventy-one of chapter forty-eight of the General Laws or of any other law to the contrary, the treasurer of the Centerville-Osterville Fire District shall be appointed by the prudential committee for a term of three years from the date of the annual district meeting. The person so appointed as treasurer shall serve as clerk of the district. In the event of a vacancy in the office of treasurer by reason of death, resignation or other cause, the prudential committee shall fill the vacancy by an appointment for the balance of the unexpired term.

SECTION 2. Any action taken by the Centerville-Osterville Fire District at its annual district meeting held in the year nineteen hundred and seventy-four in voting that the prudential committee of said district shall appoint a treasurer for a term of three years is hereby validated and confirmed.

Approved April 23, 1974.

Chap. 144. AN ACT RELATIVE TO THE RIGHT OF WAY OF POLICE VEHICLES.

Be it enacted, etc., as follows:

Section 7 of chapter 89 of the General Laws, as amended by chapter 173 of the acts of 1961, is hereby further amended by striking out, in line 3, the word "wagons" and inserting in place thereof the word:— vehicles.

Approved April 23, 1974.

Chap. 145. AN ACT RELATIVE TO HABITUAL TRAFFIC OFFENDERS.

Be it enacted, etc., as follows:

Section 22F of chapter 90 of the General Laws, inserted by section 1 of chapter 1033 of the acts of 1971, is hereby amended by striking out, in line 3, the word "ten-year" and inserting in place thereof the word:—five-year.

Approved April 23, 1974.

Chap. 146. AN ACT PROVIDING FOR THE POSITION OF ADMINISTRATIVE ASSISTANT FOR INTERGOVERNMENTAL RELATIONS FOR THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by inserting after section 58 the following section:—

Section 58A. The Boston juvenile court shall have an administrative assistant for intergovernmental relations who shall coordinate activities between the Boston juvenile court and the department of mental health, the department of public welfare, the department of youth service and other state, county and federal agencies. Said administrative assistant shall be appointed by the justice and shall receive a salary equal to eighty per cent of the salary of the justice.

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

Approved April 23, 1974.

Chap. 147. AN ACT REPEALING THE LAW RELATIVE TO THE FILING OF A SEPARATE BUSINESS CERTIFICATE BY A MARRIED WOMAN DOING BUSINESS ON HER SEPARATE ACCOUNT.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 209 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words ", except as provided in section ten".

SECTION 2. Section 8 of said chapter 209, as so appearing, is hereby amended by striking out, in line 3, the words ", except as provided in section ten".

SECTION 3. Section 9 of said chapter 209, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words ", except as provided in the following section,".

SECTION 4. Sections ten and eleven of said chapter two hundred and nine are hereby repealed.

SECTION 5. Said chapter 209 is hereby further amended by striking out section 13, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 13. The preceding sections shall not invalidate a marriage settlement or contract.

SECTION 6. Section 34 of chapter 262 of the General Laws is hereby amended by striking out clause (46), as so appearing.

Approved April 23, 1974.

Chap. 148. AN ACT INCREASING THE NUMBER OF ASSISTANT CLERKS IN CERTAIN DISTRICT COURTS AND THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 10, as most recently amended by chapter 1223 of the acts of 1973, and inserting in place thereof the following section:—

Section 10. The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, and in courts having one or more assistant clerks he may designate one as the first assistant clerk, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. An assistant clerk with salaries payable by the county may be appointed in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more, and in the following courts:—

second district court of Barnstable
district court of central Berkshire
first district court of Bristol
fourth district court of Bristol
district court of Chicopee
district court of eastern Essex
district court of Fitchburg
district court of Franklin
district court of eastern Hampden
district court of western Hampden
first district court of northern Middlesex
district court of southern Norfolk

fourth district court of Plymouth
first district court of eastern Worcester
first district court of northern Worcester
first district court of southern Worcester.

Two assistant clerks with salaries payable by the county may be appointed in:—
second district court of Bristol
municipal court of Brookline
district court of Chelsea
first district court of Essex
district court of central Middlesex
district court of western Norfolk
district court of Peabody
third district court of Plymouth.

Three assistant clerks with salaries payable by the county may be appointed in:—
first district court of Barnstable
municipal court of the Brighton district
district court of Hampshire
first district court of eastern Middlesex
second district court of eastern Middlesex
fourth district court of eastern Middlesex
district court of Newton
district court of northern Norfolk
second district court of Plymouth
district court of Somerville.

Four assistant clerks with salaries payable by the county may be appointed in:—
third district court of Bristol
East Boston district court
municipal court of the South Boston district
district court of Brockton
municipal court of the Charlestown district
central district court of northern Essex
district court of southern Essex
district court of Lawrence
district court of Lowell.

Six assistant clerks with salaries payable by the county may be appointed in:—
first district court of southern Middlesex
district court of East Norfolk
municipal court of the West Roxbury district.

Seven assistant clerks with salaries payable by the county may be appointed in:—
municipal court of the Dorchester district
central district court of Worcester.

Nine assistant clerks with salaries payable by the county may be appointed in:—
municipal court of Roxbury
district court of Springfield.

Ten assistant clerks with salaries payable by the county may be appointed in:—

third district court of eastern Middlesex.

In the following courts, one of the assistant clerks shall be designated in charge of six-man jury sessions and shall receive the same salary as the first assistant clerk:—

third district court of eastern Middlesex

district court of Lowell.

In the central district court of Worcester, the district court of Lowell, and the third district court of eastern Middlesex the clerk may designate one of his assistant clerks as assistant clerk in charge of the remand list; said list being for the trial of all cases transferred to said court from the superior court under the provisions of section one hundred and two C of chapter two hundred and thirty-one. The salary of said assistant clerk shall be equal to eighty-seven and one-half per cent of the maximum salary of the clerk of said court.

Assistant clerks appointed under authority of this section, who are paid by the county, and who have held said appointment for three consecutive years, shall hold office during good behavior, but subject to applicable retirement laws, and may be removed by the justice or clerk for cause shown, subject, however, to a review by a justice of the superior court.

SECTION 2. The first paragraph of section 58 of said chapter 218 is hereby amended by striking out the third sentence, as appearing in section 16 of chapter 731 of the acts of 1972, and inserting in place thereof the following sentence:— The Boston juvenile court shall have an assistant clerk, a second assistant clerk, a third assistant clerk, a fourth assistant clerk, and a fifth assistant clerk, who shall be appointed by the clerk, subject to the approval of the justice.

This Bill, returned by the Governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, April 24, 1974, and, in concurrence, by the Senate, April 24, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".

Chap. 149. AN ACT REQUIRING TRUST COMPANIES TO PUBLISH AND POST CERTAIN BALANCE SHEETS ANNUALLY.

Be it enacted, etc., as follows:

Section 26 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by adding the following paragraph:—

Each trust company shall post in a prominent place and in a conspicuous manner in the lobby of each of its banking offices a balance sheet which presents fairly, in accordance with generally accepted accounting principles, including required footnote dis-

closures, its condition as of the last business day of its fiscal year with comparative figures as of the end of the previous fiscal year. Said balance sheet shall be posted not later than fifteen days after the end of the trust company's fiscal year and shall remain posted until replaced by the following year's posting. Said balance sheet shall be printed at the expense of the trust company and copies shall be made available to its depositors upon request. Each such trust company which fails to post or print any such balance sheet in accordance with this section shall pay to the state treasurer ten dollars for each day that it fails to so post or print such balance sheet, unless excused by the commissioner for cause.

Approved April 25, 1974.

Chap. 150. AN ACT REQUIRING CO-OPERATIVE BANKS TO PUBLISH AND POST CERTAIN BALANCE SHEETS ANNUALLY.

Be it enacted, etc., as follows:

Section 42 of chapter 170 of the General Laws, as most recently amended by chapter 109 of the acts of 1962, is hereby further amended by adding the following paragraph:—

Every such corporation shall post in a prominent place and in a conspicuous manner in the lobby of each of its banking offices, a balance sheet which presents fairly, in accordance with generally accepted accounting principles, including required footnote disclosures, its condition as of the last business day of its fiscal year, with comparative figures as of the end of the previous fiscal year. Said balance sheet shall be posted not later than fifteen days after the end of the corporation's fiscal year and shall remain posted until replaced by the following year's posting. Said balance sheet shall be printed at the expense of the corporation and copies shall be made available to its depositors upon request. Each such corporation which fails to post or print any such balance sheet in accordance with this section shall pay to the state treasurer ten dollars for each day that it fails to so post or print such balance sheet, unless excused by the commissioner for cause.

Approved April 25, 1974.

Chap. 151. AN ACT REQUIRING CREDIT UNIONS TO PUBLISH AND POST CERTAIN BALANCE SHEETS ANNUALLY.

Be it enacted, etc., as follows:

Section 27 of chapter 171 of the General Laws, as most recently amended by section 2 of chapter 17 of the acts of 1973, is hereby further amended by adding the following paragraph:—

Each credit union shall post in a prominent place and in a conspicuous manner in the lobby of its main office and each of its

branches, a balance sheet which presents fairly, in accordance with generally accepted accounting principles, including required footnote disclosures, its condition as of the last business day of its fiscal year, with comparative figures as of the end of the previous fiscal year. Said balance sheet shall be posted not later than thirty days after the end of the credit union's fiscal year and shall remain posted until replaced by the following year's posting. Said balance sheet shall be printed at the expense of the credit union and copies shall be made available to its depositors upon request. Each such credit union which fails to post or print any such balance sheet in accordance with this section shall pay to the state treasurer ten dollars for each day that it fails to so post or print such balance sheet, unless excused by the commissioner for cause.

Approved April 25, 1974.

Chap. 152. AN ACT REQUIRING SAVINGS BANKS TO PUBLISH AND POST CERTAIN BALANCE SHEETS ANNUALLY.

Be it enacted, etc., as follows:

Section 65 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 58 of the acts of 1960, is hereby further amended by adding the following paragraph:—

Every such corporation shall post in a prominent place and in a conspicuous manner in the lobby of each of its banking offices, a balance sheet which presents fairly, in accordance with generally accepted accounting principles, including required footnote disclosures, its condition as of the last business day of its fiscal year, with comparative figures as of the end of the previous fiscal year. Said balance sheet shall be posted not later than fifteen days after the end of the corporation's fiscal year and shall remain posted until replaced by the following year's posting. Said balance sheet shall be printed at the expense of the corporation and copies shall be made available to its depositors upon request. Each such corporation which fails to post or print any such balance sheet in accordance with this section shall pay to the state treasurer ten dollars for each day that it fails to so post or print such balance sheet, unless excused by the commissioner for cause.

Approved April 25, 1974.

Chap. 153. AN ACT EXTENDING THE TIME WITHIN WHICH ACTIONS FOR BREACH OF WARRANTY MAY BE BROUGHT.

Be it enacted, etc., as follows:

Section 2-318 of chapter 106 of the General Laws, as most recently amended by section 1 of chapter 750 of the acts of 1973, is hereby

further amended by striking out the last sentence and inserting in place thereof the following sentence:— All actions under this section shall be commenced within three years next after the date the injury and damage occurs.

Approved April 25, 1974.

Chap. 154. AN ACT FURTHER REGULATING THE BORROWING POWER OF THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith urgently needed facilities for students at the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 773 of the acts of 1960 is hereby amended by striking out the third paragraph, as most recently amended by section 1 of chapter 638 of the acts of 1969, and inserting in place thereof the following paragraph:—

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder; provided that the period from the date of an original note issued prior to July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed twelve years, and the period from the date of an original note issued after July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed seven years.

SECTION 2. The fourth sentence of the fifth paragraph of said section 7 of said chapter 773 is hereby amended by striking out the word "seventy-four", inserted by section 2 of chapter 589 of the acts of 1973, and inserting in place thereof the word:— seventy-six.

Approved April 30, 1974.

Chap. 155. AN ACT FURTHER REGULATING THE TAXATION OF LAND ACQUIRED BY EMINENT DOMAIN.

Be it enacted, etc., as follows:

SECTION 1. Section 3B of chapter 59 of the General Laws, inserted by chapter 393 of the acts of 1946, is hereby amended by

striking out the first sentence and inserting in place thereof the following sentence:— All interests in real estate situated within the commonwealth heretofore or hereafter acquired by any corporation by eminent domain and all such interests in real estate heretofore or hereafter purchased by any corporation when it could have been acquired by eminent domain shall, unless expressly exempt by the charter of such corporation or by statute, be taxed to such corporation.

SECTION 2. This act shall apply to taxes levied for the fiscal year ending June thirtieth, nineteen hundred and seventy-five.

Approved April 30, 1974.

Chap. 156. AN ACT MAKING CERTAIN CHANGES IN THE LAW ESTABLISHING A STATE LOTTERY COMMISSION.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 24 of chapter 10 of the General Laws, as appearing in section 2 of chapter 813 of the acts of 1971, is hereby amended by striking out, in line 2, the words "type of lottery" and inserting in place thereof the words:— types of lottery or lotteries,— and by striking out, in line 10, the word "twenty-one" and inserting in place thereof the word:— eighteen.

Approved April 30, 1974.

Chap. 157. AN ACT RELATIVE TO ABSENT VOTING BALLOTS IN MUNICIPALITIES USING ELECTRONIC VOTING SYSTEMS.

Be it enacted, etc., as follows:

The second paragraph of section 92 of chapter 54 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 106 of the acts of 1967, and inserting in place thereof the following sentence:— A voter whose ballot is delivered to him in person shall not remove it from the office of the clerk, but shall mark or, in the case of a punch card electronic voting system ballot, shall punch said ballot as prescribed in the preceding paragraph in the presence of said clerk, his assistant authorized by law to administer oaths, or a notary public called to said office by said clerk for such purpose.

Approved April 30, 1974.

Chap. 158. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF SECRETARIES WEEK.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to proclaim Secretaries Week during the month of April according to tradition, 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 adding the following section:—

Section 15AA. The governor shall annually issue a proclamation setting apart the last full week of April as Secretaries Week and recommending that said week be observed by the people in an appropriate manner. The Wednesday of Secretaries Week shall be designated as Secretaries Day.

Approved May 2, 1974.

Chap. 159. AN ACT AUTHORIZING THE TOWN OF NORFOLK TO APPOINT CERTAIN INTERMITTENT POLICE OFFICERS TO ITS REGULAR POLICE FORCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty C of chapter thirty-one of the General Laws, Robert K. Forsberg, Albert A. Leverone and George Katapodis, intermittent police officers of the town of Norfolk who have passed their fiftieth birthdays, may be appointed to the regular police force of said town if they are otherwise eligible for certification and appointment.

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

Approved May 2, 1974.

Chap. 160. AN ACT AUTHORIZING CERTAIN BANKING FIDUCIARIES TO HOLD CERTAIN FIDUCIARY ACCOUNTS IN BULK.

Be it enacted, etc., as follows:

Section 54B of chapter 167 of the General Laws, inserted by chapter 454 of the acts of 1971, is hereby amended by inserting after the word "it", in line 3, the words:— as custodian for any fiduciary, or.

Approved May 2, 1974.

Chap. 161. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF DUKES COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out *Class III,* as most recently amended by section 2 of chapter 894 of the acts of 1973, and inserting in place thereof the following class:—

Class III. The district court of Chicopee, and district court of Dukes county.

SECTION 2. *Class IV* of said paragraph (1) of said section 79 of said chapter 218, as appearing in section 1 of chapter 540 of the acts of 1973, is hereby amended by striking out the line reading "district court of Dukes county".

Approved May 2, 1974.

Chap. 162. AN ACT FURTHER REGULATING THE APPRAISAL OF REAL ESTATE SECURING LOANS MADE BY BANKS.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 2 of chapter 167 of the General Laws, as amended by chapter 296 of the acts of 1966, is hereby further amended by inserting after the word "direction", in line 11, the words:— , and he may also, whenever he considers it expedient, appoint individuals certified as real estate appraisers by the society of real estate appraisers, or similar successor society, to make, at the expense of the bank, appraisals of real estate securing loans of the bank, and, at the time he names such appraiser, he shall so notify the bank and advise it of the date on which he has requested submission of the appraisal report to him, whereupon the bank may then appoint an appraiser who may submit the report of his appraisal to the commissioner on the same date.

Approved May 2, 1974.

Chap. 163. AN ACT PROVIDING FOR PROMPT RECORDING OF CERTAIN DEATHS.

Be it enacted, etc., as follows:

Section 15 of chapter 38 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 6 and 7, the words "board of public welfare of the town where found" and inserting in place thereof the following words:— department of public welfare, — by striking out, in line 8, the word "seventeen" and inserting in place thereof the following word:— eighteen, — and by adding the following paragraph:—

Upon delivery of the body to the department of public welfare, the medical examiner shall transmit a copy of the death certificate to the city or town clerk of the town where the body was found. Said clerk shall promptly record said copy, notwithstanding that the place of burial and other pertinent data as required by section one of chapter forty-six is unknown. Upon burial of the body, the board of health shall transmit such certificate and data, as is required by section eleven of chapter forty-six, to said clerk who shall amend the initial recording and advise the secretary of the commonwealth accordingly.

Approved May 2, 1974.

Chap. 164. AN ACT DESIGNATING THE COD AS THE FISH OR FISH EMBLEM OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 2 of the General Laws is hereby amended by adding after section 12, added by chapter 121 of the acts of 1974, the following section:—

Section 13. The cod shall be the fish or fish emblem and the historic and continuing symbol of the commonwealth.

Approved May 2, 1974.

Chap. 165. AN ACT PROVIDING FOR THE DESIGNATION OF AN ASSISTANT CLERK OF THE COURTS TO PERFORM CERTAIN DUTIES OF THE CLERK IN THE SUPERIOR COURT FOR THE COUNTY OF HAMPDEN.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by inserting after section 6K, inserted by chapter 130 of the acts of 1974, the following section:—

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

Approved May 2, 1974.

Chap. 166. AN ACT FURTHER REGULATING APPEALS FROM THE DISTRICT COURTS IN SMALL CLAIMS ACTIONS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 23 of chapter 218 of the General Laws, as appearing in section 2 of chapter 748 of the acts of 1973, is hereby amended by striking out, in lines 15 and 16, the words "amount of the judgment in" and inserting in place thereof the words:—penal sum of one hundred dollars, with such surety or sureties as may be approved by the plaintiff or the clerk or an assistant clerk of.

SECTION 2. The fourth paragraph of said section 23 of said chapter 218, as so appearing, is hereby amended by striking out, in line 2, the words "the judgment" and inserting in place thereof the words:— one hundred dollars.

Approved May 2, 1974.

Chap. 167. AN ACT RELATIVE TO APPEALS FROM GUILTY FINDINGS OR SENTENCES IMPOSED THEREON IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

Section 18 of chapter 278 of the General Laws, as most recently amended by chapter 657 of the acts of 1973, is hereby further amended by striking out, in line 1, the word "convicted" and inserting in place thereof the words:— found guilty, — and by striking out, in line 5, the word "conviction" and inserting in place thereof the words:— such finding of guilty or sentencing.

Approved May 2, 1974.

Chap. 168. AN ACT PROVIDING FOR AN APPEAL PROCEDURE RELATIVE TO HISTORIC DISTRICTS.

Be it enacted, etc., as follows:

Chapter 40C of the General Laws is hereby amended by striking out section 12, as appearing in section 1 of chapter 359 of the acts of 1971, and inserting in place thereof the following two sections:—

Section 12. A city or town may provide in its ordinance or by-law or in any amendment thereof, for a review procedure whereby any applicant aggrieved by a determination of the commission may, within twenty days after the filing of the notice of such determination with the city or town clerk, file a written request with the commission for a review by a person or persons of competence and experience in such matters, designated by the regional planning agency of which the city or town is a member. If the city or town is not a member of a regional planning agency, the department of community affairs shall select the appropriate regional planning agency.

The finding of the person or persons making such review shall be filed with the city or town clerk within forty-five days after the request, and shall be binding on the applicant and the commission, unless a further appeal is sought in the superior court as provided in section twelve A.

Section 12A. Any applicant aggrieved by a determination of the commission, or by the finding of a person or persons making a review, if the provisions of section twelve are included in a local ordinance or by-law, may, within twenty days after the filing of the notice of such determination or such finding with the city or town clerk, appeal to the superior court sitting in equity for the county in which the city or town is situated. The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds the decision of the commission to be unsupported by the evidence, or to exceed the authority of the commission, or may remand the case for further action by the commission, or make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive; but the parties shall have all rights of appeal and exception

as in other equity cases. Costs shall not be allowed against the commission unless it shall appear to the court that the commission acted with gross negligence, in bad faith or with malice in the matter from which the appeal was taken. Costs shall not be allowed against the party appealing from such determination of the commission unless it shall appear to the court that the appellant acted in bad faith or with malice in making the appeal to the court.

Approved May 2, 1974.

Chap. 169. AN ACT FURTHER DEFINING THE FORM OF SIGNATURES ON NOMINATION PAPERS AND OTHER FORMS REQUIRING CERTIFICATION.

Be it enacted, etc., as follows:

The second paragraph of section 7 of chapter 53 of the General Laws, added by section 2 of chapter 512 of the acts of 1971, is hereby amended by adding the following sentence:—The provisions of the preceding paragraph shall apply in all cases where any statute, special act, or home rule charter requires the certification of the signature of a voter by boards of registrars of voters.

Approved May 2, 1974.

EMERGENCY LETTER — July 3, 1974 at 12:24 P.M.

Chap. 170. AN ACT INCREASING THE PENALTY FOR THE BUYING OR SELLING OF OR TRAFFICKING IN DEAD HUMAN BODIES.

Be it enacted, etc., as follows:

Section 72 of chapter 272 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 3 and 4, the words "five hundred" and inserting in place thereof the words:— one thousand.

Approved May 2, 1974.

Chap. 171. AN ACT INCREASING THE PENALTY FOR CERTAIN TRESPASSES INVOLVING MOTOR VEHICLES AND OTHER POWERED DEVICES.

Be it enacted, etc., as follows:

Section 121A of chapter 266 of the General Laws, inserted by chapter 573 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Whoever, without right, enters upon the private land of another, whether or not such land be posted against trespass, and in so entering makes use of or has in his immediate possession or control any vehicle, machine, or device which includes an internal combustion engine or other source of mechanical power, shall be punished by a fine of not more than two hundred and fifty dollars.

Approved May 2, 1974.

Chap. 172. AN ACT PROVIDING FOR VOTER REGISTRATION SESSIONS IN CERTAIN PLACES OF ACTIVITY ON OR BEFORE THE LAST DAY FOR REGISTRATION FOR A MUNICIPAL PRELIMINARY ELECTION, PRIMARY, OR ELECTION.

Be it enacted, etc., as follows:

Section 42B of chapter 51 of the General Laws, as most recently amended by chapter 655 of the acts of 1973, is hereby further amended by inserting after the word "primary", in line 8, the words:— or any municipal preliminary election, primary, or election.

Approved May 2, 1974.

Chap. 173. AN ACT AUTHORIZING CREDIT UNIONS TO SECURE HOME IMPROVEMENT LOANS BY A SECOND MORTGAGE.

Be it enacted, etc., as follows:

Subdivision (D) of section 24 of chapter 171 of the General Laws, as appearing in section 6 of chapter 420 of the acts of 1971, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— Loans made under this paragraph may be secured by a security agreement, financing statement, or a second mortgage on the real estate to be improved, to be recorded in the appropriate registry of deeds.

Approved May 2, 1974.

Chap. 174. AN ACT AUTHORIZING INCORPORATORS AND DIRECTORS OF THE SAVINGS BANK INVESTMENT FUND TO ACT BY WRITTEN CONSENT.

Be it enacted, etc., as follows:

Section 2 of chapter 283 of the acts of 1945 is hereby amended by adding the following paragraph:—

Any action required or permitted to be taken at any meeting of the incorporators or directors may be taken without a meeting if all incorporators or all directors entitled to vote on the matter consent to the action in writing, and the written consent or consents are filed with the records of the meetings of incorporators or directors, as the case may be. Such consents shall be treated for all purposes as votes at a duly called and held meeting.

Approved May 2, 1974.

Chap. 175. AN ACT REQUIRING REGISTRARS OF VOTERS TO HOLD A SESSION FOR THE REGISTRATION OF VOTERS ON THE SATURDAY PRECEDING THE FINAL DAY FOR REGISTRATION.

Be it enacted, etc., as follows:

Section 31 of chapter 51 of the General Laws is hereby amended by striking out the last sentence, added by section 4 of chapter 236 of the acts of 1966, and inserting in place thereof the following sentence:— The registrars of voters of each city and town shall, however, hold sessions on the Saturday preceding the final day for registration as provided by section twenty-eight, whether or not the provisions of section one hundred and ten A of chapter forty-one are in effect in their respective cities and towns.

Approved May 2, 1974.

Chap. 176. AN ACT FURTHER REGULATING THE EMPLOYMENT OF MINORS.

Be it enacted, etc., as follows:

Section 62 of chapter 149 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 43 of the acts of 1966, and inserting in place thereof the following sentence:— This section shall not prohibit the employment of minors in drug stores or retail food stores, nor shall it prevent the employment of a minor, to whom has been issued a license to operate motor vehicles, in the operation on a farm, or on a way for a distance not exceeding ten miles therefrom, of any truck, tractor, trailer or self-propelled agricultural instrument registered by a farmer under chapter ninety.

Approved May 2, 1974.

Chap. 177. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE FOR THE MAINTENANCE OF THE COUNTY OF DUKES COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OR SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW 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 fiscal year ending June thirtieth, nineteen hundred and seventy-five.

DUKES COUNTY.

Item	Subtotal	Total
1. For interest on county debt		$6,500.00
2. For reduction of county debt		10,000.00
3. For county commissioners, salaries and expenses		20,404.50
1. Personal services	$16,764.50	
2. Contractual services	400.00	
3. Supplies and materials	1,000.00	
4. Current charges and obligations	240.00	
5. Equipment	2,000.00	
4. For transportation and expenses of county and acting commissioners		500.00
5. For clerk of courts, salaries and expenses		11,429.77
1. Personal services	10,484.37	
2. Contractual services	725.00	
3. Supplies and materials	165.00	
4. Current charges and obligations	55.40	
6. For county treasurer, salaries and expenses		10,672.65
1. Personal services	9,747.65	
2. Contractual services	320.00	
3. Supplies and materials	535.00	
4. Current charges and obligations	70.00	
7. For sheriff, salary and expenses		11,300.00
1. Personal services	9,500.00	
2. Contractual services	600.00	
3. Supplies and materials	250.00	
4. Current charges and obligations	25.00	
5. Equipment	925.00	
8. For registry of deeds, salaries and expenses		38,203.22
1. Personal services	26,808.22	
2. Contractual services	7,100.00	
3. Supplies and materials	3,260.00	
4. Current charges and obligations	35.00	
5. Equipment	1,000.00	
8a. For registry of probate, salaries and expenses		3,675.00
2. Contractual services	2,100.00	
3. Supplies and materials	600.00	
4. Current charges and obligations	300.00	
5. Equipment	675.00	
9. For law library, salaries and expenses		2,578.00
1. Personal services	300.00	
3. Supplies and materials		28.00
4. Current charges and obligations	2,250.00	
10. For highways, including state highways, bridges and land damages		4,000.00
2. Contractual services	4,000.00	
12. For superior court costs		19,967.33
1. Personal services	617.33	
2. Contractual services	19,350.00	

	Subtotal	Total
13. For civil expenses in probate court		$3,300.00
2. Contractual services	$3,300.00	
14. For the district court, salaries and expenses District Court of Edgartown		65,111.88
1. Personal services	56,890.98	
2. Contractual services	4,619.75	
3. Supplies and materials	1,530.00	
4. Current charges and obligations	400.40	
5. Equipment	1,670.75	
15. For medical examiners and commitments of insane		2,000.00
16. For jail and house of correction, maintenance and operation		14,960.00
2. Contractual services	12,200.00	
3. Supplies and materials	1,250.00	
5. Equipment	1,510.00	
18. For court houses and registry buildings, maintenance and operation		16,306.40
1. Personal services	8,486.40	
2. Contractual services	6,500.00	
3. Supplies and materials	1,200.00	
5. Equipment	120.00	
19. For construction of county buildings and purchase of land		15,000.00
20. For agricultural school or county cooperative extension service		31,561.80
1. Personal services	24,316.80	
2. Contractual services	3,675.00	
3. Supplies and materials	1,490.00	
4. Current charges and obligations	1,810.00	
5. Equipment	270.00	
21a. For state reservation, maintenance and operation (Indian Burial Ground)		1,000.00
23a. For mental health program or tuberculosis clinic		4,500.00
23c. For public health program		4,000.00
24. For noncontributory pensions		12,213.32
25. For contributory retirement system and supervisory expenses		40,496.75
26. For miscellaneous and contingent expenses		25,633.22
28. For reserve fund		6,000.00
28a. For reserve for salary increases		34,000.00
28d. For reserve for counsel for indigent defendants		2,500.00
29. For advertising recreational, industrial and agricultural advantages of the county		38,760.60
33. For police training school		500.00
35. For county planning and economic development commission		32,535.25
38. For county airport, maintenance and operation		99,241.28
1. Personal services	72,811.28	
2. Contractual services	9,200.00	
3. Supplies and materials	11,000.00	
4. Current charges and obligations	4,100.00	
5. Equipment	2,130.00	

	Subtotal	Total
39. For group insurance		$25,000.00
42. For rodent control		15,168.68
44. For communication system		42,280.95
Total amount of appropriations		$671,300.60
Less estimated amount available for reduction of county tax		105,402.20
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		$565,898.40

The following sums are hereby appropriated for said fiscal year from revenue sharing funds subject to the provisions of law regulating the dispersal of county funds and the approval thereof.

Item		
16. For jail and house of correction		
1. Personal services	$19,463.45	
26. For miscellaneous and contingent expenses		
6. All other	23,000.00	
38. For county airport		
5. Equipment	6,500.00	
	$48,963.45	

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

Approved May 2, 1974.

Chap. 178. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year from July first, nineteen hundred and seventy-four, to June thirtieth, nineteen hundred and seventy-five.

FRANKLIN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$7,188.00
3.	For county commissioners, salaries and expenses		27,358.72
1.	Personal services	$26,088.72	
2.	Contractual services	700.00	
3.	Supplies and materials	450.00	
4.	Current charges and obligations	120.00	
4.	For transportation and expenses of county and acting commissioners		1,200.00
5.	For clerk of courts, salaries and expenses		47,735.71
1.	Personal services	44,287.71	
2.	Contractual services	1,775.00	
3.	Supplies and materials	925.00	
4.	Current charges and obligations	248.00	
5.	Equipment	500.00	
6.	For county treasurer, salaries and expenses		23,296.22
1.	Personal services	21,538.22	
2.	Contractual services	1,030.00	
3.	Supplies and materials	450.00	
4.	Current charges and obligations	278.00	
7.	For sheriff, salary and expenses		15,090.00
1.	Personal services	14,500.00	
2.	Contractual services	400.00	
3.	Supplies and materials	95.00	
4.	Current charges and obligations	95.00	
8.	For registry of deeds, salaries and expenses		86,165.80
1.	Personal services	61,450.80	
2.	Contractual services	17,500.00	
3.	Supplies and materials	4,000.00	
4.	Current charges and obligations	575.00	
5.	Equipment	2,640.00	
8a.	For registry of probate, salaries and expenses		5,700.00
2.	Contractual services	2,950.00	
3.	Supplies and materials	875.00	
4.	Current charges and obligations	500.00	
5.	Equipment	1,375.00	
9.	For law library, salaries and expenses		15,713.80
1.	Personal services	4,518.80	
2.	Contractual services	635.00	
3.	Supplies and materials	165.00	
4.	Current charges and obligations	10,000.00	
5.	Equipment	395.00	
10.	For highways, including state highways, bridges and land damages		278,758.00
2.	Contractual services	8,000.00	
3.	Supplies and materials	50.00	
6.	All other	270,708.00	
12.	For superior court costs		148,742.84
1.	Personal services	49,042.84	
2.	Contractual services	96,605.00	
3.	Supplies and materials	2,025.00	
4.	Current charges and obligations	775.00	
5.	Equipment	295.00	

	Subtotal	Total
13. For civil expenses in probate court		$6624.90
1. Personal services	$2,785.90	
2. Contractual services	2,925.00	
3. Supplies and materials	375.00	
4. Current charges and obligations	120.00	
5. Equipment	419.00	
14. For district courts, salaries and expenses		
District Court of Greenfield		186,673.59
1. Personal services	175,050.09	
2. Contractual services	7,440.00	
3. Supplies and materials	2,400.00	
4. Current charges and obligations	622.00	
5. Equipment	1,161.50	
District Court of Orange		53,163.10
1. Personal services	46,073.10	
2. Contractual services	1,950.00	
3. Supplies and materials	640.00	
4. Current charges and obligations	3,725.00	
5. Equipment	775.00	
15. For medical examiners and commitments of insane		8,000.00
16. For jail and house of correction, maintenance and operation		67,815.00
2. Contractual services	12,000.00	
3. Supplies and materials	45,000.00	
4. Current charges and obligations	3,485.00	
5. Equipment	4,830.00	
6. All other	2,500.00	
18. For court houses and registry buildings, maintenance and operation		71,478.61
1. Personal services	31,903.66	
2. Contractual services	24,000.00	
3. Supplies and materials	10,000.00	
4. Current charges and obligations	175.00	
5. Equipment	5,399.95	
19. For construction of county buildings and purchase of land		13,000.00
20. For agricultural school or county cooperative extension service		104,055.39
1. Personal services	93,590.39	
2. Contractual services	8,000.00	
3. Supplies and materials	1,500.00	
4. Current charges and obligations	375.00	
5. Equipment	590.00	
21. For state reservations, maintenance and operation		
Mount Sugarloaf		6,663.45
1. Personal services	3,098.45	
2. Contractual services	2,500.00	
3. Supplies and materials	495.00	
4. Current charges and obligations	35.00	
5. Equipment	35.00	
6. All other	500.00	
Whately Reservation Area		3,100.00
1. Personal services	1,000.00	
2. Contractual services	1,000.00	
3. Supplies and materials	600.00	

	Subtotal	Total
5. Equipment	$500.00	
24. For noncontributory pensions		$18,725.65
25. For contributory retirement system and supervisory expenses		71,471.00
26. For miscellaneous and contingent expenses		12,275.00
28. For reserve fund		30,000.00
28a. For reserve for salary increases		100,000.00
28d. For reserve for counsel for indigent defendants		15,000.00
29. For advertising recreational, industrial and agricultural advantages of the county		20,000.00
31. For radio system for fire protection and police radio system		5,030.00
35. For county planning		52,802.15
36. For Dutch elm disease		5,000.00
37. For human services		113,469.00
39. For group insurance		30,580.00
40. For county housing authority		18,375.00
Total amount of appropriations		$1,670,250.93
Less estimated amount available for reduction of county tax		181,700.00
And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$1,488,550.93

The following sum is hereby appropriated for said fiscal year from revenue sharing funds subject to the provisions of law regulating the dispersal of county funds and the approval thereof.

Item		
16. For jail and house of correction		
1. Personal services	$225,643.47	

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

Approved May 2, 1974.

Chap. 179. AN ACT FURTHER DEFINING THE POWERS AND DUTIES OF THE ADVISORY BOARD TO THE COUNTY COMMISSIONERS RELATIVE TO PROPOSED COUNTY EXPENDITURES.

Be it enacted, etc., as follows:

Section 28B of chapter 35 of the General Laws, inserted by section 1 of chapter 1166 of the acts of 1973, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The advisory board prior to the submission of any proposed expenditure by the county clerk to the director of accounts shall hold

at least one public hearing to discuss the proposed county budget. After such hearing or hearings, the advisory board shall make recommendations concerning county expenditures and said recommendations shall be reported to the county commissioners. The commissioners may accept or reject said recommendations, but in the case of rejection, if the advisory board shall so determine by a two-thirds vote, the county clerk shall notify the director of accounts of the action of the advisory board and the director of accounts shall include notice of the action of said board in the report filed with the general court under the provisions of section thirty-five.

Approved May 2, 1974.

Chap. 180. AN ACT PROVIDING THAT PATRIOTS DAY BE CELEBRATED FOR THREE DAYS IN THE YEAR NINETEEN HUNDRED AND SEVENTY-FIVE.

Be it enacted, etc., as follows:

Patriots day shall be celebrated as a legal holiday on April nineteenth, twentieth and twenty-first in the year nineteen hundred and seventy-five; provided, however, that the provisions of sections five to eleven, inclusive, of chapter one hundred and thirty-six of the General Laws shall not apply to any of said days.

Approved May 2, 1974.

Chap. 181. AN ACT REQUIRING PUBLICATION OF NOTICES OF PETITIONS FOR PARTITION OF LAND.

Be it enacted, etc., as follows:

Section 8 of chapter 241 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— Said notice shall be given to each respondent, whether within or without the commonwealth, whose address is known, by serving the same, either personally or by registered mail, fourteen days at least before the return day; and to each respondent whose address is not known by mailing a copy thereof to the last known address of such party fourteen days at least before the return day, and by publishing the notice once in each of three successive weeks in such newspaper as the court shall order, the last publication to be one day at least before the return day.

Approved May 3, 1974.

Chap. 182. AN ACT PROVIDING FOR THE ENFORCEMENT OF THE MASSACHUSETTS CLEAN WATERS ACT BY THE DIVISION OF WATER POLLUTION CONTROL.

Be it enacted, etc., as follows:

Chapter 21 of the General Laws is hereby amended by striking out section 53, as appearing in section 3 of chapter 648 of the acts of

1968, and inserting in place thereof the following section:—

Section 53. Sections twenty-six to fifty-three, inclusive, shall be known and referred to as the Massachusetts Clean Waters Act and the officers of the division of law enforcement shall, upon request of the water resources commission or the division of water pollution control, investigate and prosecute violations of law, orders or rules and regulations relating to said act.

Approved May 3, 1974.

Chap. 183. AN ACT FACILITATING THE IMPLEMENTATION OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973 BY CERTAIN GOVERNMENTAL UNITS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

For the purpose of implementing the Federal Comprehensive Employment and Training Act of 1973 (Public Law 93-203), and amendments thereto any governmental unit, as defined in section four A of chapter forty of the General Laws, may enter into an agreement with one or more other governmental units, as so defined, to perform jointly or for such other unit or units, any service, activity or undertaking, including any service, activity or undertaking authorized under section fifty-three A of chapter forty-four of the General Laws, which each contracting unit is authorized by law to perform, if such agreement is authorized by each party thereto, in a city having a plan D or plan E charter by its city manager and in any other city by its mayor, in a town by the selectmen and in a district by the prudential committee, if any, and otherwise by the commissioners. Any such agreement may be terminated by any party thereto at the end of any fiscal year if such termination is authorized by the terminating unit in the manner aforesaid; provided, that notice of such termination is given to each other party to the agreement at least sixty days prior to the date of termination.

Any such agreement shall be subject to the provisions of the second paragraph of said section four A of said chapter forty to the extent not inconsistent with this act.

The liability of any municipality for funds expended pursuant to an agreement authorized by this act shall be limited to the amount of funds actually disbursed by such municipality or disbursed for the benefit of its inhabitants.

Approved May 6, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133

May 6, 1974

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 183 of the Acts of 1974, entitled "AN ACT FACILITATING THE IMPLEMENTATION OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973 BY CERTAIN GOVERNMENTAL UNITS OF THE COMMONWEALTH." and the enactment of which received my approval on May 6, 1974, should take effect forthwith.

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

It is in the public interest that those governmental units prepared to enter into agreements under the provisions of this Act be permitted to do so forthwith.

Sincerely,
FRANCIS W. SARGENT
Governor of the Commonwealth

OFFICE OF THE SECRETARY, Boston, May 6, 1974.

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

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

Chap. 184. AN ACT MAKING FURTHER CORRECTIVE CHANGES IN THE LAW CHANGING THE FISCAL CYCLES OF COUNTIES, CITIES, TOWNS AND CERTAIN DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make further corrective changes in the law changing the fiscal cycles of counties, cities, towns and certain districts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 52 of the acts of 1973 is hereby amended by striking out the second sentence and substituting in place thereof the following:— A school committee which excludes from its budget such estimated amounts shall either budget for the fiscal year commencing July first, nineteen hundred and seventy-four, the amounts necessary to make payments during the months of July and August, nineteen hundred and seventy-four, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and seventy-four, or budget for the fiscal year commencing July first, nineteen hundred and seventy-four, one-half of the amounts necessary to make payments during the months of July and August, nineteen hundred and seventy-five, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and seventy-five, and for the fiscal year commencing July first, nineteen hundred and seventy-five, the full amounts necessary to make payments during the months of July and August, nineteen hundred and seventy-six, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and seventy-six, and such amounts shall be subject to the provisions of section thirty-four of chapter seventy-one of the General Laws.

SECTION 2. Any action taken by a city, town, or regional school district subsequent to January first, nineteen hundred and seventy-four, pursuant to appropriations authorized by section one of this act shall be as valid and effective as though this act had been in full force and effect at the time of the initial action of the school committee.

Approved May 6, 1974.

Chap. 185. AN ACT EXTENDING THE EXPIRATION DATE OF A CERTAIN CIVIL SERVICE LIST.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that there be at all times an established list of qualified candidates for the position of assistant civil engineer in the division of water resources in the department of natural resources, 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 the General Laws governing the expiration date of civil service lists, the list for the position of assistant civil engineer in the division of water resources in the department of natural resources established on November first, nineteen hundred and seventy-one, shall be revived and extended for a period not to exceed one year from the effective date of this act.

Approved May 6, 1974.

Chap. 186. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF ESSEX AND THE PARK AND RECREATION COMMISSION OF THE TOWN OF GEORGETOWN TO EXPEND CERTAIN FUNDS FOR PRELIMINARY PLANNING FOR A RECREATION PROJECT IN THE TOWN OF GEORGETOWN.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex are hereby authorized to expend a sum of money, not exceeding ten thousand dollars, to be taken from the funds received by said county under the State and Local Fiscal Assistance Act of 1972 (Public Law 92-512) for the purpose of making preliminary plans for the development of the area commonly known as American Legion park in the town of Georgetown for a recreational area for the residents of said county in conjunction with the park and recreation commission of said town.

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

Approved May 6, 1974.

Chap. 187. AN ACT RELATIVE TO THE EXAMINATION AND TREATMENT FOR VENEREAL DISEASE OF CERTAIN MINORS.

Be it enacted, etc., as follows:

The second paragraph of section 117 of chapter 111 of the General Laws, added by chapter 44 of the acts of 1954, is hereby amended by striking out, in lines 2 and 3, the words "acting under the authority of the department of public health".

Approved May 6, 1974.

Chap. 188. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE PENALTIES FOR THE MISCONDUCT OF REGISTRARS OF VOTERS.

Be it enacted, etc., as follows:

Chapter 56 of the General Laws is hereby amended by striking out section 2, as appearing in section 11 of chapter 537 of the acts of 1946, and inserting in place thereof the following section:—

Section 2. A registrar or assistant registrar who refuses or wilfully neglects to require, under section forty-four of chapter fifty-one, an applicant for registration to submit an affidavit in compliance with said section, or who knowingly prevents or seeks to prevent the registration of any legal voter, or who knowingly registers the name of any person not qualified to vote, or who is guilty of any fraud or corrupt conduct in the execution of the duties of his office, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Approved May 6, 1974.

Chap. 189. AN ACT PROVIDING FOR STATEMENTS OF PARTY ENROLLMENT IN CERTIFICATES ISSUED TO VOTERS WHOSE NAMES HAVE BEEN OMITTED FROM VOTING LISTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 59 of chapter 51 of the General Laws, as appearing in chapter 555 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— If the presiding officer is then satisfied that such voter is entitled to vote, he shall issue a certificate in a form supplied by the registrars, stating the name, residence and party enrollment, if any, of the voter so identified, and such certificate shall be signed by such presiding officer.

SECTION 2. The second paragraph of said section 59 of said chapter 51, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— If said registrars find that the name of such voter has been omitted from the voting list, or a clerical error has been made in his name or residence, as placed on such list, the registrars shall issue a certificate of name, residence and party enrollment, if any, as stated on the annual register, or on his application under section one A, as the case may be, signed by a majority of the registrars.

Approved May 6, 1974.

Chap. 190. AN ACT CLARIFYING THE PERIOD DURING WHICH A PERSON MAY BECOME REGISTERED TO VOTE.

Be it enacted, etc., as follows:

Section 26 of chapter 51 of the General Laws, as most recently amended by section 1 of chapter 853 of the acts of 1973, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:— If any person applies for registration during a period prior to a regular or special preliminary, primary or election when registration to qualify as a voter in such preliminary, primary or election is prohibited by the provisions of this section, such person, if otherwise qualified, shall be registered and his name shall be placed on the voting lists as a registered voter for all later preliminaries, primaries or elections.

Approved May 6, 1974.

Chap. 191. AN ACT PROVIDING CERTAIN COMPENSATION FOR CERTAIN EMPLOYEES OF CITIES, TOWNS AND CERTAIN DISTRICTS.

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 fifteenth, nineteen hundred and seventy-one and ending December thirty-first, nineteen hundred and seventy-one, which amounts were not paid as a result of the provisions of the "Economic Stabilization Act of 1970" (P.L. 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 "Economic Stabilization Act of 1970", 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-four 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-four 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 fiscal year commencing on July first, nineteen hundred and seventy-four.

Approved May 8, 1974.

Chap. 192. AN ACT FURTHER PROHIBITING WAIVERS OF CERTAIN PROVISIONS IN LEASES AND RENTAL AGREEMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prohibit waivers of certain provisions in leases and rental agreements commencing July first, nineteen hundred and seventy-four, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 186 of the General Laws, as most recently amended by section 2 of chapter 778 of the acts of 1973, is hereby further amended by adding the following sentence:— Any waiver of this provision in any lease or other rental agreement, except with respect to any restriction on the provision of a service specified in this section imposed by the United States or any agency thereof or the commonwealth or any agency or political subdivision thereof and not resulting from the acts or omissions of the landlord or lessor, and except for interruptions of any specified service during the time required to perform necessary repairs to apparatus necessary for the delivery of said service or interruptions resulting from natural causes beyond the control of the lessor or landlord, shall be void and unenforceable.

SECTION 2. Section 15D of said chapter 186, inserted by chapter 658 of the acts of 1971, is hereby amended by adding the following sentence:— Any waiver of this provision in any lease or other rental agreement shall be void and unenforceable.

SECTION 3. Section 15E of said chapter 186, inserted by chapter 157 of the acts of 1972, is hereby amended by adding the following sentence:— Any waiver of this provision in any lease or other rental agreement shall be void and unenforceable.

SECTION 4. Section 18 of said chapter 186, as most recently amended by section 3 of chapter 858 of the acts of 1973, is hereby further amended by adding the following paragraph:—

Any waiver of this provision in any lease or other rental agreement shall be void and unenforceable.

SECTION 5. The provisions of this act shall apply to all leases and other rental agreements taking effect on or after July first, nineteen hundred and seventy-four.

Approved May 8, 1974.

Chap. 193. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW ESTABLISHING THE RIGHT OF PRIVACY AND A REMEDY TO ENFORCE SUCH RIGHT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent the inadvertent repeal of the law establishing the right of privacy and a remedy to enforce such right, 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 214 of the General Laws is hereby amended by inserting after section 1A, as appearing in section 62 of chapter 1114 of the acts of 1973, the following section:—

Section 1B. A person shall have a right against unreasonable, substantial or serious interference with his privacy. The superior court shall have jurisdiction in equity to enforce such right and in connection therewith to award damages.

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

Approved May 8, 1974.

Chap. 194. AN ACT RELATIVE TO THE SUSPENSION OF EXAMINATIONS FOR FIRE FIGHTERS 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 fire fighter 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 fire fighter in a city or town, whose application was filed in the division of civil service on or after August twenty-seventh, nineteen hundred and seventy-one, and who has since reached his thirty-fifth birthday or will reach his thirty-fifth birthday prior to the

next fire fighter examination to be given after the effective date of this act, shall be eligible to take the next such fire fighter examination given after the effective date of this act and shall be eligible for appointment provided he meets all other requirements of law.

Approved May 8, 1974.

Chap. 195. AN ACT AUTHORIZING THE TOWN OF DEERFIELD TO BORROW MONEY TO REPAY CERTAIN FEDERAL AND STATE AID ANTICIPATION NOTES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law the town of Deerfield is hereby authorized to issue one hundred and sixty thousand dollars federal and state aid anticipation notes of said town, payable in not more than one year from their dates in order to pay two existing notes in the amount of one hundred thousand dollars and sixty thousand dollars, respectively borrowed in anticipation of federal and state aid for sewers, sewerage systems and sewerage treatment plants authorized under a certain Offer and Acceptance of Federal and State Grants for sewerage treatment work dated September eleventh, nineteen hundred and sixty-nine, identified as Project WPC — Mass — 197. Notes issued under this act for a period of less than one year may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note issued under this act to the maturity of any note issued to renew or pay the same debt shall not exceed one year.

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

Approved May 8, 1974.

Chap. 196. AN ACT AUTHORIZING CERTAIN BANKING FIDUCIARIES TO FILE SECURITIES OF THE UNITED STATES GOVERNMENT AND ITS AGENCIES WITH A FEDERAL RESERVE BANK UNDER ITS BOOK ENTRY SYSTEM.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 54C the following section:—

Section 54D. Any association or corporation authorized to do a banking business and to exercise trust powers in the commonwealth, while acting as a fiduciary, or as an agent or custodian for any other fiduciary or private banker, is authorized to deposit, or arrange for the deposit of, with any federal reserve bank, any securities, the principal and interest of which the United States or any department, agency, or instrumentality thereof has agreed to pay, or has guaranteed payment, such securities to be credited to one or more accounts on the books of the federal reserve bank and to be

designated "fiduciary for safekeeping accounts" in the name of such bank, trust company, or private banker, to which account other securities may be credited. Ownership of and other interests in such securities may be transferred by bookkeeping entry on the books of such federal reserve banks without actual issue or physical delivery of such securities. The records of any bank or trust company, acting in the capacities described, or of any individual fiduciary, shall at all times show the name of the party for whose account the securities are so deposited. Any bank or trust company or any other fiduciary which has deposited securities with a federal reserve bank, shall on demand by any court, fiduciary, co-fiduciary, beneficiary or other interested party to an accounting, or by the attorney for any such fiduciary, co-fiduciary, beneficiary or other interested party to an accounting, certify in writing that the securities are held by such association or corporation as such fiduciary, and shall therein hold harmless any interested party, or fiduciary or guardian representing such party for loss arising from reliance upon such certification.

Approved May 8, 1974.

Chap. 197. AN ACT PROVIDING THAT VOTERS MAY DESIGNATE THE PLACES TO WHICH THEIR ABSENT VOTING BALLOTS SHALL BE MAILED.

Be it enacted, etc., as follows:

Section 89 of chapter 54 of the General Laws, as most recently amended by chapter 60 of the acts of 1969, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:— In the case of a voter who on the date of the election will be absent from the city or town where he is registered, such ballot shall be mailed to any municipality such voter so designates.

Approved May 8, 1974.

Chap. 198. AN ACT INCREASING THE AMOUNT OF CERTAIN DEATH BENEFITS WHICH MAY BE PAID BY THE QUINCY POLICE MUTUAL AID ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Quincy Police Mutual Aid Association, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the death of the wife of any member in good standing, to pay such member such sum, not exceeding one thousand dollars, as may from time to time be determined by vote of said corporation, and, upon the death of any member in good standing, to pay such death benefits, not exceeding four thousand five hundred dollars as may from time to time be determined by vote as aforesaid.

SECTION 2. Chapter eight-four of the acts of nineteen hundred and sixty-two is hereby repealed.

Approved May 8, 1974.

Chap. 199. AN ACT MAKING CERTAIN CORRECTIVE CHANGES TO FACILITATE PARTICIPATION IN THE COMMONWEALTH'S PROGRAM OF COLLECTIVE PURCHASES BY POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 4B of chapter 40 of the General Laws is hereby amended by inserting after the second paragraph, added by section 1 of chapter 61 of the acts of 1972, the following paragraph:—

The provisions of this section shall be deemed to have been complied with on all purchases made under the provisions of sections twenty-two A and twenty-two B of chapter seven when one municipality acting on behalf of other municipalities complies with the provisions of this section, or when purchases are made from a vendor holding a contract with the commonwealth for the item or items being purchased.

SECTION 2. Section 28 of chapter 43 of the General Laws is hereby amended by inserting after the second paragraph, inserted by section 2 of said chapter 61, the following paragraph:—

The provisions of this section shall be deemed to have been complied with on all purchases made under the provisions of sections twenty-two A and twenty-two B of chapter seven when one municipality acting on behalf of other municipalities complies with the provisions of this section, or when purchases are made from a vendor holding a contract with the commonwealth for the item or items being purchased.

SECTION 3. Section 29 of said chapter 43, as most recently amended by chapter 191 of the acts of 1973, is hereby further amended by adding the following paragraph:—

The provisions of this section shall be deemed to have been complied with on all purchases made under the provisions of sections twenty-two A and twenty-two B of chapter seven when one municipality acting on behalf of other municipalities complies with the provisions of this section, or when purchases are made from a vendor holding a contract with the commonwealth for the item or items being purchased.

Approved May 8, 1974.

Chap. 200. AN ACT RELATIVE TO INFORMATION REQUIRED OF A VOTER SIGNING A NOMINATION PAPER.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 53 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 512 of the acts of 1971, and inserting in place thereof the following sentence:—Every voter signing a nomination paper shall sign in person, as registered or substantially as registered, and shall state his residence on January the first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, if different with the street and

number, if any, but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence; and, except as provided in section three of chapter fifty-four A, every voter may sign as many nomination papers for each office as there are persons to be elected thereto, and no more.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved May 8, 1974.

Chap. 201. AN ACT FURTHER DEFINING THE PURPOSE FOR WHICH THE COUNTY COMMISSIONERS OF ESSEX COUNTY MAY EXPEND A CERTAIN AMOUNT OF MONEY FOR PROMOTING THE RECREATIONAL, VACATION AND CONVENTION, COMMERCIAL AND INDUSTRIAL RESOURCES OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 2 of chapter 85 of the acts of 1971, as amended by chapter 531 of the acts of 1973, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:— The county commissioners of Essex county may, for the purposes of promoting the recreational, cultural, historic, vacation and convention, commercial and industrial resources of said county, expend such sums, not exceeding two hundred and 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, by a city or town, or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners may expend such sums for advertising in newspapers, magazines, newsletters and other advertising media, for booklets, publicity, posters, signs and facility guides and maps and the distribution thereof and for booths including the staffing thereof and the facilities required by federal law, and displays at fairs, expositions or travel shows, in and outside the county; for such other promotional activity as may be reasonably necessary to effectuate the purpose of this act, including the writing of copy, art work, advertising production costs, photography, and the processing of inquiries resulting from such promotional activities.

Approved May 8, 1974.

Chap. 202. AN ACT RELATIVE TO INVESTMENTS BY SAVINGS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 49 of chapter 168 of the General Laws is hereby amended by striking out paragraph 7, as most recently

amended by section 1 of chapter 735 of the acts of 1973, and inserting in place thereof the following paragraph:—

7. Certificates of deposit having a maturity not in excess of two years of a banking corporation; provided that the investment of the savings bank in the certificates of deposit of the banking corporation shall not exceed ten per cent of the combined total of the guaranty fund, capital stock, surplus, undivided profits and reserve for contingencies of the banking corporation; and provided, further, that the banking corporation (*a*) in each of the five years immediately preceding the date of investment has paid dividends in cash of not less than four per cent of its common stock without having reduced the aggregate par value thereof; (*b*) has surplus at least equal to fifty per cent of its capital stock; (*c*) has a combined total of capital stock, surplus, undivided profits, capital debentures and reserve for contingencies at least equal to six per cent of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment; and (*d*) is, if its principal office is located outside the commonwealth, a member of the federal reserve system and its capital stock is an eligible investment for savings banks; provided, however, that in the case of a banking corporation having a combined total of capital stock, surplus, undivided profits and reserve for contingencies equal to at least five hundred million dollars the said combined total may be less than six per cent, but not less than five per cent, of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment. No more than ten per cent of the deposits of the savings bank shall be invested in certificates of deposit generally and no more than five per cent in the certificates of deposit of any one banking corporation. The investments permitted by this paragraph shall not affect the type or amount of investments that may be made by a savings bank under section forty-seven or forty-nine or the amount of deposits that may be made by a savings bank under section fifty-five. The limitation imposed by clause (*a*) of this paragraph shall not apply to an aggregate investment of not in excess of fifteen thousand dollars by a savings bank in certificates of deposit of a banking corporation, the deposits of which banking corporation are insured by the Federal Deposit Insurance Corporation.

SECTION 2. Subsection 4A of section 26 of chapter 170 of the General Laws is hereby amended by striking out paragraph (*f*), as most recently amended by section 2 of said chapter 735, and inserting in place thereof the following paragraph:—

(*f*) Certificates of deposit having a maturity not in excess of two years of a banking corporation; provided that the investment of the co-operative bank in the certificates of deposit of the banking corporation shall not exceed ten per cent of the combined total of the guaranty fund, capital stock, surplus, undivided profits and reserve for contingencies of the banking corporation; and provided, further, that the banking corporation (*i*) in each of the five years immediately preceding the date of investment has paid dividends in cash of not less than four per cent of its common stock without having reduced

the aggregate par value thereof; (*ii*) has surplus at least equal to fifty per cent of its capital stock; (*iii*) has a combined total of capital stock, surplus, undivided profits, capital debentures and reserve for contingencies at least equal to six per cent of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment; and (*iv*) is, if its principal office is located outside the commonwealth, a member of the federal reserve system and its capital stock is an eligible investment for co-operative banks; provided, however, that in the case of a banking corporation having a combined total of capital stock, surplus, undivided profits and reserve for contingencies equal to at least five hundred million dollars the said combined total may be less than six per cent, but not less than five per cent, of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment. No more than ten per cent of the assets of the co-operative bank shall be invested in certificates of deposit generally and no more than five per cent in the certificates of deposit of any one banking corporation. The investments permitted by this subparagraph shall not affect the type or amount of investments that may be made by a co-operative bank under other provisions of this section. The limitation imposed by clause (*i*) of this subparagraph shall not apply to an aggregate investment of not in excess of fifteen thousand dollars by a co-operative bank in certificates of deposit of a banking corporation, the deposits of which banking corporation are insured by the Federal Deposit Insurance Corporation.

Approved May 8, 1974.

Chap. 203. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO PROVIDE SCHOLARSHIP AID FOR CERTAIN STUDENTS AT BRISTOL COMMUNITY COLLEGE.

Be it enacted, etc., as follows:

The city of Fall River is hereby authorized to provide to Bristol Community College a sum of money for scholarship purposes, said amount to be raised by taxation.

Such scholarships shall be awarded to residents of the city of Fall River on a need basis as determined by the financial aid office at said community college.

The number of scholarships awarded each year shall not exceed twenty. A scholarship shall continue for such time as the recipient remains in good standing at said community college, but in no event shall any student receive such aid for more than two years.

Approved May 9, 1974.

Chap. 204. AN ACT PROHIBITING THE ADMINISTERING OF DRUGS TO HORSES PARTICIPATING IN CONTESTS AT AGRICULTURAL FAIRS.

Be it enacted, etc., as follows:

Chapter 128 of the General Laws is hereby amended by inserting after section 2B the following section:—

Section 2C. No person shall administer or cause to be administered any drug, internally or externally by injection, drench or otherwise, to any animal for the purpose of retarding, stimulating or in any other manner affecting the performance of such animal in or in connection with a contest conducted under the provisions of paragraph (*f*) of section two.

The commissioner is hereby authorized to make such tests of the saliva or urine of any animal entered in a pulling contest as he may deem necessary. If a drug is found in the chemical analysis of said saliva or urine, it shall be prima facie evidence that a drug has been administered.

The owner of any animal which has been tested and in which a drug has been found, his representative, and any animals owned by or leased to such person shall be ineligible to participate in or receive premiums offered at any agricultural fair or any pulling contest in the commonwealth pending an investigation, finding, and order of the commissioner.

The commissioner may make rules and regulations necessary to carry out the provisions of this section.

Approved May 9, 1974.

Chap. 205. AN ACT DESIGNATING NOVEMBER ELEVENTH AS VETERANS DAY.

Be it enacted, etc., as follows:

SECTION 1. Clause Eighteen of section 7 of chapter 4 of the General Laws, as most recently amended by section 1 of chapter 215 of the acts of 1970, is hereby further amended by striking out, in line 5, the words "the fourth Monday in October" and inserting in place thereof the words:— November eleventh.

SECTION 2. Section 12A of chapter 6 of the General Laws is hereby amended by striking out the words "the fourth Monday in October", inserted by section 3 of said chapter 215, and inserting in place thereof the words:— November eleventh.

SECTION 2A. Section 13 of chapter 136 of the General Laws, as most recently amended by section 2 of chapter 271 of the acts of 1972, is hereby further amended by striking out, in line 4 and in line 7, the words "the fourth Monday in October" and inserting in place thereof, in each instance, the words:— November eleventh.

SECTION 3. This act shall take effect on January first, nineteen hundred and seventy-five, or upon the date federal legislation becomes effective designating November eleventh for the annual observance of Veterans Day, if such date is earlier.

Approved May 9, 1974.

Chap. 206. AN ACT INCREASING THE PENALTY FOR FALSELY IMPERSONATING A PERSON NAMED IN A LICENSE OR LEARNER'S PERMIT TO OPERATE MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 24B of chapter 90 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph:—

Whoever falsely impersonates the person named in an application for a license or learner's permit to operate motor vehicles, or procures or assists another to falsely impersonate the person named in such an application whether of himself or another, or whoever has in his possession, or utters, publishes as true, or in any way makes use of a license or learner's permit to operate motor vehicles that was obtained in such a manner shall be punished by a fine of not more than five hundred dollars or by imprisonment in the state prison for not more than five years or in jail or house of correction for not more than two years.

SECTION 2. The first sentence of paragraph (*a*) of subdivision (2) of section 24 of said chapter 90, as most recently amended by chapter 243 of the acts of 1973, is hereby further amended by striking out, in lines 15 and 16, the words "or falsely impersonates the person named in such an application or procures such false impersonation whether of himself or of another".

Approved May 9, 1974.

Chap. 207. AN ACT FURTHER REGULATING THE SEALING OF RECORDS FOR VIOLATION OF THE CONTROLLED SUBSTANCES LAW.

Be it enacted, etc., as follows:

The second paragraph of section 34 of chapter 94C of the General Laws, as appearing in section 23 of chapter 806 of the acts of 1972, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— 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 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 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.

Approved May 9, 1974.

Chap. 208. AN ACT AUTHORIZING THE MASSACHUSETTS PORT AUTHORITY TO STUDY AND IMPLEMENT MARINE PASSENGER SERVICE.

Be it enacted, etc., as follows:

Section 3 of chapter 465 of the acts of 1956 is hereby amended by adding after clause (*q*), added by chapter 771 of the acts of 1971, the following clause:—

'(*r*) To make such studies, surveys and estimates as may be necessary in addition to or in connection with those made by other public or private agencies to determine the feasibility of acquiring necessary facilities and vessels to be operated by existing private marine carriers of passengers for hire, with or without such federal and or other aid as may be available, and to take whatever action necessary to implement such passenger carrier service.

Approved May 9, 1974.

Chap. 209. AN ACT PERMITTING THE APPOINTMENT OF MORE THAN ONE SHELLFISH CONSTABLE BY EACH CITY OR TOWN BORDERING ON COASTAL WATERS.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 98, as most recently amended by chapter 34 of the acts of 1972, and inserting in place thereof the following section:—

Section 98. In each city and town bordering on coastal waters the mayor or the selectmen, as the case may be, shall appoint a person or persons, qualified by training and experience in the field of shellfishery management, as shellfish constables or deputy shellfish constables. Such shellfish constables and deputy shellfish constables shall be appointed for terms of three years, and may be reappointed. They shall, subject to the appointing authority, initiate, promote and manage shellfisheries in such city or town and shall make or cause to be made such studies as may be necessary to enhance the value of such shellfisheries. They shall enforce all statutes, ordinances, by-laws, rules and regulations relative to shellfish in such city or town. They 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. In the performance of his duties, a shellfish constable or deputy shellfish constable may request any person who he has cause to believe is engaged in unlawful shellfishing, is in unlawful possession of shellfish, or is in possession of shellfish unlawfully taken, to display forthwith for inspection all shellfish in his possession, and he may arrest without a warrant any person refusing or failing to comply with such request.

Upon the appointment of a shellfish constable or deputy shellfish constable under this section, the appointing authority shall forthwith notify the director of the division of marine fisheries and the director of the division of law enforcement.

Approved May 9, 1974.

Chap. 210. AN ACT RELATIVE TO THE CHARLES B. HAVEN HOME FOR AGED MEN IN THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 98 of the acts of 1903 is hereby amended by inserting after the word "Peabody", in line 6, the words:— and for the benefit of other aged persons at the discretion of the trustees.

SECTION 2. Section 4 of said chapter 98 is hereby amended by inserting after the word "office", in line 18, the words:— or persons appointed by said chairmen, — and by inserting after the word "thereof", in line 26, the words:— or the person appointed by him.

Approved May 9, 1974.

Chap. 211. AN ACT EXTENDING THE TIME WITHIN WHICH APPLICATIONS FOR THE ABATEMENT OF THE EXCISE ON MOTOR VEHICLES MAY BE FILED.

Be it enacted, etc., as follows:

Section 2 of chapter 60A of the General Laws is hereby amended by striking out the ninth sentence, as amended by section 1 of chapter 371 of the acts of 1959, and inserting in place thereof the following sentence:— The owner, if aggrieved by the excise assessed, may on or before December thirty-first of the year next succeeding the year to which the excise relates apply for an abatement to the board of assessors or the state tax commission, as the case may be, and, from a decision of the board of assessors upon such application, an appeal may be taken to the county commissioners or to the appellate tax board, all in accordance with section sixty-four or sixty-five of chapter fifty-nine, or from a decision of the commission an appeal may be taken to the appellate tax board in the time and manner provided in the case of appeals taken pursuant to section seventy-one of chapter sixty-three.

Approved May 9, 1974.

Chap. 212. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO BORROW MONEY FOR REMODELING, RECONSTRUCTING, MAKING EXTRAORDINARY REPAIRS TO, REEQUIPPING AND REFURNISHING THE SPRINGFIELD MUNICIPAL HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of remodeling, reconstructing, making extraordinary repairs to, reequipping and refurnishing the Springfield Municipal Hospital, the city of Springfield may borrow from time to time, within a period of five years from the effective date of this act, such sums as may be necessary, not exceeding, in the aggregate, two million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Springfield Municipal Hospital Remodeling Loan, Act of 1974. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitations contained in the first paragraph of section seven thereof.

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

Approved May 13, 1974.

Chap. 213. AN ACT FURTHER REGULATING THE SALE AND OPERATION OF SNOW VEHICLES.

Be it enacted, etc., as follows:

The third paragraph of section 24 of chapter 90B of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 62 of the acts of 1972, and inserting in place thereof the following sentence:— No snow vehicle manufactured after July the first, nineteen hundred and seventy-five, shall be sold, offered for sale or operated that produces a sound pressure level of more than seventy-eight decibels.

Approved May 14, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
May 13, 1974

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 213 of the Acts of 1974, entitled "AN ACT FURTHER REGULATING THE SALE AND OPERATION OF SNOW VEHICLES." and the enactment of which received my approval on May 13, 1974, should take effect forthwith.

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

It is in the public interest that the provisions of this Act take effect forthwith because the standard set forth therein is intended to replace that now contained in Massachusetts General Law c. 90B s. 24 and scheduled to become effective on July 1, 1974.

Sincerely,
FRANCIS W. SARGENT,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, Boston, May 13, 1974.

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 twenty-two minutes, P. M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two hundred and thirteen of the acts of nineteen hundred and seventy-four.

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

Chap. 214. AN ACT REQUIRING THE INSTALLATION OF AUTOMATIC FIRE WARNING SYSTEMS IN CERTAIN BUILDINGS AND STRUCTURES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 148 of the General Laws is hereby amended by inserting after section 26A, inserted by section 1 of chapter 395 of the acts of 1973, the following section:—

Section 26B. Every building or structure not exceeding seventy feet in height above the mean grade erected or substantially altered to be occupied for residential purposes shall be protected throughout with an automatic fire warning system equipped with automatic smoke detection devices or automatic smoke and heat detection devices

primarily intended for the protection of life by indicating abnormal conditions as hereinafter provided, except that the installation of such automatic fire warning systems shall not be required in buildings or structures subject to the provisions of the general laws relative to the installation of automatic sprinkler systems and automatic fire warning systems connected thereto.

Such a system shall conform to the requirements of the most recent editions of National Fire Code Standard #101 relative to life safety and of National Fire Code Standard #74 relative to household fire warning equipment adopted by the National Fire Protection Association.

Automatic smoke detection devices or automatic smoke and heat detection devices which comprise such a system shall conform to and be installed and tested periodically as specified by the most recent provisions of the Life Safety Code, National Fire Protection Association #101, and Household Fire Warning Equipment, National Fire Protection Association #74.

For buildings and structures occupied for residential purposes not exceeding thirty feet in height above mean grade or containing twelve or fewer dwelling units, such automatic fire warning system shall initiate the sounding of an audible alarm capable of being heard in all occupied areas of the building or structure.

For buildings and structures occupied for residential purposes exceeding thirty feet in height above mean grade, but not exceeding seventy feet in height above mean grade, or containing more than twelve dwelling units, such automatic fire warning system shall initiate the sounding of an audible alarm capable of being heard in all occupied areas of the floor on which the alarm is initiated; and shall register the location of the alarm at a specified location in the building or structure.

The head of the fire department as defined in section one shall enforce the provisions of this section.

SECTION 2. This act shall apply to buildings and structures the construction or substantial alteration of which is begun after January first, nineteen hundred and seventy-five.

Approved May 13, 1974.

Chap. 215. 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 chapters four hundred and sixty-six and one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three, for the fiscal year ending June the thirtieth, nineteen hundred and seventy-four, 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

4400-1000 Item 4400-1000 of section two of chapter one thousand one hundred and eighty-one is hereby amended by striking out, in the last line, the word "ninety-eight" and inserting in place thereof the word:—eight-four.

4400-1200 For the expenses of operating a food stamp program for eligible persons in the commonwealth; provided, that all federal funds received for the purposes of this item shall be credited to the General Fund; and provided further, that only banking institutions within the commonwealth and the United States postal service shall process the food stamps; including not more than two hundred and thirty-nine permanent positions.

$273,000

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

Approved May 14, 1974.

Chap. 216. AN ACT EXTENDING THE TIME FOR FILING APPLICATIONS FOR ABATEMENTS FOR TAX AND OTHER ASSESSMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide a sewer betterment assessment abatement for agricultural and forest land, 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, any betterment or special assessment which has been assessed on a parcel of land which consists of more than fifty acres and which has more than seventy per cent of its total area classified as forest land under chapter sixty-one, and which has a frontage in excess of one thousand five hundred feet, or which is employed in the production of agricultural, horticultural, or forest products; as a result of the construction of a sanitary sewerage system or sewers having been wholly or partially funded by the United States government pursuant to an act of Congress, or as an extension, spur, branch, feeder, connector, or contributor thereto; or assessed against the owners of land located adjacent or near to a sewerage system, or

sewers, or as an extension, spur, branch, feeder, connector, or contributor thereto, constructed with municipal funds as a related part of a program involving federal funds pursuant to said public law, shall be abated upon application by the owners of the land, filed with the board of public works, or sewer commission, as the case may be, of the respective city or town on or before August first, nineteen hundred and seventy-five, on forms to be provided by the board of public works, or sewer commission, as the case may be.

SECTION 2. The collector of taxes or any other city or town official is hereby directed to desist from any further action with respect to instruments of taking of said land filed by them pursuant and subject to the provisions of sections fifty-three and fifty-four of chapter sixty of the General Laws until August first, nineteen hundred and seventy-five.

SECTION 3. This act shall take effect as of May first, nineteen hundred and sixty-four.

Approved May 14, 1974.

Chap. 217. AN ACT PROVIDING FOR RETROACTIVE COMPENSATION OF CERTAIN MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF HOLDEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Holden is hereby authorized to appropriate from available funds, the sum of three thousand one hundred ninety-three dollars and sixty-two cents, and after such appropriation to pay the sum of three thousand ninety-four dollars and twenty-two cents to certain members of the police department of said town as compensation for overtime work performed by them during the period from April first, nineteen hundred and seventy-two, to December thirty-first, nineteen hundred and seventy-two, inclusive, and ninety-nine dollars and forty cents to certain members of said police department as an allowance for cleaning uniforms during said period, both of said payments being made pursuant to a collective bargaining agreement between said town and Local 806, Council 41, of the American Federation of State, County and Municipal Employees, dated May second, nineteen hundred and seventy-two.

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

Approved May 16, 1974.

Chap. 218. AN ACT AUTHORIZING THE DEMOCRATIC TOWN COMMITTEE OF THE TOWN OF HOLLISTON TO ADD TO ITS ELECTED MEMBERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith greater public participation and membership in the Democratic town committee of the town of

Holliston, 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 provisions of chapter fifty-two of the General Laws to the contrary, the Democratic town committee elected in the year nineteen hundred and seventy-two in the town of Holliston may add to its elected members, provided that by so doing the total number of members shall not be made to exceed thirty-five.

Approved May 16, 1974.

Chap. 219. AN ACT AUTHORIZING THE OPERATION OF SELF-SERVICE AUTO REPAIR CENTERS ON SUNDAYS.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by adding the following clause:—

(48) The operation of a self-service auto repair center.

Approved May 16, 1974.

Chap. 220. AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE EXPENDED BY THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL, AGRICULTURAL AND INDUSTRIAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 660 of the acts of 1972, as amended by section 1 of chapter 11 of the acts of 1973, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— The county commissioners of Franklin county may, for the purpose of advertising the recreational, agricultural and industrial advantages of said county, expend such sums, not exceeding, in the aggregate, thirty 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.

Approved May 16, 1974.

Chap. 221. AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE EXPENDED BY THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL, INDUSTRIAL AND AGRICULTURAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 588 of the acts of 1967, as most recently

amended by chapter 27 of the acts of 1973, is hereby further amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:— thirty.

Approved May 16, 1974.

Chap. 222. AN ACT REGULATING THE USE OF COMMON TRUST FUNDS BY CORPORATE FIDUCIARIES.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by striking out section 64, inserted by chapter 1147 of the acts of 1973, and inserting in place thereof the following two sections:—

Section 65. Notwithstanding the provisions of section six of chapter one hundred and sixty-eight, any bank may, by vote of its board of trustees or board of directors and subject to approval by and regulations of the board of bank incorporation in the case of trust companies or the commissioner of banks in the case of savings banks or cooperative banks, purchase, install, operate, lease, use or so share with any other bank, national banking association, or federal savings and loan association, remote, automated, unmanned facilities for the purpose of disbursement of funds by electronic processing, in the form of cash, or check or item, as defined in section 4-104 of chapter one hundred and six, for customer convenience and use.

No bank shall exclusively own or lease more than three such facilities, or participate in more than forty-nine per cent of the ownership of more than ten other such facilities and in no event shall a bank wholly own or participate in the ownership of more than thirteen such facilities. Ownership or leasing of such facilities shall be restricted to the county wherein the main office of such bank is located.

Any customer or depositor using said facilities shall be considered a customer, as defined in section one of chapter ninety-three C, and any statement issued by a bank to a customer or depositor relative to a transaction shall be subject to the provisions of said chapter ninety-three C.

Section 66. Any corporation qualified to act as a fiduciary in the commonwealth may establish one or more common trust funds or may utilize one or more common trust funds previously established by it, for funds held in a fiduciary capacity by itself or by other corporate fiduciaries located in the commonwealth. Each such corporate fiduciary may invest and reinvest in one or more such common trust funds the monies of any fiduciary account which would be eligible under chapter two hundred and three A for investment in a common trust fund established and maintained by such corporate fiduciary. The corporate fiduciary establishing, maintaining or so utilizing such common trust fund shall comply with and be subject to all of the provisions of said chapter two hundred and three A as though such corporate fiduciary and other corporate fiduciaries participating in such fund were one and the same entity.

Approved May 16, 1974.

Chap. 223. AN ACT PROVIDING THAT MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF EDGARTOWN BE EXEMPTED FROM THE CIVIL SERVICE LAW AND RULES AND FURTHER REGULATING THE APPOINTMENT OF MEMBERS OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of law, appointments to the police department of the town of Edgartown 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 one year 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 of said town in accordance with the provisions of section forty-three 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 said town 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-four, entitled 'An Act providing that members of the police department of the town of Edgartown be exempted from the civil service law and rules and further regulating the appointment of members of the police department of said town,' 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 16, 1974.

Chap. 224. AN ACT INCREASING THE INTEREST ADDED ON DAMAGES IN CERTAIN COURT ACTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 6B of chapter 231 of the General Laws, as most recently amended by section 155 of chapter 1114 of the acts of 1973, is hereby further amended by inserting after the word "thereon", in line 5, the words:— at the rate of eight per cent per annum.

SECTION 2. Section 6C of said chapter 231, as amended by section 156 of said chapter 1114, is hereby further amended by striking out, in lines 4 and 8, the word "six" and inserting in place thereof, in each instance, the word:— eight.

Approved May 16, 1974.

Chap. 225. AN ACT FURTHER REGULATING THE DISPOSITION OF HOSPITAL RECORDS USED AS EVIDENCE IN COURT ACTIONS.

Be it enacted, etc., as follows:

The second paragraph of section 79 of chapter 233 of the General Laws, as appearing in chapter 200 of the acts of 1959, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— The clerk upon completion of such trial or hearing shall notify such hospital that said record is no longer required and will be returned to the hospital by certified mail unless an authorized representative of the hospital calls for the same at the office of said clerk within seven days of said notice.

Approved May 16, 1974.

Chap. 226. AN ACT RELATIVE TO THE CERTIFICATION OF NAMES OF PERSONS ELIGIBLE FOR APPOINTMENT AS CORRECTION OFFICERS.

Be it enacted, etc., as follows:

Chapter 125 of the General Laws is hereby amended by striking out section 4, as most recently amended by section 51 of chapter 925 of the acts of 1973, and inserting in place thereof the following section:—

Section 4. In certifying the names of persons eligible for appointment as correction officers in said institutions, the director of civil service shall certify the names of persons who at the time of examination were over the age of nineteen and under the age of thirty-five.

Approved May 16, 1974.

Chap. 227. AN ACT FURTHER REGULATING THE LICENSING OF PROFESSIONAL BOXERS.

Be it enacted, etc., as follows:

The second sentence of section 39 of chapter 147 of the General Laws, as appearing in chapter 114 of the acts of 1950, is hereby amended by inserting after the word "clubs", in line 4, the words:— , youth organizations.

Approved May 16, 1974.

Chap. 228. AN ACT AUTHORIZING THE SUPERIOR COURT TO ADD TO THE TRIAL LIST OF CRIMINAL CASES AT THE DISCRETION OF THE COURT.

Be it enacted, etc., as follows:

Section 1 of chapter 278 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— Cases may be added to such list by direction of the court, on its own motion or upon motion of the district attorney or of the defendant.

Approved May 16, 1974.

Chap. 229. AN ACT DIRECTING THE STATE SECRETARY TO CHANGE THE DEATH RECORD OF WILLIAM A. SQUIRES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the state secretary is hereby authorized and directed to change the death record of William A. Squires so as to contain the information that the said William A. Squires served in the armed forces of Great Britain during World War II.

Approved May 16, 1974.

Chap. 230. AN ACT AUTHORIZING THE PROBATE COURT TO MAKE ORDERS RELATIVE TO RESTRAINTS ON PERSONAL LIBERTIES OF PARTIES AND CHILDREN INVOLVED IN SEPARATE SUPPORT PETITIONS.

Be it enacted, etc., as follows:

Chapter 209 of the General Laws is hereby amended by striking out section 32, as amended by chapter 370 of the acts of 1968, and inserting in place thereof the following section:—

Section 32. If a husband fails, without justifiable cause, to provide suitable support for his wife, or deserts her, or if the wife has justifiable cause for living apart from her husband, or if the husband is deserted by his wife or has justifiable cause for living apart from his wife, whether or not he or she is actually living apart, the probate court may, upon his or her petition, or if he or she is incompetent due to mental illness or mental retardation, upon petition of the guardian or next friend, prohibit the husband or wife from imposing any restraint on the personal liberty of the other during such time as the court by its order may direct or until further order of the court thereon and upon the application of the husband or wife or of the guardian of either, the court may make further orders relative to the support of the wife and the care, custody and maintenance of their minor children, may determine with which of their parents the children or any of them shall remain and may, from time to time, upon similar application revise and alter such order or make a new order or decree as the circumstance of the parents or the benefit of the children may require, and the court may make such order as it deems necessary to protect either party or their children, to preserve the peace or to carry out the purposes of this section relative to the restraint on their personal liberty.

Upon request by the court, the state police, local police or probation officers shall make an investigation in relation to any proceedings hereunder and report to the court. Every such report shall be in writing and shall become part of the records of such proceedings.

Approved May 16, 1974.

Chap. 231. AN ACT RELATIVE TO THE AUTHORITY OF THE SUPERIOR OR PROBATE COURTS REGARDING RESTRAINTS ON PERSONAL LIBERTIES OF PARTIES TO DIVORCE LIBELS.

Be it enacted, etc., as follows:

Section 18 of chapter 208 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:— Upon the petition of the husband or wife or of the guardian of either, the court may make such further order as it deems necessary to protect either party or their children, to preserve the peace or to carry out the purposes of this section relative to restraint on personal liberty.

Approved May 16, 1974.

Chap. 232. AN ACT PERMITTING EXECUTORS OR ADMINISTRATORS TO DISTRIBUTE CERTAIN FUNDS OF ESTATES TO PARENTS OF MINORS.

Be it enacted, etc., as follows:

Chapter 215 of the General Laws is hereby amended by inserting after section 41 the following section:—

Section 41A. A probate court may, upon application of an administrator or executor of an estate under such terms and conditions as the court may direct, authorize said person to deliver to the parent of a minor, any funds to which such minor is entitled and held by said administrator or executor when the sum is less than two hundred dollars.

Approved May 16, 1974.

Chap. 233. AN ACT EXEMPTING EMERGENCY FIRE VEHICLES FROM THE RESTRICTION ON THE USE OF METAL STUDDED SNOW TIRES.

Be it enacted, etc., as follows:

Section 16 of chapter 90 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 46 of the acts of 1973, and inserting in place thereof the following paragraph:—

No person, except a duly authorized person driving an emergency fire vehicle, shall operate a motor vehicle equipped with metal studded tires upon a public way between May the first and November the first; provided, however, the registrar may authorize the use of such tires before November the first, if weather conditions require the use thereof. Whoever violates the provisions of this paragraph shall be punished by a fine of not more than fifty dollars.

Approved May 16, 1974.

Chap. 234. AN ACT FURTHER REGULATING THE LIMITATION OF ACTIONS AGAINST EXECUTORS AND ADMINISTRATORS FOR PERSONAL INJURIES AND DEATH.

Be it enacted, etc., as follows:

Section 9A of chapter 197 of the General Laws is hereby amended by striking out, in line 5, as appearing in chapter 298 of the acts of 1972, the word "two" and inserting in place thereof the word:— three.

Approved May 16, 1974.

Chap. 235. AN ACT DESIGNATING THE DEPARTMENT OF NATURAL RESOURCES ICE SKATING RINK BEING CONSTRUCTED IN THE TOWN OF AUBURN AS THE DANIEL S. HORGAN MEMORIAL SKATING RINK.

Be it enacted, etc., as follows:

The department of natural resources ice skating rink being constructed in the town of Auburn shall, upon its completion, be designated and known as the Daniel S. Horgan Memorial skating rink, in memory of Daniel S. Horgan, former chief engineer in the department of public works. A suitable marker bearing said designation shall be erected thereat by the department of public works.

Approved May 16, 1974.

Chap. 236. AN ACT DESIGNATING THE DEPARTMENT OF NATURAL RESOURCES ICE SKATING RINK BEING CONSTRUCTED IN THE CITY OF GARDNER AS THE GARDNER VETERANS SKATING RINK.

Be it enacted, etc., as follows:

The department of natural resources ice skating rink being constructed in the city of Gardner shall, upon its completion, be designated and known as the Gardner veterans skating rink. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved May 16, 1974.

Chap. 237. AN ACT AUTHORIZING THE COMMISSIONERS OF ESSEX COUNTY TO EXPEND CERTAIN SUMS OF MONEY FOR OPERATION OF THE ESSEX COUNTY JAIL AND HOUSE OF CORRECTION.

Be it enacted, etc., as follows:

The county commissioners of the county of Essex are hereby

authorized to expend a sum of money not to exceed sixty-five thousand dollars for maintenance and supplies and contractual services for the Essex county jail and house of correction for the budgetary period ending June thirtieth, nineteen hundred and seventy-four. Said sum shall be expended from the funds received by said county under the State and Local Fiscal Assistance Act of 1972 (Public Law 92-512).

Approved May 16, 1974.

Chap. 238. AN ACT REQUIRING PAWNBROKERS TO PHOTOGRAPH PERSONS PAWNING GOODS.

Be it enacted, etc., as follows:

SECTION 1. Section 79 of chapter 140 of the General Laws is hereby amended by adding the following sentence:— Every pawnbroker shall also photograph any person pawning articles and keep the photographs with said books as part of his records.

SECTION 2. Said chapter 140 is hereby further amended by inserting after section 82 the following section:—

Section 82A. Any pawnbroker who violates the provisions of section seventy-nine in reference to articles pawned which are found to be stolen articles shall be liable for the loss incurred by the loan, and the pawned article may be reclaimed by the owner of the same.

Approved May 16, 1974.

Chap. 239. AN ACT AUTHORIZING CERTAIN BURNINGS OF CHRISTMAS TREES.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 142F the following section:—

Section 142G. Notwithstanding the provisions of sections one hundred and forty-two A and one hundred and forty-two B, any person may burn Christmas trees during the period from December twenty-sixth to January seventh in each year, provided that said person obtains a permit from the head of the fire department of the city or town wherein such burning shall take place and provided further that such burning is conducted under the supervision and control of said head of the fire department.

Approved May 16, 1974.

Chap. 240. AN ACT RELATIVE TO CONFIDENTIAL COMMUNICATIONS BETWEEN PATIENTS AND PSYCHOTHERAPISTS.

Be it enacted, etc., as follows:

Section 20B of chapter 233 of the General Laws, inserted by chapter 418 of the acts of 1968, is hereby amended by striking out clause (*e*) and inserting in place thereof the following clause:—

(*e*) In any child custody case in which, upon a hearing in chambers,

the judge, in the exercise of his discretion, determines that the psychotherapist has evidence bearing significantly on the patient's ability to provide suitable custody, and that it is more important to the welfare of the child that the communication be disclosed than that the relationship between patient and psychotherapist be protected.

Approved May 17, 1974.

Chap. 241. AN ACT RELATIVE TO THE ADMINISTRATION OF THE LAW ENFORCEMENT AND CRIMINAL JUSTICE TRAINING FUND.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 116, as most recently amended by section 1 of chapter 1228 of the acts of 1973, and inserting in place thereof the following section:—

Section 116. There shall be a Massachusetts criminal justice training council, hereinafter called the council, to consist of the director of civil service, the commissioner of public safety, the commissioner of correction, the commissioner of probation, the chairman of the parole board in the department of correction, the commissioner of police of the city of Boston, the executive director of the committee on criminal justice, the attorney general, the chief justice of the district courts, the executive secretary of the supreme judicial court, or their respective designees, the special agent in charge of the Boston office of the Federal Bureau of Investigation, if consent is given by the director of said bureau, who shall act in an advisory capacity but shall have no vote, the commissioner of education, or his designee, who shall act in an advisory capacity but shall have no vote, and the chairman of the criminal law committee of the Massachusetts Bar Association, or his designee, who shall act in an advisory capacity but shall have no vote, and nine members to be appointed by the governor, one of whom shall be an administrator of a city or town, three of whom shall be chiefs of police who shall be selected from a list of six nominees submitted by the board of directors of the Massachusetts Chiefs of Police Association, Inc., and one of whom shall be a member of the Massachusetts Police Association, who shall be selected from two nominees submitted by the board of directors of said association, one of whom shall be a clerk of the superior court, one of whom shall be a member of the Massachusetts Defenders Committee, one of whom shall be a sheriff of a county, one of whom shall be a district attorney of a district. The chairman of the council shall be designated from time to time by the governor. The members appointed by the governor shall serve for terms of two years. Upon the expiration of the term of a member his successor shall be appointed, in the same manner, for a like term.

SECTION 2. Chapter 280 of the General Laws is hereby amended by striking out section 6A, inserted by section 2 of said

chapter 1228, and inserting in place thereof the following section:—

Section 6A. Before imposing a fine or forfeiture as a punishment or part punishment for a crime, the court or justice shall levy as a special cost assessment an amount equal to twenty-five per cent of the fine or forfeiture; provided however, that no special cost assessment shall be levied on fines or forfeitures for minor motor vehicle offenses, and juvenile offenses or acts of delinquency. Minor motor vehicle offenses shall be defined as those not punishable by incarceration.

When a fine is suspended, in whole or in part, the special cost assessment shall be computed on the fine remaining to be paid. In any case where a person convicted of any offense to which this section applies is imprisoned until the fine is satisfied, the court or justice may in his discretion waive all or any part of said cost assessment the payment of which would work a hardship on the person convicted or his immediate family.

Said cost assessment shall be accounted for by the clerk of the court and forwarded to the state treasurer who shall deposit such assessments in the state treasury in a special fund to be known as the Law Enforcement and Criminal Justice Training Fund which shall, as allocated by the Massachusetts criminal justice training council, subject to appropriation, be used as follows: 1. for the establishment and operation of training schools for municipal, county and state employees whose duties involve police, correction, probation, parole or court functions; 2. for the conduct of training programs under direction of municipal, county or state agencies having personnel engaged in police, correction, probation, parole or court functions; and 3. for the establishment and operation of a law enforcement and criminal justice training institute.

SECTION 3. Chapter 1228 of the acts of 1973 is hereby amended by adding the following section:—

Section 3. All officers and employees of the Massachusetts police training council who, immediately prior to the effective date of this act, hold positions classified under chapter thirty-one of the General Laws, or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws, shall continue to be officers and employees of the Massachusetts criminal justice training council without impairment of civil service status, seniority, retirement and other employment rights, and without interruption of service within the meaning of said chapter thirty-one or said section nine A, and without reduction in compensation and salary grade.

All officers and employees of the Massachusetts police training council who, immediately prior to said effective date do not hold positions classified under said chapter thirty-one, or do not have tenure in their positions by reason of said section nine A, shall continue to be officers and employees of the Massachusetts criminal justice training council under this act without impairment of seniority, retirement and other rights, and without interruption of service within the meaning of said section nine A and said chapter thirty-one, and without reduction in compensation and salary grade.

Nothing in this section shall be construed to confer upon any officer or employee any rights not held prior to said effective date, or to prohibit any subsequent reduction in compensation or salary grade not prohibited prior thereto.

SECTION 4. Section three of this act shall take effect as of March twelfth, nineteen hundred and seventy-four.

Approved May 20, 1974.

EMERGENCY LETTER — June 18, 1974 at 11:17 A.M.

Chap. 242. AN ACT EXEMPTING MOTOR VEHICLES LEASED TO NONPROFIT CORPORATIONS FROM THE EXCISE ON MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 60A of the General Laws is hereby amended by inserting after the fourth paragraph, as appearing in chapter 640 of the acts of 1954, the following paragraph:—

The excise imposed by this section shall not apply to motor vehicles leased for a full calendar year to a charitable organization when such vehicle is owned and registered by a lessor engaged in the business of leasing motor vehicles. As used herein, the term "charitable organization" means an organization, other than a degree granting or diploma awarding educational institution, whose personal property is exempt from taxation under clause Third of section five of chapter fifty-nine.

SECTION 2. Section 7 of chapter 90D of the General Laws, as most recently amended by chapter 537 of the acts of 1972, is hereby further amended by inserting after subsection (*c*) the following subsection:—

(*d*) If the application refers to a vehicle leased to a nonprofit corporation, the application shall contain a statement subscribed under penalties of perjury, by the owner, setting forth the length of the lease period and the name, address, and tax exemption number of the nonprofit lessee granted under section six of chapter sixty-four H.

SECTION 3. This act shall apply to excises which are assessed and levied after December thirty-first, nineteen hundred and seventy-three.

Approved May 20, 1974.

Chap. 243. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF ESSEX COUNTY MAY BORROW TO CONSTRUCT AND EQUIP A COURT HOUSE FOR THE FIRST DISTRICT COURT OF ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 125 of the acts of 1973 is

hereby amended by inserting after the word "million", in line 13, the words:— five hundred thousand.

SECTION 2. Section 2 of said chapter 125 is hereby amended by inserting after the word "million", in line 4, the words:— five hundred thousand.

Approved May 20, 1974.

Chap. 244. AN ACT FURTHER REGULATING THE GAME COMMONLY CALLED BEANO.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate forthwith the prizes which may be awarded to winners of a game or games commonly called beano, 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 38 of chapter 10 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 1165 of the acts of 1973, and inserting in place thereof the following paragraph:—

No licensee shall give a prize which exceeds fifty dollars in value, except that a licensee may give two prizes on any one day as long as each prize does not exceed two hundred dollars in value, either in cash or merchandise; except that if the first and last game, multiple game or series of games played on any day on which the licensee is allowed to conduct beano is a winner-take-all game, multiple game or series of games, all receipts from the sale of beano cards for said winner-take-all game, multiple game or series of games, less taxes due the commonwealth under the provisions of section thirty-nine, shall be awarded as prizes for said winner-take-all game, multiple game or series of games, except that no single prize so awarded may exceed five hundred dollars in either cash or merchandise, and provided, that when more than one player is to be a winner on the call of the same number, the designated prize shall be divided equally to the next nearest dollar, and provided further, that if a licensee so elects, no winner shall receive a prize which amounts to less than ten per cent of the announced prize and that in such case the total of said multiple prizes may exceed the statutory limit of said game. Multiple games may be played provided that the winner or winners of any individual game played in a multiple game shall not receive a prize in excess of the statutory limit except as otherwise provided in this paragraph. In addition to the prizes allowed by this paragraph, a licensee may award a door prize or prizes, the aggregate value of which shall not exceed two hundred dollars in cash or merchandise.

SECTION 2. The second paragraph of section 4 of chapter 486 of the acts of 1971 is hereby amended by striking out, in lines 4 and 5, the words "fifty-two and fifty-three of chapter one hundred and forty-seven" and inserting in place thereof the words:— thirty-eight and thirty-nine of chapter ten.

SECTION 3. The fourth paragraph of said section 4 of said chapter 486 is hereby amended by striking out, in lines 5 and 6, the words "fifty-two and fifty-three of said chapter one hundred and forty-seven" and inserting in place thereof the words:— thirty-eight and thirty-nine of said chapter ten.

Approved May 23, 1974.

Chap. 245. AN ACT AUTHORIZING THE DENNIS-YARMOUTH REGIONAL SCHOOL DISTRICT TO CREDIT A CERTAIN SUM OF MONEY TO THE TOWN OF DENNIS FOR AN IMPROPER ASSESSMENT AGAINST SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The Dennis-Yarmouth Regional School District is hereby authorized to credit the town of Dennis from its surplus revenue account the sum of ninety-three thousand six hundred seventy-four dollars and thirty-six cents, which was improperly assessed to said town on its nineteen hundred and seventy-two budget.

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

Approved May 23, 1974.

Chap. 246. AN ACT REPEALING THE LAW PROVIDING FOR THE REGISTRATION OF PERSONS SELLING OR OFFERING FOR SALE OLEO MARGARINE.

Be it enacted, etc., as follows:

Section fifty-three of chapter ninety-four of the General Laws is hereby repealed.

Approved May 23, 1974.

Chap. 247. AN ACT PROVIDING THAT MEDICAL WITNESSES DEPOSED IN ACTIONS UNDER THE WORKMEN'S COMPENSATION LAW SHALL BE ALLOWED FEES PAYABLE BY INSURERS.

Be it enacted, etc., as follows:

Section 9A of chapter 152 of the General Laws, as appearing in chapter 381 of the acts of 1938, is hereby amended by inserting after the word "testify", in line 8, the words:— or be deposed, — and by inserting after the word "testified", in lines 19 and 20, the words:— or were deposed.

Approved May 23, 1974.

Chap. 248. AN ACT PROVIDING FOR EMPLOYMENT OF CERTAIN MINORS WHO ARE GRADUATES OF TRADE OR VOCATIONAL HIGH SCHOOLS.

Be it enacted, etc., as follows:

Section 62A of chapter 149 of the General Laws, as appearing in chapter 165 of the acts of 1967, is hereby amended by adding the following paragraph:—

The provisions of sections sixty-one and sixty-two prohibiting the employment of certain minors shall not prohibit the employment of minors who are graduates of trade or vocational high schools provided that such minors are employed in the same occupation as they were trained for in such trade or vocational school.

Approved May 23, 1974.

Chap. 249. AN ACT INCREASING THE CONTRIBUTIONS REQUIRED OF CERTAIN EMPLOYEES UNDER THE CONTRIBUTORY RETIREMENT SYSTEM FOR PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

Subdivision (1) of section 22 of chapter 32 of the General Laws, as most recently amended by chapter 1012 of the acts of 1971, is hereby further amended by striking out paragraph (*b*) and inserting in place thereof the following:—

(*b*) The treasurer or other disbursing officer in charge of payroll in any governmental unit to which a system pertains, and the treasurer or other disbursing officer in charge of payrolls in any free public library the employees of which are eligible for membership in a system, shall, upon written notice from the board, withhold on each pay day five per cent of the regular compensation of each employee who is a member in service of the system, which is received on such day by such member on account of service rendered by him on or after January first, nineteen hundred and forty-six, and not later than the date of his attaining the maximum age for his group, in the case of an employee who entered the service of the commonwealth or a political subdivision thereof prior to January first, nineteen hundred and seventy-five; and withhold on each pay day seven per cent of the regular compensation of each employee who is a member in service of the system, which is received on such day by such member on account of service rendered by him on or after January first, nineteen hundred and seventy-five, and not later than the date of his attaining the maximum age for his group in the case of an employee who entered the service of the commonwealth or a political subdivision thereof on or after January first, nineteen hundred and seventy-five; provided, that in the case of any teacher such withholding shall be made upon written notice from the school committee, board of trustees or other employing authority, to the treasurer or other disbursing officer of the political subdivision by

which such teacher is employed; and provided further, that, in the case of any person in the service of any institution or school in the department of mental health, the department of public health or the department of public welfare whose employment is not subject to chapter thirty-one and the rules and regulations made thereunder, such withholding shall be made on account of salary payments during the first six months of service, but shall be held in escrow by the payroll authority until completion of said six months, and that, if employment terminates prior to completion of said six months, employing authorities are hereby authorized to make the proper refunds.

Approved May 23, 1974.

Chap. 250. AN ACT DESIGNATING THE TREATMENT CENTER FOR EMPHYSEMA AT LEMUEL SHATTUCK HOSPITAL AS THE DR. JOHN MASON TYLER EMPHYSEMA TREATMENT CENTER.

Be it enacted, etc., as follows:

The treatment center for emphysema at Lemuel Shattuck hospital shall be designated and known as the Dr. John Mason Tyler emphysema treatment center, in memory of Dr. John Mason Tyler, a former head of the cardiopulmonary unit at said hospital. A suitable marker bearing said designation shall be attached to said center by the department of public health.

Approved May 23, 1974.

Chap. 251. AN ACT RELATIVE TO RETIREMENT OF EMPLOYEES OF SAVINGS BANKS AND EMPLOYEES OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. The fourth sentence of the third paragraph of section 74 of chapter 168 of the General Laws, as appearing in section 1 of chapter 197 of the acts of 1959, is hereby amended by striking out, in line 12, the words "average salary for the five years" and inserting in place thereof the words:— highest average salary for any three successive years within the five years next.

SECTION 2. The third paragraph of section 51 of chapter 170 of the General Laws is hereby amended by striking out the fourth sentence, as amended by section 5 of chapter 401 of the acts of 1971, and inserting in place thereof the following sentence:— If upon retirement after December thirty-first, nineteen hundred and fifty-eight, from a participating bank of an employee eligible for retirement under the by-laws of the association (*a*) the annuity or pension, as determined on a fixed benefit basis prior to any conversion to any variable pension which may then be available under the by-laws of the association, provided by contributions from any and all banks, as defined in the second paragraph of this section,

to the association or to any retirement plan established by any such bank pursuant to chapter two hundred and eighty-three of the acts of nineteen hundred and forty-eight, as amended, for the benefit of such employee on account of past and future service plus one half of his primary social security benefit shall, in the aggregate, be less than (*b*) an amount equal to two per cent of such employee's highest average salary for any three successive years within the five years next preceding the date of his retirement for each year of his service with any and all banks as so defined, not exceeding twenty-five years, such participating bank, through the association, may provide such employee, upon his retirement after December thirty-first, nineteen hundred and fifty-eight, with a supplemental annuity or pension in monthly or other periodic instalments not exceeding in any one year the difference obtained by subtracting the annual total of (*a*) from the annual total of (*b*) above provided, and to give effect to the foregoing provisions of this sentence, such participating bank, at any time before or after such employee's retirement, may contribute to the funds of the association such amounts as may be necessary to provide such supplemental annuity or pension.

Approved May 23, 1974.

Chap. 252. AN ACT REPEALING THE LAW RELATIVE TO THE PUNISHMENT OF ENGINEERS, FIREMEN OR OTHER AGENTS OF RAILROAD CORPORATIONS WHOSE NEGLIGENCE RESULTS IN INJURIES TO OTHERS.

Be it enacted, etc., as follows:

Section two hundred and thirty of chapter one hundred and sixty of the General Laws is hereby repealed.

Approved May 23, 1974.

Chap. 253. AN ACT DESIGNATING THE TREATMENT, TRAINING AND RESEARCH CENTER TO BE CONSTRUCTED IN THE SOUTH END DISTRICT OF THE CITY OF BOSTON AS THE DR. SOLOMON CARTER FULLER MENTAL HEALTH CENTER.

Be it enacted, etc., as follows:

The treatment, training and research center to be constructed in the South End district of the city of Boston by the department of mental health shall, upon completion, be designated and known as the Dr. Solomon Carter Fuller mental health center, in memory of Dr. Solomon Carter Fuller, who had a productive and distinguished career in neuro-psychiatry as a clinician, researcher and educator. A suitable marker bearing said designation shall be attached thereto by said department.

Approved May 23, 1974.

Chap. 254. AN ACT EXTENDING ENFORCEMENT AUTHORITY OF THE UNIT PRICING LAW TO LOCAL OFFICIALS.

Be it enacted, etc., as follows:

Section 115A of chapter 6 of the General Laws, inserted by section 1 of chapter 885 of the acts of 1970, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:— The director of standards and local sealers and deputy sealers of weights and measures and local inspectors and deputy inspectors of weights and measures in cities and towns shall enforce any regulation adopted pursuant to the authorization contained in this section.

Approved May 23, 1974.

Chap. 255. AN ACT REQUIRING THE BOARD OF HIGHER EDUCATION TO PREPARE UNIFORM FORMS FOR PROOF OF RESIDENCE OF PERSONS APPLYING FOR ADMISSION TO A PUBLIC INSTITUTION OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

Section 1D of chapter 15 of the General Laws, as most recently amended by chapter 820 of the acts of 1973, is hereby further amended by adding the following paragraph:—

The board shall prepare uniform forms of proof of residence of persons which shall be used by all public institutions of higher education which require such a form to be completed prior to admission to any such institution.

Approved May 23, 1974.

Chap. 256. AN ACT PROVIDING FOR THE CONVEYANCE OF CERTAIN LAND AND BUILDINGS TO THE CITY OF NEW BEDFORD BY THE BOARD OF TRUSTEES OF SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. The board of trustees of Southeastern Massachusetts University, in the name of and on behalf of the commonwealth, is hereby authorized and directed to convey by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to the land and buildings thereon formerly occupied by said university and located on Purchase street in the city of New Bedford to said city for municipal purposes. In the event that said land and buildings are not used by said city for said purposes all rights, title and interest in said land and buildings shall revert to and revest in the commonwealth.

SECTION 2. The conveyance authorized by section one shall be made subject to the rights of the present lessees of any part of the property described therein.

Approved May 23, 1974.

Chap. 257. AN ACT CLARIFYING THE REQUIREMENTS FOR FILING ENVIRONMENTAL IMPACT REPORTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is the immediate elimination of the filing of unnecessary environmental impact reports, 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 62 of chapter 30 of the General Laws is hereby amended by inserting after the first paragraph the following two paragraphs:—

Any such agency, department, board, commission, authority or any authority of any political subdivision which grants permit determinations, orders or other actions shall prepare an environmental impact report for any work, project or activity of any private person, firm or corporation which may cause damage to the environment and for which no funds of the commonwealth are to be expended, provided that such report shall be limited in scope to the subject matter jurisdiction of such agency, department, board, commission, authority or authority of a political subdivision by which said report is prepared. No action shall be brought to compel any such agency, department, board, commission, authority or authority of a political subdivision or any such private person, firm or corporation to make, cause to be made or have made on its behalf any environmental impact report other than the report required by this section.

Environmental impact reports for any work, project or activity of private persons, firms or corporations shall be submitted to the secretary of environmental affairs for comment, and such comment, if any, shall be submitted to the agency, department, board, commission, authority or authority of any political subdivision by which said report is prepared within thirty days from its receipt. The approval or disapproval of said secretary of any such report shall not be required.

SECTION 2. Said section 62 of said chapter 30 is hereby further amended by adding the following paragraph:—

Any action or proceeding alleging that an agency, department, board, commission, authority or authority of any political subdivision has improperly determined whether a work, project or activity may cause significant damage to the environment shall be commenced not later than sixty days after the date upon which the secretary of environmental affairs shall issue his comment, if any, on the environmental impact report prepared by such agency, department, board, commission, authority or authority of any political subdivision

in connection with such work, project or activity, or not later than ninety days after the date upon which such agency, department, board, commission, authority or authority of any political subdivision shall have transmitted such report to said secretary, whichever date occurs first. Any action or proceeding alleging that an environmental impact report fails to comply with the provisions of this section shall be commenced no later than thirty days after the date upon which the final environmental impact report has been transmitted by an agency, department, board, commission, authority or authority of any political subdivision to the secretary of environmental affairs. In the event that the comments of the secretary of environmental affairs indicate his detailed reasons for his finding that such final environmental impact report fails to comply with the provisions of this section, the time during which any action may be commenced alleging that such report fails to comply with said section shall be extended for an additional period of thirty days.

SECTION 3. Any application for any permit determinations, orders or other actions filed with any agency, department, board, commission, authority or authority of any political subdivision on the effective date of this act may be reviewed, evaluated and considered in accordance with the provisions of section sixty-two of chapter thirty of the General Laws, as amended by sections one and two of this act; provided, however, that if so reviewed, evaluated or considered, final approval on such permit determinations, orders or other actions shall not be granted until after July first, nineteen hundred and seventy-four.

SECTION 4. Sections one and two of this act shall take effect on July first, nineteen hundred and seventy-four.

Approved May 28, 1974.

Chap. 258. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO ACT AS TRUSTEES UNDER CERTAIN RETIREMENT PLANS.

Be it enacted, etc., as follows:

Chapter 170 of the General Laws is hereby amended by inserting after section 32C, inserted by chapter 258 of the acts of 1973, the following section:—

Section 32D. Any such corporation may act as trustee under a retirement plan which is established pursuant to the provisions of Public Law 87-792, known as the Self-Employed Individuals Tax Retirement Act of 1962, as amended, if the provisions of such plan have been approved by the commissioner, and may permit any of the funds of such trust to be invested in co-operative bank shares. No funds held by such corporation as such trustee shall be invested otherwise than in co-operative bank shares or properly qualified life insurance retirement income policies, or any combination thereof, as each such plan may prescribe or permit.

Approved May 28, 1974.

Chap. 259. AN ACT AUTHORIZING THE TANTASQUA REGIONAL SCHOOL DISTRICT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF ADMINISTRATIVE COSTS OF UNION 61 SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the Tantasqua regional school district committee may include in its annual operating budget such administration costs for which expenditures would otherwise be prorated and paid by the member towns in the Union 61 school district.

SECTION 2. The treasurer of the Tantasqua regional school district is hereby authorized to pay the liabilities incurred under the provisions of section one. After such payment, said treasurer shall bill each member town of the Union 61 school district for its pro rata share. Such reimbursements received by said treasurer from the member towns shall be credited to the estimated receipts account.

SECTION 3. Any action taken pursuant to the provisions of this act is hereby validated and effective as though this act were in effect on January first, nineteen hundred and seventy-four.

Approved May 28, 1974.

Chap. 260. AN ACT MAKING CORRECTIVE CHANGES IN AND DELETING OBSOLETE PROVISIONS FROM THE PUBLIC WELFARE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 4 of chapter 40 of the General Laws is hereby amended by striking out, in line 8, as appearing in the Tercentenary Edition, the words "legal settlement" and inserting in place thereof the words:— place of residence within the commonwealth.

SECTION 2. Section 51 of said chapter 40, as most recently amended by section 3 of chapter 584 of the acts of 1946, is hereby further amended by striking out, in lines 2 to 5, inclusive, the words "publish in any report for general distribution to the public or to its citizens the names of persons assisted in any way by the board of public welfare of the town or".

SECTION 3. Section five of chapter one hundred and two of the General Laws is hereby repealed.

SECTION 4. Section 32 of chapter 111 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 1 and 2, the words ", to the exclusion of the board of public welfare,".

SECTION 5. The third sentence of section 62M of said chapter 111, as appearing in section 1 of chapter 508 of the acts of 1954, is hereby amended by striking out, in line 2, the words "have a legal settlement" and inserting in place thereof the word:— reside, — and by striking out, in lines 5 and 6, the words "board of public welfare of the".

SECTION 6. Section 69F of said chapter 111, as appearing in chapter 522 of the acts of 1954, is hereby amended by striking out, in lines 2 to 4, inclusive, the words "board of public welfare of the town in which such person resided immediately prior to his admission" and inserting in place thereof the words:— department of public welfare.

SECTION 7. The second sentence of section 69G of said chapter 111, as so appearing, is hereby amended by striking out, in line 2, the word "board" and inserting in place thereof the word:— department.

SECTION 8. The third sentence of section 69I of said chapter 111 is hereby amended by striking out, in line 10, as appearing in section 4 of chapter 459 of the acts of 1957, the words "board of public welfare of prior residence" and inserting in place thereof the words:— department of public welfare.

SECTION 9. The second sentence of section 94E of said chapter 111 is hereby amended by striking out, in lines 2 and 3, as appearing in section 10 of chapter 608 of the acts of 1961, the words "place of settlement" and inserting in place thereof the word:— residence.

SECTION 10. The fifth sentence of section 121 of said chapter 111, as appearing in chapter 555 of the acts of 1945, is hereby amended by striking out, in lines 2 and 3, the words "has a settlement" and inserting in place thereof the word:— resides, — and by striking out, in line 4, the words "the board of public welfare thereof" and inserting in place thereof the words:— such town.

SECTION 11. The first sentence of section 1 of chapter 113 of the General Laws, as most recently amended by chapter 102 of the acts of 1961, is hereby further amended by striking out, in lines 2 and 3, the words "the board of public welfare of a town,", — and by striking out, in lines 9 and 10, the words "in such town or".

SECTION 12. The first paragraph of section 3 of chapter 115 of the General Laws, as amended by chapter 431 of the acts of 1962, is hereby further amended by striking out the third sentence.

SECTION 13. The first sentence of section 7 of said chapter 115, as amended by section 3 of chapter 535 of the acts of 1948, is hereby further amended by striking out, in lines 4 to 6, inclusive, the words "who shall not be a member of the municipal board of public welfare or be employed by said board".

SECTION 14. Section 3 of chapter 115A of the General Laws, as appearing in section 42 of chapter 627 of the acts of 1954, is hereby amended by striking out, in lines 4 to 6, inclusive, the words "a settlement in a city or town within the commonwealth, or, in the event that he has no such settlement, has", — and by striking out, in lines 8 and 9, the words "settlement or".

SECTION 15. Section 4 of said chapter 115A, as so appearing, is hereby amended by striking out, in line 12, the words "has a legal settlement" and inserting in place thereof the word:— resides, — and by striking out, in line 14, the words "has such a settlement" and inserting in place thereof the words:— resides therein.

SECTION 16. Section 5 of said chapter 115A, as so appearing, is hereby amended by striking out, in line 8, the words "otherwise than

by settlement or" and inserting in place thereof the words:— except for, — and by striking out, in lines 10 to 13, inclusive, the words "qualified as to a previous settlement within this commonwealth under clause Fifth of section one of chapter one hundred and sixteen" and inserting in place thereof the words:— resided in the commonwealth continuously for five years.

SECTION 17. Chapter one hundred and sixteen of the General Laws is hereby repealed.

SECTION 18. The second paragraph of section 4A of chapter 118 of the General Laws, as appearing in section 1 of chapter 458 of the acts of 1945, is hereby amended by striking out, in lines 13 and 14, the words "nine A of chapter one hundred and twenty-one" and inserting in place thereof the words:— fourteen of chapter eighteen.

SECTION 19. The first sentence of section 24 of chapter 119 of the General Laws, as most recently amended by section 8 of chapter 731 of the acts of 1972, is hereby further amended by striking out, in line 16, the words "of public welfare".

SECTION 20. Section 11 of chapter 122 of the General Laws, as appearing in section 8 of chapter 613 of the acts of 1958, is hereby amended by striking out, in line 4, the words ", or from a board of public welfare".

SECTION 21. Section 12 of said chapter 122, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "has a legal settlement" and inserting in place thereof the word:— resides.

SECTION 22. The first sentence of section 14 of said chapter 122, as appearing in section 1 of chapter 545 of the acts of 1964, is hereby amended by striking out, in lines 6 and 7, the words ", or the board of public welfare, of the town from which he is sent", — and by striking out, in line 8, the word "boards" and inserting in place thereof the word:— board.

SECTION 23. Section twenty-one of said chapter one hundred and twenty-two is hereby repealed.

SECTION 24. Section 22 of chapter 126 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 5 and 6, the words "a legal settlement, if any; otherwise, by the county" and inserting in place thereof the word:— resided.

SECTION 25. Section 151 of chapter 127 of the General Laws is hereby amended by striking out, in lines 18 to 22, inclusive, as appearing in section 11 of chapter 731 of the acts of 1956, the words "board of public welfare in the town where said prisoner has settlement, who shall receive him or direct his transfer to a hospital at their expense; and if said prisoner has no settlement in any town in the commonwealth, the commissioner of correction shall notify the".

SECTION 26. Section 30F of chapter 138 of the General Laws, as amended by section 30 of chapter 440 of the acts of 1935, is hereby further amended by striking out, in lines 6 and 7, the words ", the board of public welfare".

SECTION 27. Section 8 of chapter 201 of the General Laws, as

appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words "any town" and inserting in place thereof the words:— the department of public welfare, — and by striking out, in lines 5 to 7, inclusive, the words "board of public welfare of the town of which he is an inhabitant or resident, or upon which he is or may become chargeable," and inserting in place thereof the words:— the department of public welfare, — and by striking out the third sentence.

SECTION 28. Section 14 of said chapter 201, as most recently amended by section 7 of chapter 314 of the acts of 1956, is hereby further amended by striking out, in line 2, the word "board" and inserting in place thereof the word:— department.

SECTION 29. The first sentence of section 21 of said chapter 201, as appearing in section 3 of chapter 571 of the acts of 1953, is hereby amended by striking out, in line 3, the word "board" and inserting in place thereof the word:— department.

SECTION 30. Section 12 of chapter 202 of the General Laws, as amended by section 17 of chapter 194 of the acts of 1941, is hereby further amended by striking out, in lines 5 and 6, the words "board of public welfare of the town where the spendthrift resides" and inserting in place thereof the words:— department of public welfare.

SECTION 31. Section 11A of chapter 210 of the General Laws, as amended by section 6 of chapter 737 of the acts of 1950, is hereby further amended by striking out, in line 3, the words "or of a local board of public welfare".

SECTION 32. Section 21 of chapter 273 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 6 and 7, the words ", by the board of public welfare of the town where such parent has a settlement, or by any public relief officer" and inserting in place thereof the words:— or by the department of public welfare.

SECTION 33. Section 7 of chapter 11 of the acts of 1942, as amended by section 14 of chapter 584 of the acts of 1946, is hereby further amended by striking out, in line 17, the words "a legal settlement" and inserting in place thereof the words:— resided continuously for five years, — and by striking out, in line 18, the words "without legal settlement" and inserting in place thereof the words:— who has not so resided.

Approved May 28, 1974.

Chap. 261. AN ACT INCREASING THE FEE CHARGED FOR INNHOLDERS' AND COMMON VICTUALLERS' LICENSES.

Be it enacted, etc., as follows:

Section 2 of chapter 140 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:— A

fee of not more than twenty-five dollars may be charged for either of said licenses.

Approved May 28, 1974.

Chap. 262. AN ACT INCREASING THE ANNUAL FEE FOR NONCOMMERCIAL LOBSTER AND CRAB PERMITS.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 83, as most recently amended by section 6 of chapter 861 of the acts of 1970, and inserting in place thereof the following section:—

Section 83. For the purpose of defraying the cost of the division's research, management and activities, including administrative and operating expenses, and the costs of issuing certain permits and the inspection relative thereto the following fees shall be paid to the director by the person to whom the same is issued for any calendar year or part thereof.

	Type of Permit	Fee
A.	Commercial Fisherman (For the taking of fish for sale)	
	Individual (For named individual only)	$25.00
	Shellfish	15.00
	Rod and Reel — Unlimited (for the sale of finfish lawfully taken by rod and reel or by diving)	5.00
	Boat (100 feet or more in total length)	100.00
	(60 to 99 feet in total length)	75.00
	(up to 59 feet in total length)	50.00
	Lobster (For the taking of lobsters for sale)	100.00
	Seasonal lobster	25.00
B.	Wholesale dealer (Any wholesaler dealing in fresh or raw fish)	50.00
C.	Retail dealer (Any retailer dealing in fresh or raw fish)	25.00
D.	Special Permits	
	Noncommercial lobster and crab (up to 10 pots and/or diving privileges)	15.00
	Contaminated shellfish (bait)	10.00
	Master Digger	50.00
	Subordinate Digger	15.00
	Regulated fishery (for fishing in special areas, etc.)	10.00
	Others, miscellaneous	5.00
E.	Duplicate (Replacing originals)	3.00

Approved May 28, 1974.

Chap. 263. AN ACT FURTHER REGULATING THE TOWING OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 19B the following section:—

Section 19C. In driveaway operations any combination of motor vehicles in transit may be transported by means of saddlemount or full mount mechanisms, utilizing the motive power of one of the vehicles in combination. Such combination may not exceed a total length of fifty-five feet. The vehicles in such combination shall be adequately and securely fastened together in compliance with all applicable regulations of the commonwealth and of any federal agency having jurisdiction over such transportation. No vehicle may be full mounted on a saddlemounted or full mounted vehicle.

As used in this section the following words shall have the following meanings:—

"Driveaway operation", any operation in which any motor vehicle or motor vehicles, new or used, constitute the commodity being transported, when one set or more of wheels of any such motor vehicle or motor vehicles are on the roadway during the course of transportation.

"Saddlemount", a device designed and constructed as to be readily demountable, used in driveaway operations to perform the functions of a conventional fifth wheel.

Every saddlemount acquired and used in driveaway operations shall have the upper half and the lower half separately marked with the following certification of the manufacturer thereof or with words of equivalent meaning:—

This saddlemount complies with the requirements of the federal highway administration for vehicles up to 5,000 pounds (or over 5,000 pounds).

Manufactured

_____

Month and Year

By

_____

Name of Manufacturer

Approved May 28, 1974.

Chap. 264. AN ACT FURTHER REGULATING THE SUPPLY OF CERTAIN CONTROLLED SUBSTANCES BY THE FILLING OF PRESCRIPTIONS.

Be it enacted, etc., as follows:

Section 23 of chapter 94C of the General Laws is hereby amended by striking out paragraph (*d*), as amended by section 17 of chapter 806 of the acts of 1972, and inserting in place thereof the following paragraph:—

(*d*) In regard to a controlled substance in Schedule II or III, no prescription shall be filled for more than a thirty-day supply of such substance upon any single filling; provided, however, that with regard to dextro amphetamine sulphate and methyl phenidate hydrochloride, a prescription may be filled for up to a sixty-day supply of such substance upon any single filling if said substance is being used for the treatment of minimal brain dysfunction or narcolepsy.

Approved May 28, 1974.

Chap. 265. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five 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	**$886,098.28**
2.	For contractual services	**55,035.00**
3.	For supplies and materials	**190,940.00**
4.	For current charges and obligations	**81,856.20**
8.	For debt and interest	**252,375.00**
11.	For reserve fund	**25,000.00**
11a.	For reserve for salary increases	**83,000.00**
12.	For group insurance	**22,000.00**
	For total expenditures	**$1,596,304.48**

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

Approved May 28, 1974.

Chap. 266. AN ACT RELATIVE TO PERSONAL LOANS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 37 of chapter 168 of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended by section 1 of chapter 332 of the acts of 1973, and inserting in place thereof the following sentence:— The total obligation of any one

person to any such corporation outstanding at any one time in this class of investment, including, in the case of a savings and insurance bank, as defined in section one of chapter one hundred and seventy-eight, any obligation on account of any such loan or loans made from funds of the insurance department pursuant to section nine of said chapter, shall not exceed six thousand dollars exclusive of interest or discount; and the aggregate balance of such loans made by any such corporation, at any time outstanding, shall not exceed ten per cent of its deposits not in excess of fifty million dollars plus five per cent of its deposits in excess of fifty million dollars.

Approved May 28, 1974.

Chap. 267. AN ACT RELATIVE TO ATTENDANCE BY MUNICIPAL EMPLOYEES AT FUNERALS FOR VETERANS.

Be it enacted, etc., as follows:

Section 111C of chapter 41 of the General Laws, as amended by chapter 179 of the acts of 1953, is hereby amended by striking out, in line 7, the words "or marine corps" and inserting in place thereof the words:— , marine corps or air force.

Approved May 28, 1974.

Chap. 268. AN ACT RELATIVE TO THE TRANSMITTAL OF ANNUAL OR SPECIAL TOWN REPORTS TO THE GEORGE FINGOLD LIBRARY.

Be it enacted, etc., as follows:

Section 50 of chapter 40 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word "April" and inserting in place thereof the word:— May.

Approved May 28, 1974.

Chap. 269. AN ACT RELATING TO THE BURDEN OF PROOF IN CASES INVOLVING THE WITHHOLDING OF RENT DUE TO VIOLATIONS OF THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the first paragraph of section 8A of chapter 239 of the General Laws, as most recently amended by section 3 of chapter 1007 of the acts of 1973, is hereby further amended by striking out clause (2) and inserting in place thereof the following clause:—

(2) that the plaintiff does not show that such violation was caused

by the person occupying the premises or any other person acting under his control, except that the defendant shall have the burden of proving that any violation appearing solely within that portion of the premises under his control and not by its nature reasonably attributable to any action or failure to act of the plaintiff was not so caused;.

SECTION 2. Said first sentence of said first paragraph of said section 8A of said chapter 239 is hereby further amended by striking out clause (4) and inserting in place thereof the following clause:—

(4) that the plaintiff does not show that the conditions constituting the violation cannot be remedied without the premises being vacated.

Approved May 28, 1974.

Chap. 270. AN ACT RELATIVE TO THE NOTICE TO BE GIVEN TO CERTAIN TENANTS BY A PUBLIC UTILITY BEFORE DISCONTINUANCE OF SERVICE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 124D of chapter 164 of the General Laws, inserted by section 2 of chapter 858 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— No gas or electric company shall shut off gas or electric service to any tenant residing in a dwelling unit who, under a rental arrangement, receives the benefit of gas or electricity or heat, hot water, cooking or lighting, or any combination thereof, but who is not the customer of record of the gas or electric company which supplies such gas or electricity, without first complying with the notice provisions of section one hundred and twenty-four and regulations of the department in compliance with such regulations, and has given notice to each tenant affected thereby.

SECTION 2. Chapter 165 of the General Laws is hereby amended by inserting after section 11D the following section:—

Section 11E. No water company shall shut off the flow of water to any residential building in which the occupant thereof is not the customer of record of said company, without first complying with the notice provisions of section eleven A and also providing notice to each affected dwelling unit in a manner prescribed by regulation of the department. Such notice shall contain the following information:

(a) the amount then due and payable for such water service;

(b) the date on or after which such service will be shut off, such date to be not less than fifteen nor more than thirty days, as determined by the department, after the day on which such notice is first given;

(c) the date on which said notice is given; and

(d) the right of the occupants of such building to pay the amount due or such portion thereof as is prescribed by regulation of the department and thereby avoid a cessation of service, and to recover the amounts so paid from the person to whom they would otherwise pay their rent.

Any employee of such company as provided in section eleven D may, at any reasonable time, enter the common hallways of such building to post or deliver said notice. Any person who removes, interferes, or tampers with such notice of the provisions thereof shall be punished by a fine not to exceed twenty-five dollars.

At any time after the date such notice is given any occupant or occupants of the dwelling units within such building may pay such company the amount due or such portion thereof as is mutually agreed upon by the occupants and the company, provided that where no such agreement is reached, the department shall make a final determination of the amount of said portion, in order to avoid cessation of service. If such final determination by the department is not made prior to the date on which service otherwise would have been terminated, such service shall be continued for a period not to exceed fifteen days, during which time the department shall render said final determination. If such amount is received after service has been shut off, service shall be restored by the company as soon as practicable. Any such occupant who has paid all or any portion of said amount may subsequently recover the amount paid to the company, either by deducting said amount from any rent or payment on account of taxes or operating expenses then or thereafter due from such occupant to the person to whom he would otherwise pay his rent, or by obtaining reimbursement from the person to whom he last paid rent. The company shall, upon receiving any such payment, notify the person liable for service as stated in said notice of the amount or amounts paid by any occupant pursuant to the provisions of this section.

Any waiver of the provisions of this section in any lease or rental agreement shall be void and unenforceable. The provisions of section eighteen of chapter one hundred and eighty-six and section two A of chapter two hundred and thirty-nine shall apply to any reprisal against any occupant for exercising his rights pursuant to this section.

Any water company wilfully violating the provisions of this section shall be punished by a fine of not more than fifty dollars for each such violation.

The department shall establish from time to time such reasonable rules and regulations consistent with this section as may be necessary for its implementation.

Approved May 28, 1974.

Chap. 271. AN ACT FURTHER REGULATING THE CHANGE OF ADDRESS OF THE PRINCIPAL OFFICE OF A PROFESSIONAL CORPORATION.

Be it enacted, etc., as follows:

Chapter 156A of the General Laws is hereby amended by striking out section 6, as amended by chapter 459 of the acts of 1964, and

inserting in place thereof the following section:—

Section 6. A professional corporation may at any time, and from time to time, change the principal office of the corporation in the commonwealth, provided that no such change shall be effective until a certificate of such change, specifying the post-office address of its new principal office in the commonwealth, signed under the penalties of perjury by the clerk or an assistant clerk of the corporation, has been filed with the state secretary.

Approved May 28, 1974.

Chap. 272. AN ACT FURTHER REGULATING THE APPOINTMENT OF ELECTION OFFICERS IN CERTAIN TOWNS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 12 of chapter 54 of the General Laws, as appearing in chapter 266 of the acts of 1962, is hereby amended by inserting after the word "precinct", in line 3, the words:— , except as provided in section twenty-four.

SECTION 2. Section 24 of said chapter 54 is hereby amended by inserting after the fourth sentence, as amended by section 9 of chapter 735 of the acts of 1972, the following two sentences:— If, in a town of five precincts or less, all of which are located in one building, the selectmen so vote, only one warden need be appointed to supervise all such precincts, and the number of inspectors shall be determined by the selectmen, without disturbing the balance between the political parties. There shall, however, be one clerk appointed for each such precinct.

Approved May 28, 1974.

Chap. 273. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF BRISTOL COUNTY MAY BORROW FOR PURPOSES OF RENOVATING AND EQUIPPING THE SECOND DISTRICT COURT OF BRISTOL.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 683 of the acts of 1972 is hereby amended by striking out the first sentence, as amended by chapter 291 of the acts of 1973, and inserting in place thereof the following sentence:— The county commissioners of Bristol county are hereby authorized to cause plans and specifications to be prepared for the alteration, addition, expansion, renovation and equipping of the second district court of Bristol, and to acquire by eminent domain or by purchase or otherwise of such 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 in said court; provided, that the total cost of such plans and specifications, land acquisition and demolition of the buildings thereon shall not exceed four hundred and fifty thousand dollars; and provided, further, that such plans and specifications, land acquisition and demolition of the buildings thereon shall be so drawn that the total cost for the alteration, addition, expansion, renovation and equipping of said facilities shall not exceed one million five hundred thousand dollars.

SECTION 2. Section 2 of said chapter 683 of the acts of 1972 is hereby amended by striking out, in line 4, the word "one" and inserting in place thereof the word:— four.

Approved May 29, 1974.

Chap. 274. AN ACT RELATIVE TO THE PAYMENT BY CITIES AND TOWNS OF PROPER CHARGES FOR EFFECTING WORKMEN'S COMPENSATION INSURANCE.

Be it enacted, etc., as follows:

Section 13A of chapter 40 of the General Laws is hereby amended by striking out the last sentence, added by chapter 127 of the acts of 1963, and inserting in place thereof the following sentence:— If any city or town has such an insurance fund, it may appropriate from such fund, including the income thereof, such sums as may be necessary for the purpose of paying a proper charge for effecting insurance to cover its liability to pay workmen's compensation.

Approved May 29, 1974.

Chap. 275. AN ACT PROVIDING FOR THREE-YEAR TERMS FOR MEMBERS OF THE PLANNING BOARD OF THE TOWN OF FOXBOROUGH.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section eighty-one A of chapter forty-one of the General Laws to the contrary, the successors to the present members of the planning board in the town of Foxborough shall be elected for terms of three years.

Approved May 29, 1974.

Chap. 276. AN ACT PROVIDING FOUR OPTIONAL PLANS FOR THE ADMINISTRATION OF THE PUBLIC SCHOOLS OF THE CITY OF BOSTON FOR CONSIDERATION BY THE VOTERS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. At a special election to be held on the first Tuesday in June in the year nineteen hundred and seventy-four at which the

polls shall remain open from eight o'clock ante meridian until eight o'clock post meridian, the voters of the city of Boston shall have the opportunity to choose among those alternative plans for the administration of the public schools set forth below. At the regular state election in the year nineteen hundred and seventy-four, at which the polls shall remain open from eight o'clock ante meridian until eight o'clock post meridian, the voters of the city of Boston shall have the opportunity to choose between that one of the plans set forth in this act which, at the special election held as aforesaid in the year nineteen hundred and seventy-four, shall have received the highest number of votes, and the form of school administration prescribed by law for the city of Boston, as the same shall exist on the date of said election, as more fully set forth in this act.

SECTION 2. If, at the regular state election in the year nineteen hundred and seventy-four, one of the questions set forth in sections four, five, six and seven of this act shall be answered in the affirmative by a majority of the voters thereon, then it shall be the duty of all officers of the city of Boston having to do with elections and holding office at the time of such election to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act. Before the special election to be held as aforesaid in the year nineteen hundred and seventy-four, and two weeks before the general election to be held in said year, the city clerk of the city of Boston shall mail to each registered voter a sample ballot.

SECTION 2A. In conducting the special election to be held pursuant to this act, the board of election commissioners of the city of Boston may use any forms, documents and ballots prepared or delivered in anticipation of that election originally scheduled to take place on the first Tuesday in April in the year nineteen hundred and seventy-four pursuant to chapter eleven hundred and seventy-seven of the acts of nineteen hundred and seventy-three. The sample ballots heretofore distributed in preparation for that election originally scheduled to have taken place on the first Tuesday in April as aforesaid shall be deemed to satisfy the requirement of section two of this act for such distribution in respect of the special election to be held on the first Tuesday in June pursuant to this act.

SECTION 3. At a special election to be held in the city of Boston on the first Tuesday in June in the year nineteen hundred and seventy-four, at which the polls shall remain open from eight o'clock ante meridian until eight o'clock post meridian, the following question shall be placed upon the official ballot:

If the school committee of the city of Boston, which now consists of five members elected at large for terms of two years and serving without compensation, were to be replaced or reconstituted, which of the following alternative plans for the administration of the public schools would you favor (VOTE FOR ONE):—

I. *PLAN I.* A school committee of nine members, eight to be elected at large, and the mayor, ex officio, as chairman voting only in case of a tie; the members, except the mayor, to be compensated at the rate of seventy-five dollars per meeting up to a maximum of ten meetings per month.

II. *PLAN II.* A school committee of eleven members, one elected from each of eleven zones, and a school congress of twenty-two members, two to be elected from each of such zones; all to serve without compensation.

III. *PLAN III.* The school committee to be abolished; the schools to be under the charge of a superintendent appointed by the mayor with the approval of a city-wide advisory committee; decentralized administration; a neighborhood school council in each school district composed of parents, teachers and residents, and a high school council in each high school composed of parents, teachers and students.

IV. *PLAN IV.* A school committee of eleven members, five to be elected at large and six to be elected from districts established by the city council.

SECTION 4. If the plan numbered I in section three of this act shall have received the highest number of votes at the special election held as aforesaid, then the following question shall be placed upon the official ballot in the city of Boston at the regular state election in the year nineteen hundred and seventy-four:—

Shall the school committee, which now consists of five members elected at large for terms of two years and serving without compensation, be replaced with a school committee of nine members, eight to be elected at large for terms of two years, with the mayor, ex officio, as chairman voting only in the case of a tie; each member, except the mayor, to be compensated at the rate of seventy-five dollars per meeting up to a maximum of ten meetings per month?

YES	
NO	

SECTION 5. If the plan numbered II in section three of this act shall have received the highest number of votes at the special election held as aforesaid, then the following question shall be placed upon the official ballot in the city of Boston at the regular state election in the year nineteen hundred and seventy-four:—

Shall the school committee, which now consists of five members elected at large for terms of two years, be replaced with a school committee of eleven members, each member elected from one zone in the city for a term of two years, and a school congress of twenty-two members, two members elected from each such zone for a term of two years?

YES	
NO	

SECTION 6. If the plan numbered III in section three of this act shall have received the highest number of votes at the special election held as aforesaid, then the following question shall be placed upon the official ballot in the city of Boston at the regular state election in the year nineteen hundred and seventy-four:—

Shall the school committee, which now consists of five

members elected at large for terms of two years, be replaced by neighborhood school councils elected by parents, teachers and residents, and by high school councils elected by parents, teachers and students, and by a decentralized school administration, and by a superintendent of schools appointed by the mayor with the approval of a city-wide advisory committee?

YES	
NO	

SECTION 7. If the plan numbered IV in section three of this act shall have received the highest number of votes at the special election held as aforesaid, then the following question shall be placed upon the official ballot in the city of Boston at the regular state election in the year nineteen hundred and seventy-four:—

Shall the school committee, which now consists of five members elected at large for terms of two years, be replaced with a school committee of eleven members, five to be elected at large and six to be elected from districts established by the city council?

YES	
NO	

SECTION 8. Chapter 452 of the acts of 1948 is hereby amended by striking out section 11, as appearing in section 1 of chapter 376 of the acts of 1951, and inserting in place thereof the following section:—

Section 11. There shall be in the city a mayor who shall be the chief executive officer of the city, a city council of nine members which shall be the legislative body of the city, and a school committee of nine members, including the mayor, who shall be chairman ex officio, which shall have the powers and duties conferred and imposed by law.

SECTION 9. Said chapter 452 is hereby further amended by striking out sections 18 to 20, inclusive, and inserting in place thereof the following three sections:—

Section 18. At the next regular municipal election following the adoption of Plan A and at every regular municipal election thereafter, there shall be elected at large eight school committeemen, each to hold office for two municipal years following the municipal year in which he is elected.

Section 19. If at any time a vacancy occurs in the school committee from any cause, except on account of a vacancy in the office of mayor, the president of the city council and the remaining school committeemen, meeting in joint convention, shall, within fifteen days after the vacancy arises, choose, as school committeeman for the unexpired term, whichever of the defeated candidates for the office of school committeeman at the regular municipal election at which school committeemen were elected for the term in which the vacancy occurs, who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for a candidate for the office of school committeeman. If at a regular municipal election there is a failure to elect a school committeeman or if a person elected school committee-

man at such an election resigns or dies before taking office, within fifteen days after the remaining school committeemen-elect take office, such school committeemen and the then president of the city council shall meet in joint convention, and choose, as school committeeman for the unexpired term, whichever of the defeated candidates for the office of school committeeman at such election, who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for a candidate for the office of school committeeman.

Section 20. The mayor shall be chairman, ex officio, of the school committee, but shall not vote on any questions unless the members voting be otherwise equally divided. Each member of the school committee, other than the mayor, shall receive a per diem salary of seventy-five dollars for each day of attendance at a meeting of the school committee duly called; but no member shall receive such compensation for more than ten days of such attendance in any calendar month.

SECTION 10. Section 55A of said chapter 452 is hereby amended by striking out the second paragraph in the Nomination Petition, as appearing in section 2 of said chapter 376, and inserting in place thereof the following paragraph:—

Each of the undersigned does hereby certify that he or she has not subscribed (*if the petition relates to the office of mayor, here insert:*— any other nomination petition for said office; *if the petition relates to the office of city councillor, here insert:*— more than eight other nomination petitions for said office; *and if the petition relates to the office of school committeeman, here insert:*— more than seven other nomination petitions for said office).

SECTION 11. Section 56 of said chapter 452 is hereby amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:—

Every voter signing a nomination petition shall sign in person, with his name as registered, or substantially as registered, and shall state his residence on January first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. No voter may sign as petitioner more than one nomination petition for the office of mayor, nor more than nine nomination petitions for the office of city councillor, nor more than eight nomination petitions for the office of school committeeman. If the name of any voter appears as petitioner on more nomination petitions for an office than prescribed in this section, his name shall, in determining number of petitioners, be counted, in the case of office of the mayor, only on the nomination petition sheet bearing his name first filed with the election commission, in the case of the office of city councillor, only on the nine nomination petition sheets bearing his name first filed with said

commission, and, in the case of the office of school committeeman, only on the eight nomination petition sheets bearing his name first filed with said commission. If the name of any voter appears as petitioner on the same nomination petition more than once it shall be deemed to appear but once. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in section fifty-five A shall not be counted in determining the number of petitioners.

SECTION 12. Said chapter 452 is hereby further amended by striking out section 57C, as so appearing, and inserting in place thereof the following section:—

Section 57C. On the first day, other than a legal holiday or Saturday or Sunday, following the expiration of the time for filing withdrawals and the final disposition of any objections filed, the election commission shall post in a conspicuous place in the city hall the names, residences and wards of the candidates for nomination for mayor under Plan A and for city councillor and school committeeman under Plans A and D who have duly qualified as such candidates, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names. If there are so posted the names of not more than two candidates for the office of mayor under Plan A, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with; if there are so posted the names of not more than eighteen candidates for the office of city councillor under Plan A or D, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with; and if there are so posted the names of not more than sixteen candidates for the office of school committeeman under Plan A or D, the candidates whose names are so posted shall be deemed nominated for said office, and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with.

SECTION 13. Section 59 of said chapter 452 is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following sentence:— At every preliminary election, and every regular election, under Plan A, each voter shall be entitled to vote for not more than one candidate for the office of mayor, not more than nine candidates for the office of city councillor, and not more than eight candidates for the office of school committeeman.

SECTION 14. Said chapter 452 is hereby further amended by striking out section 61, as so appearing, and inserting in place thereof the following section:—

Section 61. The two persons receiving at a preliminary election under Plan A the highest number of votes for nomination for the office of mayor shall be deemed to have been nominated for said office; and the eighteen persons receiving at such an election under

Plan A or D the highest number of votes for nomination for the office of city councillor shall be deemed to have been nominated for said office; and the sixteen persons receiving at such an election under Plan A or D the highest number of votes for nomination for the office of school committeeman shall be deemed to have been nominated for said office. If a preliminary election under Plan A or D results in a tie vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to be deemed to have been nominated, all persons participating in said tie vote shall be deemed to have been nominated, although in consequence there be printed on the official ballot to be used at the regular election names to a number exceeding twice the number to be elected.

SECTION 15. Chapter 452 of the acts of 1948 is hereby amended by striking out section 11, as appearing in section 1 of chapter 376 of the acts of 1951, and inserting in place thereof the following section:—

Section 11. There shall be in the city a mayor who shall be the chief executive officer of the city, a city council of nine members which shall be the legislative body of the city, a school committee of eleven members which shall have the powers and duties conferred and imposed by law, and a school congress of twenty-two members which shall have the powers and duties conferred and imposed by law.

SECTION 16. Said chapter 452 is hereby further amended by striking out section 18, as so appearing, and inserting in place thereof the following six sections:—

Section 18. At the regular municipal election held in the year nineteen hundred and seventy-five, and at every regular municipal election thereafter, there shall be elected eleven school committeemen, each to hold office for the two municipal years following the municipal year in which he is elected. One school committeeman shall be elected from each of the eleven zones established by section eighteen B or, if zones shall have been created pursuant to section eighteen C, from each of the eleven zones so created.

Section 18A. At the regular municipal election held in the year nineteen hundred and seventy-five, and at every regular municipal election thereafter, there shall be elected twenty-two school congressmen, each to hold office for the two municipal years following the municipal year in which he is elected. Two school congressmen shall be elected from each of the eleven zones established by section eighteen B or, if zones shall have been created pursuant to section eighteen C, from each of the eleven zones so created.

Section 18B. At the regular municipal election held in the year nineteen hundred and seventy-five, and at every regular municipal election thereafter until changed in accordance with section eighteen C, zones for the election of school committeemen and school congressmen shall consist of the following wards and precincts, as such wards and precincts shall from time to time exist:—

(*a*) Zone one shall consist of wards one and two, and precincts one, two, three and four of ward three;

(*b*) Zone two shall consist of precincts five, six, seven and eight of ward three, ward five, and precincts one and two of ward twenty-one;

(*c*) Zone three shall consist of precincts three through sixteen, inclusive, of ward twenty-one, and ward twenty-two;

(*d*) Zone four shall consist of wards four, eight and nine, and precincts one, two and three of ward eleven;

(*e*) Zone five shall consist of wards six and seven, and precincts six, seven, eight and nine of ward thirteen;

(*f*) Zone six shall consist of precincts one, two, three, four, five and ten of ward thirteen, precincts one, two, four and ten of ward fourteen, precincts one, two, three, four and six of ward fifteen, and precincts one, five, seven, eight and ten of ward seventeen;

(*g*) Zone seven shall consist of precincts five, seven, eight and nine of ward fifteen, ward sixteen, and precincts two, three, four, six, nine, eleven, twelve, thirteen and fourteen of ward seventeen;

(*h*) Zone eight shall consist of precinct five of ward eleven, ward twelve, precinct three, precincts five to nine, inclusive, and, precincts eleven to fourteen, inclusive, of ward fourteen, and precincts two and three of ward eighteen;

(*i*) Zone nine shall consist of ward ten, precinct four and precincts six to ten, inclusive, of ward eleven, and precincts one, three, four, seven, ten, eleven, twelve and thirteen of ward nineteen;

(*j*) Zone ten shall consist of precincts two, five, six, eight and nine of ward nineteen, and ward twenty; and

(*k*) Zone eleven shall consist of precinct one and precincts four to twenty-three, inclusive, of ward eighteen.

Section 18C. In the year nineteen hundred and eighty and every tenth year thereafter, if the zones established in section eighteen B do not contain an equal number of inhabitants, as nearly as may be ascertained, the city council shall divide the city into eleven zones of compact and contiguous territory, for the purpose of electing school committeemen and school congressmen, bounded insofar as possible by the center lines of known streets and ways or by other well-defined limits. In determining zone boundaries no precinct shall be divided; each zone shall contain, as nearly as may be, an equal number of inhabitants; no zone shall contain inhabitants to a number less than ninety per cent nor more than one hundred and ten per cent of the average number of inhabitants in all such zones; and recognized neighborhoods, so far as is possible, shall not be divided. The city council shall cause such zones to be depicted on maps.

Section 18D. Notwithstanding any other provision of law to the contrary all meetings of the school committee shall be open to members of the school congress. Any member of the school congress shall have standing before the superior court to secure access to a school committee meeting, to prevent a closed meeting of the school committee, or void all actions taken by the school committee at a closed meeting. All votes of the school committee shall be duly recorded and made available to the public upon demand. Recorded votes shall include the name of any school committeeman who abstains on a particular vote.

Section 18E. The two school congressmen representing each zone shall conduct a public hearing, at a convenient place within the bounds of their zone, once each calendar quarter. One of these meetings shall be held for the express purpose of discussing and reviewing the entire school budget for the forthcoming fiscal year, although other business may also be conducted. The quarterly meetings shall be duly advertised, with at least seven days prior notice, in the weekly and daily newspapers normally circulated in the zone. Special public hearings may be held within their zone by the two school congressmen representing a particular zone. Notice of such special hearings shall be duly advertised, at least seven days in advance, whenever possible.

SECTION 17. Said chapter 452 is hereby further amended by striking out section 19, as appearing in section 2 of chapter 190 of the acts of 1952, and inserting in place thereof the following two sections:—

Section 19. If at any time a vacancy occurs in the school committee from any cause, the mayor and president of the city council and the remaining school committeemen shall elect as school committeeman for the unexpired term, whichever of the defeated candidates for the office of school committeeman from the same zone at the regular municipal election at which school committeemen were elected for the term in which the vacancy occurs, who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the zone in which the vacancy occurs duly qualified to vote for a candidate for the office of school committeeman from such district. If at a regular municipal election there is a failure to elect a school committeeman or if a person elected school committeeman at such an election resigns or dies before taking office, within fifteen days after the remaining school committeemen take office such school committeemen and the then mayor and the then president of the city council shall meet in joint convention, and choose, as school committeeman for the unexpired term, whichever of the defeated candidates for the office of school committeeman from the same zone at a regular municipal election at which school committeemen were elected for the term in which the vacancy occurs, who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the zone in which the vacancy occurs duly qualified to vote for a candidate for the office of school committeeman from such zone.

Section 19A. If at any time a vacancy occurs in the school congress from any cause, the mayor and president of the city council and the remaining school congressmen shall elect as school congressman for the unexpired term, whichever of the defeated candidates for the office of school congressman from the same zone at the regular municipal election at which school congressmen were elected for the term in which the vacancy occurs, who are eligible and willing to

serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the zone in which the vacancy occurs duly qualified to vote for a candidate for the office of school congressman from such district. If at a regular municipal election there is a failure to elect a school congressman or if a person elected school congressman at such an election resigns or dies before taking office, within fifteen days after the remaining school congressmen take office such school congressman and the then mayor and the then president of the city council shall meet in joint convention, and choose, as school congressman for the unexpired term, whichever of the defeated candidates for the office of school congressman from the same zone at a regular municipal election at which school congressmen were elected for the term in which the vacancy occurs, who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the zone in which the vacancy occurs duly qualified to vote for a candidate for the office of school congressman from such zone.

SECTION 18. Said chapter 452 is hereby further amended by inserting after section 20, as appearing in section 1 of chapter 376 of the acts of 1951, the following section:—

Section 20A. The members of the school congress shall meet and organize on the first Monday of January following their election. The school congress shall be the judge of the election and qualifications of its members. The members of the school congress shall serve without compensation.

SECTION 19. The first sentence of section 53 of said chapter 452, as appearing in section 2 of said chapter 376, is hereby amended by striking out in, line 3, the words "at large".

SECTION 20. Said chapter 452 is hereby further amended by striking out section 55A, as so appearing, and inserting in place thereof the following section:—

Section 55A. A nomination petition shall be issued by the election commission not later than twelve o'clock noon on the second day (Saturdays, Sundays, and legal holidays excluded) after the subscription of a statement of candidacy, except that no such petition shall be issued before the eleventh Tuesday preceding the preliminary election. A nomination petition shall not relate to more than one candidate nor to more than one office. A nomination petition may state the elective public offices which the candidate holds or had held under the government of the commonwealth, the county of Suffolk, or the city of Boston or in the congress as a representative or senator from the commonwealth; provided that such statement shall not exceed eight words and shall, with respect to each such office, consist solely of the title, as hereinafter given, of such office, preceded, if the candidate is the then incumbent thereof, by the word "Present", otherwise by the word "Former" and followed, if, but only if, the office is that of school committeeman, by the words "at large" or "for zone" (here insert zone number in numerals, which shall be counted as one

word), as the case may be. For the purposes of such statement the titles of the elective public offices which may be stated shall be deemed to be as follows: city councillor, school committeeman, school congressman, mayor, district attorney, sheriff, register of deeds, register of probate, county clerk of superior (criminal) court, county clerk of superior (civil) court, county clerk of supreme judicial court, state representative, state senator, governor's councillor, attorney general, state auditor, state treasurer, state secretary, lieutenant governor, governor, congressman, and United States senator.

If the candidate is a veteran as defined in section twenty-one of chapter thirty-one of the General Laws, his nomination petition may contain the word "Veteran," which, in the case of a candidate holding or having held elective public office as aforesaid, shall, for the purpose of this section and sections fifty-five, fifty-eight, and sixty-two, be counted as a part of the statement concerning the elective public offices held by him, and in the case of a candidate who does not hold and never held elective public office as aforesaid, shall, for the purposes of said sections, be deemed to be a statement concerning the elective public offices held by him.

A nomination petition may consist of one or more sheets, but each sheet shall be in substantially the following form:

The Commonwealth of Massachusetts
City of Boston
Nomination Petition

Whereas (*name of candidate*) residing at (*street and number, if any*) in Ward (*number*) of the City of Boston (*here insert any lawfully requested statement concerning the elective public offices held by candidate*), is a candidate for nomination for the office of (mayor *or* city councillor *or* school committeeman from zone no. —, *or* school congressman from zone no. —), the undersigned, registered voters of the City of Boston, duly qualified to vote for a candidate for said office, do hereby request that the name of said (*name of candidate*) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary municipal election to be held on Tuesday, , 19 .

Each of the undersigned does hereby certify that he or she has not subscribed (*if the petition relates to the office of mayor, or school committeeman)* here insert "any other nomination petition for said office"; *if the petition relates to the office of city councillor, here insert* "more than eight other nomination petitions for said office"; *and if the petition relates to the office of school congressman, here insert"* more than one other nomination petition for said office").

In case the above-named candidate withdraws his name from nomination or if found to be ineligible, or dies, we authorize (*names and residences of a committee of not less than five persons*) or a majority thereof as our representatives to fill the vacancy in the manner prescribed by law.

Signatures of Nominators (To be signed in person with name as registered)	Residence January 1, 19 (If registered after above date, residence when registered)	Ward	Pre-cinct	Present Residence

The Commonwealth of Massachusetts

Suffolk, ss. Boston, 19

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

Names and Addresses of Persons Circulating This Sheet		Numbers of Lines Upon Which Appears Signatures as to Which Certification Is Made Hereby
Name	Address	

(Add here or at some other convenient place on the nomination petition sheet the following.)

I hereby accept the nomination.

.....
Signature of Candidate

This nomination petition sheet filed by

.....
Signature of Filer

.....
Number Street City

Every nomination petition sheet shall, before issuance, be prepared by the election commission by printing or inserting thereon the matter required by the first two paragraphs of the foregoing form.

Not more than three hundred nomination petition sheets shall be issued to any candidate for nomination to the office of mayor; not more than one hundred and fifty such sheets shall be issued to any candidate for nomination to the office of city councillor at large; not more than fifty such sheets shall be issued to any candidate for nomination to the office of school committeeman; and not more than fifty such sheets shall be issued to any candidate for nomination to the office of school congressman.

No nomination petition sheet shall be received or be valid unless prepared and issued by the election commission; nor shall any such sheet be received or be valid unless the written acceptance of the candidate thereby nominated is endorsed thereon, anything in section three A of chapter fifty of the General Laws to the contrary notwithstanding.

SECTION 21. Section 56 of said chapter 452 is hereby amended by striking out the first paragraph, as so appearing, and inserting in place thereof the following paragraph:—

The nomination petition shall be signed, in the case of a candidate for mayor, by at least three thousand registered voters of the city qualified to vote for such candidate at the preliminary election, in the case of a candidate for city councillor, by at least fifteen hundred registered voters of the city qualified to vote for such candidate at such election, in the case of a candidate for school committeeman from any zone, by at least five hundred registered voters of the city qualified to vote for the office of school committeeman from such zone at such election, and in the case of a candidate for school congressman from any zone, by at least five hundred registered voters of the city qualified to vote for the office of school congressman from such zone at such election.

SECTION 22. Said chapter 452 is hereby further amended by striking out section 57C, as so appearing, and inserting in place thereof the following section:—

Section 57C. On the first day, other than a legal holiday or Saturday or Sunday, following the expiration of the time for filing withdrawals and the final disposition of any objections filed the election commission shall post in a conspicuous place in the city hall the names, residences, and wards of the candidate for nomination for mayor, city councillor, school committeeman from each zone, and school congressman from each zone, who have duly qualified as such candidates as they are to appear on the official ballots to be used at the preliminary election, except as to the order of names. If there are so posted the names of not more than two candidates for the office of mayor, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with; if there are so posted the names of not more than eighteen candidates for city councillor, the candidates whose names are so

posted shall be deemed to have been nominated for said office, and the preliminary election for the purposes of nominating candidates therefor shall be dispensed with; if there are so posted in respect of any one zone the names of not more than two candidates for school committeeman from that zone, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election in such district for the purpose of nominating candidates for said office shall be dispensed with; and if there are so posted in respect of any one zone the names of not more than four candidates for school congressman from that zone, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election in such district for the purpose of nominating candidates for said office shall be dispensed with.

SECTION 23. Said chapter 452 is hereby further amended by striking out section 59, as so appearing, and inserting in place thereof the following section:—

Section 59. At every preliminary election and at every regular election each voter shall be entitled to vote for not more than one candidate for the office of mayor, not more than nine candidates for the office of city councillor, and not more than one candidate for the office of school committeeman, nor more than two candidates for the office of school congressman from the zone wherein such voter resides.

On the ballots and voting machine ballot labels for use at each of said elections there shall, as a direction to the voter, be printed in capital letters, near the title of each office to be voted for, the words "Vote for (*here insert in words the number of candidates specified in this section with respect to such office*). The election commission, when drawing under section fifty-eight the position on the ballot of the candidates for nomination at every preliminary election, shall draw the positions of all candidates for mayor, if any are to be drawn, before drawing the position of any candidate for city councillor or school committeeman, and shall draw the positions of all candidates for city councillor, if any are to be drawn, before drawing the position of any candidate for school committeeman, and shall draw the positions for all candidates for school committeeman, if any are to be drawn, before drawing the position of any candidate for school congressman. The election commission shall number consecutively, regardless of office, all candidates drawn, the candidate first drawn being assigned the number one and the candidate last drawn being assigned the last number assigned. No position shall be drawn for, nor shall any number be assigned to, any candidate deemed under section fifty-seven C to have been nominated; nor shall any number be assigned to any blank space provided under section sixty-four or to any sticker candidate, so called; and no vote by sticker, which term shall not be construed to include the slip provided for by section fifty-seven B, shall be counted if any candidate number appears thereon. The numbers assigned under this paragraph shall be separate and distinct from the alphabetical or numerical code of any voting machine. On the ballots and voting machine ballot labels for use at

every preliminary election there shall, as an aid to the voter, be printed in numerals, before the name of each candidate and with type the same size as the name, the number assigned to the candidate by the election commission under this paragraph.

SECTION 24. Said chapter 452 is hereby further amended by striking out section 61, as so appearing, and inserting in place thereof the following section:—

Section 61. The two persons receiving at a preliminary election the highest number of votes for nomination for the office of mayor shall be deemed to have been nominated for said office; the eighteen persons receiving at such an election the highest number of votes for the office of city councillor shall be deemed to have been nominated for said office; the two persons receiving, in respect of each zone from which a school committeeman is to be elected, the highest number of votes for the office of school committeeman shall be deemed to have been nominated for said office; and the four persons receiving, in respect of each zone from which a school congressman is to be elected, the highest number of votes for the office of school congressman shall be deemed to have been nominated for said office. If a preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes which, but for said tie, would entitle a person receiving the same to be deemed to have been nominated, all persons participating in said tie vote shall be deemed to have been nominated, although in consequence there be printed on the official ballot to be used at the regular election names to a number exceeding twice the number to be elected.

SECTION 25. Notwithstanding the provisions of any general or special law, no school committee shall be elected at the regular municipal election to be held in the city of Boston in the year nineteen hundred and seventy-five. After the first Monday in January in the year nineteen hundred seventy-six, all of the powers and duties conferred or imposed upon the school committee of the city shall be deemed conferred or imposed upon the superintendent of schools provided for by this act, except such powers and duties as are modified by this act, and all provisions of this act shall take full force and effect.

SECTION 26. The school department of the city of Boston shall be under the charge of a superintendent who shall be appointed by the mayor for a term expiring on the first day of July following the next biennial municipal election at which a mayor is elected, subject, however, to the approval of the city-wide advisory committee created by section thirty-nine of this act. The mayor shall consult with said advisory committee in the formulation of job criteria and in the search and screening process. Said advisory committee may recommend to the mayor one or more candidates for appointment to the office of superintendent. If said advisory committee shall decline to approve a candidate nominated by the mayor for appointment to the office of superintendent, the mayor may re-nominate such candidate one time but, if said advisory committee shall again decline to approve such candidate, he may not renominate such candidate

thereafter. The mayor may nominate an incumbent superintendent for an additional term, but the nomination and appointment of an incumbent shall be subject to the approval of said advisory committee, in every respect, as aforesaid. The mayor, with the approval of said advisory committee, may remove the superintendent, but if in any case said advisory committee shall decline to approve removal of the then superintendent, it shall state, publicly and in writing, its reasons therefore. Said advisory committee may at any time request the mayor to remove the superintendent, and upon receipt of such request the mayor shall within thirty days either remove the superintendent or state, publicly and in writing, his reasons for not doing so. The salary of the superintendent shall be established from time to time by the mayor with the approval of the city council.

SECTION 27. The superintendent, with the approval of the city-wide advisory committee, may create such central management positions as are necessary or convenient to carry out the duties and responsibilities of his office, and likewise with the approval of said advisory committee, may fix the salaries to be paid the persons holding such positions. Persons holding such positions shall be appointed by the superintendent coterminous with the superintendent to serve at his pleasure, subject, in the case of all positions not covered by collective bargaining agreements, to the approval of said advisory committee.

SECTION 28. The superintendent shall divide the city of Boston into school areas each consisting of one or more intermediate school districts. Each area shall be under the charge of an area superintendent who shall be appointed by the superintendent for a term expiring on the first day of July following the next biennial municipal election at which a mayor is elected, subject, however, to the approval of the appropriate area advisory committee created by section thirty-seven of this act. In addition, all the high schools of the city shall be deemed, under the terms of this act, to constitute an area and shall be under the charge of an area superintendent for high schools. Such area superintendent for high schools shall be appointed by the superintendent in the same manner as other area superintendents, except that the appointment of the area superintendent for high schools shall be subject to the approval of the city high school advisory committee created by section thirty-eight of this act. The superintendent shall consult with the appropriate area advisory committee, or in the case of the area superintendent for high schools, with the city high school advisory committee, in the formation of job criteria and in the search and screening process. The appropriate area advisory committee may recommend to the superintendent one or more candidates for appointment to the office of area superintendent. If the appropriate area advisory committee shall decline to approve a candidate nominated by the superintendent for appointment to the office of area superintendent the superintendent may re-nominate such candidate one time but, if the appropriate area advisory committee shall again decline to approve such candidate,

not thereafter. The superintendent may nominate an incumbent area superintendent for an additional term, but the nomination and appointment of an incumbent shall be subject to the approval of the appropriate area advisory committee, in every respect, as aforesaid. The superintendent, with the approval of the appropriate area advisory committee, may remove an area superintendent, but if in any case the area advisory committee shall decline to approve removal of the then area superintendent, it shall state, publicly and in writing, its reasons therefore. The appropriate area advisory committee may at any time request the superintendent to remove an area superintendent, and upon receipt of such request the superintendent shall within thirty days either remove the area superintendent or state, publicly and in writing, his reasons for not doing so. The salaries of the area superintendents shall be established from time to time by the superintendent with the approval of the city-wide advisory committee. Each area superintendent shall, subject to the provisions of chapters thirty-one and seventy-one of the General Laws and the provisions of this act, exercise the powers of an appointing authority with respect to all school personnel within the area.

SECTION 29. The superintendent shall appoint a business manager to serve at his pleasure. The business manager shall in writing approve and transmit to the city auditor all vouchers, payrolls and other documents calling for the expenditure of money, together with summarized requisitions on said auditor and shall request the auditor to place said vouchers, payrolls and other documents on his draft for payment by the treasurer of the city.

SECTION 30. The superintendent shall appoint a secretary of schools to serve at his pleasure. The secretary of schools shall be recording secretary of the board of superintendents established by section thirty-two of this act and shall perform such other duties as the superintendent shall prescribe.

SECTION 31. The superintendent shall appoint a chief schoolhouse custodian to serve at his pleasure. The chief schoolhouse custodian shall be responsible for assigning and coordinating the activities of the area chief schoolhouse custodians and schoolhouse custodians described in section thirty-four of this act and shall perform such other duties as the superintendent shall prescribe.

SECTION 32. The superintendent, the area superintendents, the business manager, the secretary of schools, and such central management personnel, if any, as may hold the rank of deputy superintendent or associate superintendent, shall constitute the board of superintendents. The board of superintendents shall have no executive or administrative powers but shall act as an advisory board to the superintendent.

SECTION 33. The superintendent may appoint one or more persons to represent the city at congresses, conventions and other meetings held to consider questions of concern to public schools, although the questions to be discussed are not actually pending at the time in the conduct of the schools of the city and to obtain

information thereon. All persons so appointed shall report to the superintendent in writing. The superintendent may authorize expenditures to defray traveling and other necessary expenses incurred under this section. An itemized account of such expenses shall in each case be filed with the city auditor.

The superintendent may provide free lunches for undernourished and needy children attending the public schools.

On or before the first day in February in each year the superintendent shall prepare and transmit to the mayor a budget providing an amount sufficient to support the public schools in the forthcoming fiscal year, in respect of which section thirty-four of chapter seventy-one of the General Laws shall not be operative. The superintendent shall be the officer empowered to make contracts and to expend money appropriated for the support of the public schools.

The superintendent shall maintain lists of vacant positions in the school department and lists of applicants found by him to be eligible for appointment or employment. Persons found by the superintendent to be eligible for appointment or employment shall be referred by him to the several neighborhood school councils and high school councils, and may apply to one or more of such neighborhood school councils or high school councils for appointment or employment as more fully set forth elsewhere in this act.

The superintendent shall, during the summer vacation and at such other part of the year as he may deem advisable, organize and conduct physical training and exercises, athletics, sports, games, and play, and shall provide proper apparatus, equipment, athletic wearing apparel and facilities for the same in the buildings, yards, and playgrounds under his control or upon any other land which he may have the right to use for this purpose.

The superintendent shall use for the purposes aforesaid such of the playgrounds, gymnasia or buildings under the control of the parks and recreation commission he may deem suitable therefore and may equip the same therefore, such use to be subject, however, to such reasonable regulations and conditions as the parks and recreation commission may prescribe, provided also, that such use shall not extend to any playground, gymnasium or building under the control of the parks and recreation commission which the commission shall by vote approved by the mayor declare to be unsuitable for such use.

The superintendent may charge admission to athletic contests and games conducted by him, including such contests and games conducted on land under the control of the parks and recreation commission; but the city shall not on account of such charge be liable for any injury, loss or damage suffered by any person or property.

The superintendent may conduct such educational and recreative activities in or upon school property under his control, and shall allow the use thereof by individuals and associations, subject to such regulations as he may establish, for such educational, recreative, social, civic, philanthropic and similar purposes, for which a fee may be charged, as he may deem to be for the interest of the community; provided that such use shall not interfere or be inconsistent with the

use of the premises for school purposes.

SECTION 34. As used in this section, the term "city-wide per pupil formula" shall mean a formula computed by the superintendent with the approval of the city-wide advisory committee for the purpose of allocating the personnel and resources of the school department among the several schools, school districts, and school areas of the city. In the case of any allocation a city-wide per pupil formula shall provide for allocation to each particular school, school district or school area, of a fraction of the total to be allocated which fraction is equal to the ratio between the number of pupils in the school, school district or school area, as the case may be, and the total number of pupils in all similarly situated schools, school districts, or school areas, in the city; provided, however, that the superintendent with the approval of the city-wide advisory committee may make provisions in any city-wide per pupil formula for differential allocations in accordance with the special educational needs of particular schools, school districts, or school areas, as the case may be.

The numbers of personnel to be employed in the several schools, school districts and school areas of the city shall be determined as set forth in this paragraph. The superintendent shall assign to each school in the city a fixed number of teacher positions according to a city-wide per pupil formula, to be filled under the direction of the principal of each such school. The superintendent shall assign to each of the neighborhood school councils created by section thirty-nine of this act a fixed number of positions in special education and special programs according to a city-wide per pupil formula. Each neighborhood school council shall determine those areas of competence in the fields of special education and special programs in which persons shall be employed. The superintendent shall assign to each area superintendent a fixed number of administrative, supervisory and support positions, according to a city-wide per pupil formula. Each area superintendent shall determine those areas of competence in the fields of administration, supervision and support in which persons shall be employed. The chief schoolhouse custodian shall assign to each of the school areas an area chief schoolhouse custodian and a fixed number of schoolhouse custodians, according to a city-wide per pupil formula, and the area chief schoolhouse custodian shall determine the assignment of custodial positions to the several schools of the area.

The superintendent shall, in preparing the annual school budget, allocate:

(*i*) to each school, an amount of money for textbooks and supplies, according to a city-wide per pupil formula, to be expended under the direction of the principal;

(*ii*) to each neighborhood school council and each high school

council, an amount of money for operating expenses, maintenance and repairs, according to a city-wide per pupil formula, to be expended under the direction of the neighborhood school council or high school council; and to each neighborhood school council or high school council a further amount of money sufficient to provide for the employment of an administrative assistant to the neighborhood school council or high school council, a clerical assistant for the same, and the costs of maintaining its office, conducting its meetings, and informing the school district of its work. The words "operating expenses, maintenance and repairs" shall be deemed to include maintenance and repairs, but not alterations, of school buildings, to include curriculum development and curricular materials other than textbooks and supplies, and to exclude wages and salaries to be paid under the terms of collective bargaining agreements;

(*iii*) to each area advisory committee to the city high school advisory committee and to the city-wide advisory committee, an amount of money sufficient to provide for the costs of conducting meetings, office expenses, and informing the people of the area of its work;

(*iv*) to each area superintendent, an amount of money for administration, supervision, and support, according to a city-wide per pupil formula, to be expended under the direction of the area superintendent;

(*v*) to himself, an amount of money for carrying on the central administration of the schools and for the carrying out of programs required by law to be administered for the city as a whole; and

(*vi*) to a fund to be called the innovation fund, an amount of money equal to one per cent of the total amount appropriated by the city for the support of the public schools. This innovation fund shall be exclusively expended in support of innovative programs in the several school districts and across district lines. The superintendent and the city-wide advisory committee shall publish priorities and guidelines for the submission of proposals for the use of monies from the innovation fund on the part of neighborhood school councils and high school councils. Grants shall be made from the innovation fund to neighborhood school councils and high school councils to carry out such proposals as have been selected by a board of independent evaluators annually appointed for the purpose by the superintendent with the approval of the city-wide advisory committee.

SECTION 35. There shall be in each intermediate school district of the city of Boston a neighborhood school council consisting of parents, teachers and residents.

Each neighborhood school council shall be comprised of one parent from each elementary and intermediate school in the district, who shall each be elected by the parents of children in such school, at an election to be conducted in the month of December in every odd-numbered year by the board of election commissioners of the city, using for the purpose a list of parents of enrolled children certified by the superintendent of schools as of the first day in October of such

year, and employing ballots mailed to each such parent and returnable to the board of election commissioners by mail. Any parent eligible to vote in such election may be a candidate, and there shall be no requirement for nomination by signatures or otherwise, but the board of election commissioners may fix a date by which any parent wishing to be a candidate shall be required to signify his intention in a manner to be prescribed by said board of election commissioners. In voting for parents, each parent shall have one vote.

Each neighborhood school council shall also be comprised of one teacher from each elementary and intermediate school in the area, who shall each be elected by all the teachers in such school, at an election to be conducted under the supervision of the faculty senate, or other like body, of such school, on a convenient date in the month of December in every odd-numbered year. For the purposes of this section, the term "teacher" shall mean every person holding a professional position within a school, including teacher aides, but excluding principals, assistant principals, headmasters, assistant headmasters, and persons acting in the position of principal, assistant principal, headmaster, or assistant headmaster. Teachers regularly assigned to more than one school may vote in any one school to which they are regularly assigned, but not in more than one such school. In voting for teachers, each teacher shall have one vote.

Each neighborhood school council shall also be comprised of five residents of the school district, who shall be elected at large by the residents of the school district at an election to be conducted by the board of election commissioners of the city on the first Tuesday in December of each odd-numbered year. Any person eighteen years of age and over who was on the first day of October of such year a resident of the school district shall be eligible to vote in such election. The board of election commissioners may require reasonable proof of residence as a condition of voting. Any person eligible to vote in such election may be a candidate; provided, however, that no person shall be a candidate for election at large to a neighborhood school council as a resident if he is also a candidate for election to the same neighborhood school council as a parent or a teacher. Any person desiring to be a candidate for election at large to a neighborhood school council as a resident shall file a nominating petition with the board of election commissioners at least forty-five days prior to the date fixed for the election at large of residents. The nominating petition of any candidate seeking to be elected at large as a resident shall be subscribed by the signatures of at least fifty residents of the school district. The provisions of law relative to the signing of nomination papers of candidates for elective office and to the identification and certification of names thereon and filing objections thereto shall apply, so far as apt, to nominating petitions filed under this section. In voting for residents to be elected at large, each resident shall have five votes.

Each member of a neighborhood school council shall serve for a term of two years expiring on the first Monday in January of every

even-numbered year. Any vacancy in the office of a parent or teacher shall be filled for the unexpired term by a special election among parents or teachers as aforesaid. Any vacancy in the office of an at large elected resident shall be filled for the unexpired term by a special election among parents or teachers as aforesaid. Any vacancy in the office of an at large elected resident shall be filled for the unexpired term by the person who, at the election next preceding, received the highest number of votes of any person not elected to membership, who is eligible and willing to serve, or, if there is no such person eligible and willing to serve, then by a resident of the district eligible to vote for the office of at large elected resident member of the neighborhood school council elected by the remaining members who shall have been elected at large. No person elected as a parent or teacher shall cease to be eligible to hold office on account of termination of his status as a parent or teacher; but any person elected at large as a resident shall cease to be eligible to hold office if he shall cease to be a resident of the school district. In the year nineteen hundred and seventy-nine, and in any subsequent year, if the total number of parents, teachers, residents, or students, as the case may be, casting ballots for any election of parent members, teacher members, at large elected members, or, in the case of the high school councils created by section forty-four, student members, shall be less than ten per cent of the total number of those eligible to vote in each such category, then the city-wide advisory council shall set aside and declare void the election of such parent members, teacher members, at large elected members, or student members, as the case may be, and shall elect such number of parents, teachers, residents, or students, as the case may be, who are eligible to be elected and are willing to serve, as shall be necessary to fill the positions so becoming vacant. Members of neighborhood school councils shall serve without compensation.

Each neighborhood school council shall organize, as soon as possible after the first Monday in January of every year, by the election of a chairman, a secretary and such other officers as may be convenient. A neighborhood school council shall meet only after notice seasonably given by the chairman, and a majority of all the members shall be necessary to constitute a quorum for the transaction of business.

Each neighborhood school council shall determine the school attendance zones within the district. Upon the occurrence of a vacancy in the office of principal or assistant principal in any of the schools of the district, the neighborhood school council shall recommend to the area superintendent not less than three candidates, unless the neighborhood school council and the area superintendent shall mutually agree upon a lesser number, of whom the area superintendent shall choose one. Each neighborhood school council shall annually provide to the area superintendent a written evaluation of the performance of all principals and assistant principals in the schools of the district. If the neighborhood school council recommends removal of any principal or assistant principal,

the area superintendent, upon receipt of such request, shall, within thirty days either remove the principal or assistant principal or state, publicly and in writing, his reasons for not doing so.

Each neighborhood school council shall determine the allocation among the several schools in the district of money allocated to it by the superintendent and the purposes for which the same shall be expended. All money to be expended pursuant to allocation by a neighborhood school council shall be expended in accordance with provisions of law relating to expenditure of public funds. Each neighborhood school council shall annually in March publish a plan for allocation of funds as aforesaid in the forthcoming fiscal year.

All recommendations submitted by a principal for the granting of tenure, or the termination of employment, of any teacher shall be submitted to the appropriate neighborhood school council for review and comment prior to being submitted to the area superintendent. If the neighborhood school council shall disagree with the school principal making such recommendation, the area superintendent shall personally inquire into the matter before making a final decision.

Each neighborhood school council shall select one resident or parent and one teacher to serve on the area advisory committee for the area within which the district lies.

Each neighborhood school council shall, upon receipt of written complaint, initiate an investigation by the area superintendent of allegations of improper, illegal or unprofessional conduct or incompetent performance on the part of any employee of the school department within the district. Each neighborhood school council may initiate requests for federal, state or private grants of money or other assistance for school programs within the district, and the superintendent shall do all things, if any, necessary to conform such requests to the requirements of the granting agency. Each neighborhood school council shall approve the expenditure of all such funds within the district, anything to the contrary in section fifty-three A of chapter forty-four of the General Laws notwithstanding, but in the event that refusal to approve expenditure of such funds on the part of any neighborhood school council precludes receipt or expenditure of similar funds by any other neighborhood school council, then the city-wide advisory council may authorize the expenditure of such funds notwithstanding the disapproval of the neighborhood school council.

Each neighborhood school council shall maintain lists of all persons previously found by the superintendent to be eligible for employment who are candidates for appointment to professional positions in the service of the school department within the district. Such lists shall set forth in the case of each category of professional employment the names of all candidates in order of preference according to a method of evaluation determined by the neighborhood school council. Any vacancy in a professional position in the school district, other than a vacancy in the position of principal or assistant principal, shall be filled by the area superintendent by appointment of the person

ranking highest on the appropriate list, who is willing to accept the appointment.

SECTION 36. For each high school in the city there shall be a high school council consisting of three parents of children attending such school, who shall be elected by all the parents of children attending such school and serve in the manner prescribed for election and service of parents in section thirty-five of this act, three teachers in such school, who shall be elected by all the teachers in such school and serve in the manner prescribed for election and service of teachers in said section thirty-five, and three students in such school, each of whom shall be elected at an election to be conducted annually in December under the supervision of the student council, or other like body, of the school, and each of whom shall serve for a term of one year expiring on the first Monday in January in each year. Any vacancy in the office of a parent or teacher member shall be filled for the unexpired term in accordance with procedures in respect of elected parent and forty-three members of neighborhood school councils. Any vacancy in the office of a student member shall be filled for the unexpired term by a special election to be conducted under the supervision of the student council, or other like body, of the school. Each high school council shall, in respect of its particular high school, have all of the powers and perform all of the duties of a neighborhood school council.

Each high school council shall select one parent, one teacher and one student to serve on the city high school advisory committee created by section thirty-eight of this act.

SECTION 37. There shall be for each area under the charge of an area superintendent an area advisory committee consisting of parents or residents of the area, one of whom shall be elected by each neighborhood school council within the area to serve for a term of one year expiring on the first Monday in April in each year, and teachers in schools in the area, one of whom shall be elected by each neighborhood school council within the area to serve for a term as aforesaid. Any vacancy in the office of a member shall be filled for the unexpired term by parents or residents, or teachers, as aforesaid.

Each area advisory committee shall have such powers, and perform such duties, as are set forth in this act, and shall consult with the appropriate area superintendent on matters of educational policy affecting schools within the area.

Each area advisory committee shall organize, as soon as may be after the first Monday in April of each year, by the election of a chairman, a secretary, and such other officers as may be convenient. An area advisory committee shall meet only after notice seasonably given by the chairman, and a majority of all members shall be necessary to constitute a quorum for the transaction of business.

SECTION 38. There shall be for the area under the charge of the area superintendent for high schools a city high school advisory committee consisting of parents, one of whom shall be elected by each high school council within the city of Boston to serve for a term of one

year expiring on the first Monday in April in each year, teachers, one of whom shall be elected by each high school council in said city, and students, one of whom shall be elected from each high school council in said city, each to serve a term as aforesaid. Any vacancy in the office of a member of the city high school advisory committee shall be filled for the unexpired term as aforesaid.

The city high school advisory committee shall have, in respect of the high schools of the city, all the powers and perform all the duties of an area advisory committee.

The members of the city high school advisory committee shall elect five teachers, five parents and five students from among its members to serve as an executive committee for the city high school advisory committee. That executive committee shall exercise, on a day to day basis, all the powers and perform all the duties of the city high school advisory committee, subject to the approval of the city high school advisory committee at a regular meeting.

SECTION 39. There shall be in the city of Boston a city-wide advisory committee consisting of one parent or resident, and one teacher, from each school area, elected by the area advisory committee of the area, and one parent, one teacher and three high school students elected by the executive committee of the city high school advisory committee. Members of the city-wide advisory committee shall serve for terms expiring on the first Monday in July of each year. Any vacancy in the office of a member shall be filled by a resident, parent, teacher or student, as appropriate, elected by the area advisory committee of the area in respect of which the vacancy occurs, or, in the case of a high school member, by the executive committee of the city high school advisory committee. The city-wide advisory committee shall have such powers, and perform such duties, as are set forth in this act, and shall meet with the superintendent at least one time during each month while schools are in session to consult on city-wide school policy.

The city-wide advisory committee shall organize, as soon as may be after the first Monday in July of each year, by the election of a chairman, a secretary and such other officers as may be convenient. The city-wide advisory committee shall meet only after notice seasonably given by the chairman, and a majority of all members shall be necessary to constitute a quorum for the transaction of business.

At least thirty days before transmitting the annual school budget to the mayor, the superintendent shall submit said budget to the city-wide advisory committee for its review. The city-wide advisory committee shall have no power to approve or disapprove the annual school budget, but, if the city-wide advisory committee shall disagree with the superintendent in respect of any portion of the annual school budget other than those portions providing for the payment of compensation fixed by collective bargaining agreements, it shall communicate such disagreement to the mayor who shall meet with the city-wide advisory committee to discuss the disagreement.

SECTION 40. The George Robert White Fund Schoolboy Sta-

dium, together with the estate upon which it stands, shall be deemed to be a school building and yard and may be repaired, altered, improved and furnished in the same manner as a school building and yard out of funds appropriated for school purposes.

SECTION 41. The superintendent is hereby made a corporation sole by the name of the Boston Public Schools, Incorporated, which shall be deemed successor to the corporation created by chapter fifty-three of the acts of eighteen hundred and seventy-seven, and he and his successors shall continue a body corporate for the purposes hereinafter set forth.

The corporation shall have authority to receive and hold all sums of money and real and personal estate, which may be given, granted, bequeathed or devised to it for the teachers in the public schools of the city of Boston or their families, requiring charitable assistance, or for the benefit of any persons or the families of any persons who have formerly been such teachers, requiring charitable assistance, or for the purpose of purchasing books, pictures, or other educational material for the various classes in such schools and clothing for any needy pupil or pupils attending any class in any school district or districts. It shall have the power to manage and dispose of the same according to its best discretion and to execute any and all trusts according to the tenor thereof which may be created for the purposes aforesaid.

The corporation shall manage the Charlestown School Trust Fund and disburse the income thereof within the limits of the former city of Charlestown according to the tenor of the instruments creating said trust.

The corporation shall take and hold all property hereafter given to it for lectures and other educational purposes, including the property left by Robert C. Waterston, late of Boston, to be known as the Teachers' Waterston Fund; and, conforming to the directions of the givers thereof, shall manage and dispose of all said property or the income thereof according to its best discretion for the purposes aforesaid.

SECTION 42. All persons having rights of tenure or holding offices for terms of years in the school department of the city of Boston upon the taking effect of this act shall continue to enjoy all the rights and privileges of such positions. No such person shall be reduced in rank or compensation, nor suffer impairment of his civil service, retirement, vacation, holiday or sick-leave rights on account of anything in this act. The incumbents in the office of secretary of the school committee, business manager of the public schools, and chief schoolhouse custodian shall, upon the taking effect of this act, without nomination or appointment become respectively the secretary of schools, business manager and chief schoolhouse custodian provided for by this act.

SECTION 43. Chapter two hundred and forty-one of the acts of eighteen hundred and seventy-five is hereby repealed.

SECTION 44. Chapter fifty-three of the acts of eighteen hundred and seventy-seven is hereby repealed.

SECTION 45. Chapter two hundred and fifty-three of the acts of eighteen hundred and ninety-three is hereby repealed.

SECTION 46. Chapter four hundred of the acts of eighteen hundred and ninety-eight is hereby repealed.

SECTION 47. Chapter 237 of the acts of 1900 is hereby amended by striking out section 2 and inserting in place thereof the following section:—

Section 2. The superintendent of public schools in the city of Boston, three female teachers and three male teachers, also of said city and holding positions in the public schools as instructors, and four persons appointed by said superintendent, shall constitute the board of trustees. The superintendent of public schools shall hold office in said board ex officio, and the other ten members shall be chosen as follows:— At the first annual meeting of the school teachers in the city of Boston who are included in this act, which shall be held on the last Saturday of October in the year nineteen hundred and seventy-five, there shall be elected by ballot one female teacher who shall hold office for a term of one year, one female teacher who shall hold office for a term of two years, one female teacher who shall hold office for a term of three years, one male teacher who shall hold office for a term of one year, one male teacher who shall hold office for a term of two years and one male teacher who shall hold office for a term of three years, and a majority of all the votes cast shall be necessary in each case for an election. Said meeting shall be called by the superintendent of public schools after due notice to all the school teachers in the city of Boston included in this act, at such hour and place as he shall designate. Annually thereafter, at a meeting duly called by said board of trustees on the last Saturday in October, one female teacher and one male teacher shall be elected in the same manner for a term of three years. The superintendent shall appoint four persons each to be a member of said board of trustees for a period of four years, except that, of the appointments first made after the effective date of this act, one shall be for a period of one year, one shall be for a period of two years, one shall be for a period of three years, and one shall be for a period of four years. As the term of each such appointee expires, his successor shall be appointed for a period of four years. Said board shall organize by adopting rules of its own, not inconsistent with this act, and in case of a vacancy in its membership shall have power to fill such vacancy for the unexpired term.

SECTION 48. Section 4 of said chapter 237 is hereby amended by striking out the last sentence, as appearing in chapter 692 of the acts of 1971, and inserting in place thereof the following sentence:— He shall receive such compensation for his services and clerk hire, not exceeding five thousand dollars a year, as the board of trustees shall determine, and the sum so determined shall be appropriated for that purpose by the city of Boston.

SECTION 49. Chapter three hundred and forty-nine of the acts of nineteen hundred and five is hereby repealed.

SECTION 50. Chapters two hundred and thirty-one and three hundred and eighteen of the acts of nineteen hundred and six are hereby repealed.

SECTION 51. Chapters two hundred and ninety-five and three hundred and fifty-seven of the acts of nineteen hundred and seven are hereby repealed.

SECTION 52. Chapter 120 of the acts of 1909 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. The superintendent of schools of the city of Boston may prescribe such rules concerning the admission of pupils enrolled in the public schools of said city to secret organizations, except religious organizations, composed wholly or in part of public school pupils, and their continuance therein, as he may deem expedient for the welfare of the public schools, and may exclude from the public schools any pupil not required by law to attend school who neglects or refuses to comply with any rule prescribed in accordance with the provisions of this act.

SECTION 53. The first sentence of section 3 of chapter 486 of the acts of 1909 is hereby amended by striking out, in lines 1 and 2, the words "other than for school purposes".

SECTION 54. Said chapter 486 is hereby further amended by striking out in the first sentence of section 3A, as inserted by section 1 of chapter 604 of the acts of 1941 and as amended by chapter 120 of the acts of 1947, wherever they appear, the words "and the school committee,".

SECTION 55. Section 5 of said chapter 486, as appearing in section 1 of chapter 473 of the acts of 1953, is hereby amended by striking out, in lines 48 to 51, inclusive, the words "the school committee or any board or officer of the school committee or school department, or the board of commissioners of school buildings or the superintendent of construction, or".

SECTION 56. The first sentence of section 9 of said chapter 486 is hereby amended by striking out, in line 4, the words "the school committee and".

SECTION 57. Section 14 of said chapter 486 is hereby amended by striking out, in line 11, the words "the school committee,".

SECTION 58. Section 16A of said chapter 486, inserted by chapter 182 of the acts of 1951, is hereby amended by striking out, in line 4, the words ", and the school committee,".

SECTION 59. The third sentence of section 29 of said chapter 486 is hereby amended by striking out, in line 2, the words "and school committee".

SECTION 60. Chapter one hundred and ninety-five of the acts of nineteen hundred and twelve is hereby repealed.

SECTION 61. Chapter three hundred and thirty-seven of the acts of nineteen hundred and thirteen is hereby repealed.

SECTION 62. Chapter 389 of the acts of 1913 is hereby amended by striking out sections 1 and 2 and inserting in place thereof the following two sections:—

Section 1. There may be established and maintained by the superintendent of schools of the city of Boston an employment office for registering applications of minors residing in the city of Boston who seek employment, and those who desire to employ such minors.

Section 2. The superintendent of schools shall establish regulations respecting the conduct of the office and shall take such action as he deems best to promote the purposes of an employment office for minors, and to bring together such minors seeking employment and those desiring to employ them.

SECTION 63. Sections three and four of chapter two hundred and seventy-four and sections one to seven, inclusive, of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fourteen are hereby repealed.

SECTION 64. Chapter 189 of the Special Acts of 1915 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. The superintendent of schools of the city of Boston may conduct courses for the improvement of teachers or others in the service of the public schools, or for the training and qualification of persons who are or may become candidates for positions as teachers in special schools or subjects. The superintendent may employ such persons as he deems expedient in connection with the said courses, and may fix their compensation.

SECTION 65. Sections two, two A, two B and three of chapter two hundred and twenty-four of the acts of nineteen hundred and thirty-six are hereby repealed.

SECTION 66. Chapter two hundred and fifty-six of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 67. The first sentence of the first paragraph of chapter 351 of the acts of 1943 is hereby amended by striking out, in line 2, the words "school committee" and inserting in place thereof the words:— superintendent of schools.

SECTION 68. Chapter 452 of the acts of 1948 is hereby amended by striking out section 11, as appearing in section 1 of chapter 376 of the acts of 1951, and inserting in place thereof the following section:—

Section 11. There shall be in the city a mayor who shall be the chief executive office of the city and a city council of nine members which shall be the legislative body of the city.

SECTION 69. Section 11A of said chapter 452, as so appearing, is hereby amended by striking out, in lines 2 and 3 and in line 11, respectively, the words "or school committeeman".

SECTION 70. Sections eighteen to twenty, inclusive, of said chapter four hundred and fifty-two are hereby repealed.

SECTION 71. Section 55 of said chapter 452, as appearing in section 2 of said chapter 376, is hereby amended by striking out in the Statement of Candidacy, in line 6, the words "*or* School Committeeman".

SECTION 72. Section 56 of said chapter 452 is hereby further amended by striking out the first two paragraphs, as so appearing,

and inserting in place thereof the following two paragraphs:—

The nomination petition shall be signed, in the case of a candidate for mayor, by at least three thousand registered voters of the city qualified to vote for such candidate at the preliminary election, and in the case of a candidate for city councillor, by at least fifteen hundred registered voters of the city qualified to vote for such candidate at such election.

Every voter signing a nomination petition shall sign in person, with his name as registered, or substantially as registered, and shall state his residence on January first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. No voter may sign as petitioner more than one nomination petition for the office of mayor, nor more than nine nomination petitions for the office of city councillor. If the name of any voter appears as petitioner on more nomination petitions for an office than prescribed in this section, his name shall, in determining the number of petitioners, be counted, in the case of the office of mayor, only on the nomination petition sheet bearing his name first filed with the election commission, and, in the case of the office of city councillor, only on the nine nomination petition sheets bearing his name first filed with said commission. If the name of any petition more than once, it shall be deemed to appear but once. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in section fifty-five A shall not be counted in determining the number of petitioners.

SECTION 73. Said chapter 452 is hereby further amended by striking out section 57C, as so appearing, and inserting in place thereof the following section:—

Section 57C. On the first day, other than a legal holiday or Saturday or Sunday, following the expiration of the time for filing withdrawals and the final disposition of any objections filed, the election commission shall post in a conspicuous place in the city hall the names, residences and wards of the candidates for nomination for mayor under Plan A and for city councillor under Plans A and D who have duly qualified as such candidates, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names. If there are so posted the names of not more than two candidates for the office of mayor under Plan A, the candidate whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with; and if there are so posted the names of not more than eighteen candidates for the office of city councillor under Plan A or D, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with.

SECTION 74. Section 59 of said chapter 452, as so appearing, is

hereby amended by striking out the first three sentences and inserting in place thereof the following three sentences:— At every preliminary election, and every regular election, under Plan A, each voter shall be entitled to vote for not more than one candidate for the office of mayor, and not more than nine candidates for the office of city councillor. On the ballots and voting machine ballot labels for use at each of said elections, there shall, as a direction to the voter, be printed in capital letters, near the title of each office to be voted for, the words "VOTE FOR (*here insert in words the number of candidates specified in this section with respect to such office*)". The election commission when drawing under section fifty-eight the position on the ballot of the candidates for nomination at every preliminary election, shall draw the positions of all candidates for mayor, if any are to be drawn, before drawing the position of any candidate for city councillor.

SECTION 75. Section 61 of said chapter 452, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The two persons receiving at a preliminary election under Plan A the highest number of votes for nomination for the office of mayor shall be deemed to have been nominated for said office; and the eighteen persons receiving at such an election under Plan A or D the highest number of votes for nomination for the office of city councillor shall be deemed to have been nominated for said office.

SECTION 76. Chapter two hundred and ninety-one of the acts of nineteen hundred and fifty is hereby repealed.

SECTION 77. Section 1 of chapter 468 of the acts of 1951 is hereby amended by striking out the definition of "Committee" or "school committee" and inserting in place thereof the following definition:—

"Superintendent" or "superintendent of schools", the superintendent of schools of the city.

SECTION 78. Section 2 of said chapter 468 is hereby amended by striking out, in line 1, the words "school committee" and inserting in place thereof the words:— superintendent of schools.

SECTION 79. The first paragraph of section 3 of said chapter 468 is hereby amended by striking out in lines 8 and 9 and 13 and 14, respectively, the words "school committee" and inserting in place thereof the word:— superintendent.

SECTION 80. Said section 3 of said chapter 468 is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The secretary of schools of the city of Boston shall be the secretary of the trustees and shall have the custody of all records, documents and papers relating to the fund. The trustees shall keep a record of their proceedings and shall annually on the first day of February, or as soon thereafter as may be, make a written report to the superintendent of the amount and condition of the fund and of the income thereof for the preceding fiscal year of the city. All records, documents and papers relating to the fund and all records of the

proceedings of the trustees and all securities of the fund shall at all times be subject to the inspection of the superintendent.

SECTION 81. Section 5 of said chapter 468 is hereby amended by striking out, in lines 1 and 2, the words "school committee, by a majority vote of all its members," and inserting in place thereof the word:— superintendent.

SECTION 82. Section 8 of said chapter 468 is hereby amended by striking out, in lines 4 and 5, the words "school committee" and inserting in place thereof the word:— superintendent.

SECTION 83. Section 5 of chapter 642 of the acts of 1966 is hereby amended by striking out, in lines 1 and 2, 7 and 10, respectively, the words "school committee" and inserting in place thereof, in each instance, the words:— superintendent of schools.

SECTION 84. Section 8 of said chapter 642 is hereby amended by striking out, in lines 1 and 2, respectively, the words "school committee" and inserting in place thereof, in each instance, the words:— superintendent of schools.

SECTION 85. Sections forty-three to eighty-four, inclusive, of this act shall take effect on the first Monday in January of the year nineteen hundred and seventy-six.

SECTION 86. Chapter 452 of the acts of 1948 is hereby amended by striking out section 11, as appearing in section 1 of chapter 376 of the acts of 1951, and inserting in place thereof the following section:—

Section 11. There shall be in the city a mayor who shall be the chief executive officer of the city, a city council of nine members which shall be the legislative body of the city, and a school committee of eleven members which shall have the powers and duties conferred and imposed by law.

SECTION 87. Said chapter 452 is hereby further amended by inserting after section 11B, inserted by said section 1 of said chapter 376, the following section:—

Section 11C. Before the thirtieth day of March in the year nineteen hundred and seventy-five the city council shall divide the city of Boston into six districts for the election of district school committeemen. If, in the year nineteen hundred and eighty and in every tenth year thereafter, the existing districts do not contain, as nearly as may be ascertained, an equal number of inhabitants, the city council shall in that year redivide the city for the purpose aforesaid. Such districts shall be of compact and contiguous territory bounded insofar as possible by the center lines of known streets and ways or by other well-defined limits. In determining district boundaries no precinct shall be divided; each district shall contain, as nearly as may be, an equal number of inhabitants; no district shall contain inhabitants to a number less than ninety-three per cent nor more than one hundred and seven per cent of the average number of inhabitants in all such districts; and recognized neighborhoods, so far as is possible, shall not be divided. From each of the districts created hereunder there shall be elected one district school committeeman. The city council shall cause such districts to be depicted on maps, and the board of election

commissioners shall publish lists of all voters who are inhabitants of each district, which lists shall be used for the election of district school committeemen.

SECTION 88. Said chapter 452 is hereby further amended by striking out sections 18 and 19, as so appearing, and inserting in place thereof the following two sections:—

Section 18. At the regular municipal election in the year nineteen hundred and seventy-five, and at every regular municipal election thereafter, there shall be elected eleven school committeemen, each to hold office for the two municipal years following the municipal year in which he is elected. Five shall be elected at large; and of the six other members one shall be elected from each of the six districts established pursuant to section eleven C.

Section 19. If at any time a vacancy occurs in the school committee from any cause, the mayor and president of the city council and the remaining school committeemen shall elect as school committeeman, for the unexpired term, in the case of a vacancy in the seat of a school committeeman at large, whichever of the defeated candidates for the office of school committeeman at large at the regular municipal election at which school committeemen were elected for the term in which the vacancy occurs who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for the office of school committeeman, and, in the case of a vacancy in the seat of a school committeeman elected from a district, whichever of the defeated candidates for the office of school committeeman from the same district at the regular municipal election at which school committeemen were elected for the term in which the vacancy occurs who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the district in which the vacancy occurs duly qualified to vote for a candidate for the office of school committeeman from such district. If at a regular municipal election there is a failure to elect a school committeeman or if a person elected school committeeman at such an election resigns or dies before taking office, within fifteen days after the remaining school committeemen take office such school committeemen and the then mayor and the then president of the city council shall meet in joint convention, and choose, as school committeeman for the unexpired term, in the case of a vacancy in the seat of a school committeeman elected at large, whichever of the defeated candidates for the office of school committeeman at large at the regular municipal election at which school committeemen were elected for the term in which the vacancy occurs who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for the office of school committeeman, and, in the case of a vacancy in the seat of a

school committeeman elected from a district, whichever of the defeated candidates for the office of school committeeman from the same district at a regular municipal election at which school committeemen were elected for the term in which the vacancy occurs who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the district in which the vacancy occurs duly qualified to vote for a candidate for the office of school committeeman from such district.

SECTION 89. The first sentence of section 53 of said chapter 452, as appearing in section 2 of chapter 376 of the acts of 1951, is hereby amended by striking out, in line 3, the words "at large".

SECTION 90. Section 54 of said chapter 452, as so appearing, is hereby amended by adding the words:— ; and provided further, that no person who is a candidate for school committeeman at large shall be a candidate for school committeeman from a district.

SECTION 91. Said chapter 452 is hereby further amended by striking out section 55A, as so appearing, and inserting in place thereof the following section:—

Section 55A. A nomination petition shall be issued by the election commission not later than twelve o'clock noon on the second day (Saturdays, Sundays, and legal holidays excluded) after the subscription of a statement of candidacy, except that no such petition shall be issued before the eleventh Tuesday preceding the preliminary election. A nomination petition shall not relate to more than one candidate nor to more than one office. A nomination petition may state the elective public offices which the candidate holds or had held under the government of the commonwealth, the county of Suffolk, or the city of Boston or in the congress as a representative or senator from the commonwealth, provided that such statement shall not exceed eight words and shall, with respect to each such office, consist solely of the title, as hereinafter given, of such office, preceded, if the candidate is the then incumbent thereof, by the word "Present", otherwise by the word "Former" and followed, if, but only if, the office is that of city councillor or school committeeman, by the words "at large" or "for district" (here insert district number or numbers in numerals, which shall be counted as one word), as the case may be. For the purposes of such statement the titles of the elective offices which may be stated shall be deemed to be as follows: city councillor, school committeeman, mayor, district attorney, sheriff, register of deeds, register of probate, county clerk of superior (criminal) court, county clerk of superior (civil) court, county clerk of supreme judicial court, state representative, state senator, governor's councillor, attorney general, state auditor, state treasurer, state secretary, lieutenant governor, governor, congressman, and United States senator.

If the candidate is a veteran as defined in section twenty-one of chapter thirty-one of the General Laws, his nomination petition may contain the word "Veteran," which, in the case of a candidate holding or having held elective public office as aforesaid, shall, for the

purpose of this section and sections fifty-five, fifty-eight and sixty-two, be counted as a part of the statement concerning the elective public offices held by him, and, in the case of a candidate who does not hold and has never held elective public office as aforesaid, shall, for the purposes of said sections, be deemed to be a statement concerning the elective public offices held by him.

A nominating petition may consist of one or more sheets, but each sheet shall be in substantially the following form:

The Commonwealth of Massachusetts
City of Boston
Nomination Petition

Whereas (name of candidate) residing at (street and number, if any) in Ward (number) of the City of Boston (here insert any lawfully requested statement concerning the elective public offices held by candidate), is a candidate for nomination for the office of (mayor or city councillor or school committeeman from Districts -), the undersigned, registered voters of the City of Boston, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary municipal election to be held on Tuesday , 19

Each of the undersigned does hereby certify that he or she has not subscribed (if the petition relates to the office of mayor, here insert "any other nomination petition for said office"; if the petition relates to the office of city councillor, here insert "more than eight other nomination petitions for said office"; if the petition relates to the office of school committeeman at large, here insert "more than four other nomination petitions for said office"; and if the petition relates to the office of school committeeman from a district here insert "any other nomination petitions for said office").

In case the above-named candidate withdraws his name from nomination or is found to be ineligible, or dies, we authorize (names and residences of a committee of not less than five persons) or a majority thereof as our representatives to fill the vacancy in the manner prescribed by law.

Signatures of Nominators (To be signed in person with name as registered)	Residence January 1, 19 (If registered after above date, residence when registered)	Ward	Pre-cinct	Present Residence

The Commonwealth of Massachusetts

Suffolk, ss. Boston, 19

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

Names and Addresses of Persons Circulating This Sheet		Numbers of Lines Upon Which Appears Signatures as to Which Certification Is Made Hereby
Name	Address	

(Add here or at some other convenient place on the nomination petition sheet the following.)

I hereby accept the nomination.

.....
Signature of Candidate

This nomination petition sheet filed by

.....
Signature of Filer

.....
Number Street City

Every nomination petition sheet shall, before issuance, be prepared by the election commission by printing or inserting thereon the matter required by the first two paragraphs of the foregoing form. Not more than three hundred nomination petition sheets shall be issued to any candidate for nomination to the office of the Mayor; not more than one hundred and fifty such sheets shall be issued to any candidate for nomination to the office of city councillor; not more than two hundred such sheets shall be issued to any candidate for nomination to the office of school committeeman at large; and not more than one hundred such sheets shall be issued to any candidate for nomination to the office of school committeeman from a district.

No nomination petition sheet shall be received or be valid unless prepared and issued by the election commission; nor shall any such sheet be received or be valid unless the written acceptance of the candidate thereby nominated is endorsed thereon, anything in section three A of chapter fifty of the General Laws to the contrary notwithstanding.

SECTION 92. Section 56 of said chapter 452 is hereby amended by striking out the first paragraph, as so appearing, and inserting in place thereof the following paragraph:—

The nomination petition shall be signed, in the case of a candidate for mayor, by at least three thousand registered voters of the city qualified to vote for such candidate at the preliminary election, in the case of a candidate for city councillor, by at least fifteen hundred registered voters in the city qualified to vote for such candidate at such election, in the case of a candidate for school committeeman elected at large, by at least two thousand registered voters of the city qualified to vote for such candidate at such election, and in the case of a candidate for school committeeman elected from a district, by at least five hundred registered voters of that district qualified to vote for such candidate at such election.

SECTION 93. Said chapter 452 is hereby further amended by striking out section 57C, as so appearing, and inserting in place thereof the following section:—

Section 57C. On the first day, other than a legal holiday or Saturday or Sunday, following the expiration of the time for filing withdrawals and the final disposition of any objections filed the election commission shall post in a conspicuous place in the city hall the names, residences, and wards of the candidate for nomination for mayor, city councillor, school committeeman at large, and school committeeman from each district who have duly qualified as such candidates as they are to appear on the official ballots to be used at the preliminary election, except as to the order of names. If there are so posted the names of not more than two candidates for the office of the mayor, the candidates whose names are so posted shall be deemed to have been nominated for said office and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with; if there are so posted the names of not more than eighteen candidates for city councillor, the candidates whose names are so posted shall be deemed to have been nominated for said office,

and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with; if there are so posted the names of not more than ten candidates for the office of school committeeman at large, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election for the purpose of nominating candidates therefor shall be dispensed with; and if there are so posted in respect of any district the names of not more than two candidates for school committeeman from that district, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election in such district for the purpose of nominating candidates for said office shall be dispensed with.

SECTION 94. Said chapter 452 is hereby further amended by striking out section 59, as so appearing, and inserting in place thereof the following section:—

Section 59. At every preliminary election and at every regular election each voter shall be entitled to vote for not more than one candidate for the office of mayor, not more than nine candidates for the office of city councillor and not more than five candidates for the office of school committeeman at large and not more than one candidate for the office of school committeeman from the district wherein such voter resides.

On the ballots and voting machine ballot labels for use at each of said elections, there shall, as a direction to the voter, be printed in capital letters, near the title of each office to be voted for, the words "Vote for (here insert in words the number of candidates specified in this section with respect to such office). The election commission, when drawing under section forty-eight the position on the ballot of the candidates for nomination at every preliminary election, shall draw the positions of all candidates for mayor, if any are to be drawn, before drawing the positions of all candidates for city councillor or school committeeman, and shall draw the positions of all candidates for city councillor, if any are to be drawn, before drawing the position of any candidate for school committeeman. The election commission shall number consecutively, regardless of office, all candidates drawn, the candidate first drawn being assigned the number one and the candidate last drawn being assigned the last number assigned. No position shall be drawn for, nor shall any number be assigned to any candidate deemed under section fifty-seven C to have been nominated; nor shall any number be assigned to any blank space provided under section sixty-four or to any sticker candidate, so-called; and no vote by sticker, which term shall not be construed to include the slip provided by section fifty-seven B shall be counted if any candidate number appears thereon. The numbers assigned under this paragraph shall be separate and distinct from the alphabetical or numerical code of any voting machine. On the ballots and voting machine ballot labels for use at every preliminary election there shall, as an aid to the voter, be printed in numerals, before the name of each candidate and with type the same size as the name, the number assigned to the candidate by the election commission under this paragraph.

SECTION 95. Said chapter 452 is hereby further amended by striking out section 61, as so appearing, and inserting in place thereof the following section:—

Section 61. The two persons receiving at a preliminary election the highest number of votes for nomination for the office of mayor shall be deemed to have been nominated for said office; the eighteen persons receiving at such an election the highest number of votes for the office of city councillor shall be deemed to have been nominated for said office; the ten persons receiving at such an election the highest number of votes for the office of school committeeman at large shall be deemed to have been nominated for said office; and the two persons receiving, in respect of each district from which a district school committeeman is to be elected, the highest number of votes for the office of district school committeeman shall be deemed to have been nominated for said office. If a preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes which, but for said tie, would entitle a person receiving the same to be deemed to have been nominated, all persons participating in said tie vote shall be deemed to have been nominated, although in consequence there be printed on the official ballot to be used at the regular election names to a number exceeding twice the number to be elected.

SECTION 96. If the question that is placed upon the ballot at the regular state election in the year nineteen hundred and seventy-four is the question set forth in section four of this act, and if said question is answered in the affirmative by a majority of the voters voting thereon, sections eight to fourteen, inclusive, of this act, shall take effect and sections fifteen to ninety-five, inclusive, shall be inoperative. If the question that is placed upon the ballot at the regular state election in the year nineteen hundred and seventy-four is the question set forth in section five of this act, and if said question is answered in the affirmative by a majority of the voters voting thereon, then sections fifteen to twenty-four, inclusive, of this act, shall take effect, and sections eight to fourteen, inclusive, and twenty-five to ninety-five, inclusive, shall be inoperative. If the question that is placed upon the ballot at the regular state election in the year nineteen hundred and seventy-four is the question set forth in section six of this act, and if said question is answered in the affirmative by a majority of the voters voting thereon, then sections twenty-five to eighty-five, inclusive, of this act, shall take effect, and sections eight to twenty-four, inclusive, and eighty-six to ninety-five, inclusive, shall be inoperative. If the question that is placed upon the ballot at the regular state election in the year nineteen hundred and seventy-four is the question set forth in section seven of this act, and if said question is answered in the affirmative by a majority of the voters voting thereon, then sections eighty-six to ninety-five, inclusive, of this act shall take effect, and sections eight to eighty-five, inclusive, shall be inoperative. If whichever of the questions placed as aforesaid upon the ballot at the regular state election in the year nineteen hundred and seventy-four is not answered in the affirma-

tive by a majority of the voters voting thereon, then all provisions of this act shall be void and of no further effect. If any provision of this act calling for the election of any school committee takes effect, the school committee so to be elected shall be first elected at the regular municipal election in the year nineteen hundred and seventy-five.

SECTION 97. Chapter one thousand one hundred and seventy-seven of the acts of nineteen hundred and seventy-three is hereby repealed.

SECTION 98. This act shall take effect upon its passage.

Approved May 30, 1974.

Chap. 277. AN ACT FURTHER REGULATING THE CONDITIONS OF RENTAL AND OCCUPANCY IMPOSED BY MOBILE HOME PARK LICENSEES.

Be it enacted, etc., as follows:

SECTION 1. Subsection 3 of section 32L of chapter 140 of the General Laws, as appearing in section 2 of chapter 1007 of the acts of 1973, is hereby amended by striking out, in line 5, the words:— "or any conditions of rental or occupancy which restricts" and inserting in place thereof the words:— nor shall a mobile home park licensee impose any conditions of rental or occupancy which restrict.

SECTION 2. Any rule promulgated by a mobile home park licensee prior to the effective date of subsection 1 of section thirty-two L of chapter one hundred and forty of the General Laws, as appearing in section two of chapter one thousand and seven of the acts of nineteen hundred and seventy-three shall be written out and filed with the department of the attorney general no later than forty-five days after the effective date of this act.

Approved May 30, 1974.

Chap. 278. AN ACT REQUIRING THE COMMONWEALTH TO ASSUME NINETY PER CENT OF THE COSTS OF REPAIR, RECONSTRUCTION OR REPLACEMENT OF THE HAYDEN POND DAM IN THE TOWN OF OTIS.

Be it enacted, etc., as follows:

The commonwealth, through the division of waterways of the department of public works, shall assume ninety per cent of the costs of repair, reconstruction or replacement of the Hayden Pond dam in the town of Otis. Upon completion of said repairs, reconstruction, or replacement, the public shall have full right of access to Hayden pond.

Approved May 30, 1974.

Chap. 279. AN ACT FURTHER REGULATING THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 18B of chapter 138 of the General Laws is hereby amended by striking out the fourth sentence, added by chapter 893 of the acts of 1970.

SECTION 2. Section 25 of said chapter 138 is hereby amended by adding the following paragraph:—

A holder of a certificate of compliance under the provisions of section eighteen B shall not be construed to be a licensee within the commonwealth under the provisions of this section.

Approved May 30, 1974.

Chap. 280. AN ACT FURTHER DEFINING THE TERM "ECONOMIC DEVELOPMENT PLAN" IN THE LAW RELATIVE TO ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATIONS.

Be it enacted, etc., as follows:

Subsection (5) of section 1 of chapter 121C of the General Laws, as appearing in chapter 725 of the acts of 1972, is hereby amended by striking out, in lines 7 and 8, the words ", redevelopment and general, and rehabilitation of structures, and such development".

Approved May 30, 1974.

Chap. 281. AN ACT PROVIDING FOR A FINE FOR WILFUL AND MALICIOUS SETTING FIRE TO A DWELLING HOUSE.

Be it enacted, etc., as follows:

Section 1 of chapter 266 of the General Laws, as most recently amended by section 1 of chapter 43 of the acts of 1948, is hereby further amended by inserting after the word "years", in line 11, the words:— , or by a fine of not more than ten thousand dollars, or by both such fine and imprisonment.

Approved May 30, 1974.

Chap. 282. AN ACT FURTHER REGULATING THE LAW ESTABLISHING HISTORIC DISTRICTS.

Be it enacted, etc., as follows:

The first paragraph of section 3 of chapter 40C of the General Laws, as appearing in section 1 of chapter 359 of the acts of 1971, is hereby amended by inserting after the first sentence the following sentence:— The buildings, structures or sites to be included in the proposed historic district may consist of one or more parcels or lots of

land, or one or more buildings or structures on one or more parcels or lots of land.

Approved May 30, 1974.

Chap. 283 AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW FURTHER REGULATING THE PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL RESOURCES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make forthwith a corrective change in the law further regulating the preservation of historical and archeological resources 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 26 of chapter 9 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in section 1 of chapter 1155 of the acts of 1973, and inserting in place thereof the following sentence:— The commission, the state archeologist and the board of underwater archeological resources established pursuant to section one hundred and seventy-nine of chapter six shall advise the state secretary on matters relating to the historical and archeological assets of the commonwealth and assist him in compiling and maintaining an inventory of such assets.

Approved June 3, 1974.

Chap. 284. AN ACT REACTIVATING A CERTAIN ELIGIBLE LIST FOR PROMOTION TO THE OFFICE OF CAPTAIN IN THE FIRE DEPARTMENT OF THE CITY OF CHELSEA AND EXTENDING THE TIME WITHIN WHICH IT SHALL BE EFFECTIVE.

Be it enacted, etc., as follows:

SECTION 1. The eligible list for promotion to the office of captain in the fire department of the city of Chelsea which expired January eleventh, nineteen hundred and seventy-four, is hereby reactivated and extended for six months from the effective date of this act.

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

Approved June 3, 1974.

Chap. 285. AN ACT PROHIBITING THE SOLICITATION OF VOTES AND THE DISTRIBUTION OF CAMPAIGN LITERATURE IN OFFICES USED FOR VOTER REGISTRATION.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by inserting

after section 52 the following section:—

Section 52A. No candidate for public office, or any person acting on behalf of a candidate, shall solicit votes or distribute campaign literature in any office where registration of voters is being conducted. Whoever violates this section shall be punished by imprisonment for not more than one year in a house of correction or by a fine of not more than one hundred dollars.

Approved June 3, 1974.

Chap. 286. AN ACT REGULATING CERTAIN DEALINGS BETWEEN GAS OR ELECTRIC COMPANIES AND AFFILIATED COMPANIES.

Be it enacted, etc., as follows:

Section 94C of chapter 164 of the General Laws, as appearing in chapter 227 of the acts of 1935, is hereby amended by adding the following two paragraphs:—

For purposes of determining the value of an investment in an affiliated company, as defined by section eighty-five, in any proceeding before the department under the above named sections, the valuation shall be the lesser of the actual cost of the investment, as defined by the uniform system of accounts adopted by the department, or the net original cost of the property of the affiliate used and useful in providing service to the customers of the investing company.

Whenever the rates and charges of the affiliated company are regulated by the Federal Power Commission the department shall not establish rates and charges for the investing company which provide a higher return on the investment than that found to be fair and reasonable by the Federal Power Commission.

Approved June 4, 1974.

Chap. 287. AN ACT ALLOWING CERTAIN PERSONS SIXTY-FIVE YEARS OF AGE OR OVER TO POSTPONE PAYMENT OF ALL OR A PORTION OF REAL ESTATE TAXES WHEN TAX DEFERRAL AND RECOVERY AGREEMENTS HAVE BEEN ENTERED INTO WITH THE BOARD OF ASSESSORS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by inserting after clause Forty-first the following clause:—

Forty-first A, Real property, to an amount determined as hereinafter provided, of a person sixty-five years of age or over and occupied by him as his domicile, of a person who owns the same jointly with his spouse, either of whom is sixty-five years of age or

over, and occupied as their domicile, or of a person who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided, that such person has been domiciled in the commonwealth for the preceding ten years and

(1) has so owned and occupied as his domicile such real property or other real property in the commonwealth for five years; or

(2) is a surviving spouse who inherits such real property and has occupied such real property or other real property in the commonwealth as his or her domicile for five years and who otherwise qualifies under this clause; and provided further that such person, and such person and his spouse, if married, had, during the preceding year, gross receipts from all sources not in excess of twenty thousand dollars.

In determining the total period ownership of an applicant for exemption under this clause, the time during which the same property was owned by a husband or wife individually shall be added to the period during which such property was owned by said husband and wife jointly. In computing the gross receipts of such an applicant or of such an applicant and his spouse, if married, ordinary business expenses and losses may be deducted but not personal and family expenses.

Any such person may, on or before October first of each year, apply to the board of assessors for an exemption of all or part of such real property from taxation during such year provided, however, that in the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the exemption shall not exceed that proportion of total valuation which the amount of his interest in such property bears to the whole tax due. The board of assessors shall grant such exemption provided that the owner or owners of such real property have entered into a tax deferral and recovery agreement with said board of assessors on behalf of the city or town. The said agreement shall provide:

(1) that no sale or transfer of such real property may be consummated unless the taxes which would otherwise have been assessed on such portion of the real property as is so exempt have been paid, with interest at the rate of eight per cent per annum;

(2) that the total amount of such taxes due, plus interest, for the current and prior years does not exceed fifty per cent of the owner's proportional share of the full and fair cash value of such real property;

(3) that upon the demise of the owner of such real property, the heirs-at-law, assignees or devisees shall have first priority to said real property by paying in full the total taxes which would otherwise have been due, plus interest; provided, however, if such heir-at-law, assignee or devisee is a surviving spouse who enters into a tax deferral and recovery agreement under this clause, payment of the taxes and interest due shall not be required during the life of such surviving spouse. Any additional taxes deferred, plus interest, on said real property under a tax deferral and recovery agreement

signed by a surviving spouse shall be added to the taxes and interest which would otherwise have been due, and the payment of which has been postponed during the life of such surviving spouse, in determining the fifty per cent requirement of subparagraph (2);

(4) that if the taxes due, plus interest, are not paid by the heir-at-law, assignee or devisee or if payment is not postponed during the life of a surviving spouse, such taxes and interest shall be recovered from the estate of the owner; and

(5) that any joint owner or mortagee holding a mortgage on such property has given written prior approval for such agreement, which written approval shall be made a part of such agreement.

In the case of each tax deferral and recovery agreement entered into between the board of assessors and the owner or owners of such real property, the said board of assessors shall forthwith cause to be recorded in the registry of deeds of the county or district in which the city or town is situated a statement of their action which shall constitute a lien upon the land covered by such agreement for such taxes as have been assessed under the provisions of this chapter, plus interest as hereinafter provided. The statement shall name the owner or owners and shall include a description of the land adequate for identification. Unless such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser or other transferee without actual knowledge of such lien. The filing fee for such statement shall be paid by the city or town and shall be added to and become a part of the taxes due.

SECTION 2. Subject to the provisions of this section, any city or town by a two-thirds vote as defined in section one of chapter forty-four of the General Laws and with the approval of the mayor or board of selectmen and of the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, hereinafter called the board, may borrow during the three year period commencing with the fiscal year ending on June thirtieth, nineteen hundred and seventy-five and ending on June thirtieth, nineteen hundred and seventy-seven, inside its limit of indebtedness as prescribed by section ten of said chapter forty-four, for the purpose of offsetting taxes deferred under the provisions of clause Forty-first A of section five of chapter fifty-nine of the General Laws, and may issue bonds or notes therefor, which shall bear on their face the words, (name of city or town) Elderly Tax Exemption Recovery Loan, Act of 1974. Such loans shall be paid in not more than three years from their dates, as the board shall fix, and shall be subject to the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 3. This act shall apply to taxes levied for the fiscal year ending on June thirtieth, nineteen hundred and seventy-five and subsequent fiscal years.

Approved June 4, 1974.

Chap. 288. AN ACT REQUIRING BOARDS OF ASSESSORS TO NOTIFY APPLICANTS FOR ABATEMENT OF TAXES OF THEIR FAILURE TO TAKE ACTION ON SUCH APPLICATIONS.

Be it enacted, etc., as follows:

Chapter 59 of the General Laws is hereby amended by striking out section 63, as amended by chapter 79 of the acts of 1943, and inserting in place thereof the following section:—

Section 63. Assessors shall, within ten days after their decision on an application for an abatement, give written notice thereof to the applicant. If the assessors fail to take action on such application for a period of three months following the filing thereof, they shall, within ten days after such period, notify the applicant of such inaction in writing. Said notice shall state that appeal from such decision or inaction may be taken as provided in sections sixty-four to sixty-five B, inclusive.

Approved June 4, 1974.

Chap. 289. AN ACT REQUIRING CERTAIN REPORTS OF TRANSFERS, LOSSES OR THEFTS OF MACHINE GUNS.

Be it enacted, etc., as follows:

The third paragraph of section 129C of chapter 140 of the General Laws, as amended by section 3 of chapter 312 of the acts of 1972, is hereby further amended by striking out, in line 4, the words "or shotgun" and inserting in place thereof the words:— , shotgun or machine gun.

Approved June 4, 1974.

Chap. 290. AN ACT ABOLISHING THE REQUIREMENT OF CITIZENSHIP OR A DECLARATION OF INTENTION TO BECOME A UNITED STATES CITIZEN FOR REGISTRATION AS A PHYSICAL THERAPIST.

Be it enacted, etc., as follows:

Section 23C of chapter 112 of the General Laws is hereby amended by striking out clause (*b*), as appearing in section 1 of chapter 585 of the acts of 1958.

Approved June 4, 1974.

Chap. 291. AN ACT EXTENDING THE MAILING PRIVILEGES OF MENTALLY ILL PERSONS.

Be it enacted, etc., as follows:

The first paragraph of section 23 of chapter 123 of the General Laws, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by striking out, in line 5, the words "and to any court" and inserting in place thereof the words:— , to any court, to any public elected official and to any member of his immediate family.

Approved June 4, 1974.

Chap. 292. AN ACT EXTENDING THE TIME ALLOWED FOR A CITY OR TOWN TO EXERCISE ITS OPTION TO ACCEPT OR NOT TO ACCEPT THE INCURRING OF A DEBT AUTHORIZED BY THE NORTHERN BERKSHIRE REGIONAL SCHOOL COMMITTEE.

Be it enacted, etc., as follows:

Subsection (*d*) of section 6 of chapter 518 of the acts of 1958 is hereby amended by striking out, in line 12, the word "thirty" and inserting in place thereof the word:— sixty.

Approved June 4, 1974.

Chap. 293. AN ACT PROVIDING THAT UNIFORMED CORRECTIONAL OFFICERS BE PROVIDED CERTAIN PLACES FOR THE STORAGE OF CERTAIN FIREARMS AT CORRECTIONAL INSTITUTIONS.

Be it enacted, etc., as follows:

Section 14 of chapter 125 of the General Laws, as amended by section 5 of chapter 777 of the acts of 1957, is hereby further amended by adding the following sentence:— The superintendent shall establish and maintain at each correctional institution of the commonwealth a safe and secure place for the storage of firearms carried by uniformed correctional officers of said institutions to and from their place of employment.

Approved June 4, 1974.

Chap. 294. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES TO BE CONSUMED ON THE PREMISES TO NONPROFIT GOLF CLUBS 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:

G. Shall licenses be granted in the town of Milton for the sale therein of all alcoholic beverages to be consumed on the premises to nonprofit golf clubs having a dining room capacity at the club house of not less than ninety-nine persons?

YES	
NO	

If a majority of the votes cast in such town in answer to subdivision G is in the affirmative, such town shall, irrespective of the result of the votes in answer to subdivisions A, B, C, D, E and F, 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 of nonprofit golf clubs having a dining room capacity of not less than ninety-nine persons in accordance with the provisions of said chapter one hundred and thirty-eight.

Approved June 4, 1974.

Chap. 295. AN ACT AUTHORIZING THE TOWN OF NORTH READING TO ACQUIRE LAND IN THE TOWN OF ANDOVER TO PROTECT ITS PUBLIC WATER SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of protecting its public water system, the town of North Reading is hereby authorized to take by eminent domain or acquire by purchase, gift or otherwise, to lease or contract for the use of the following described parcels of land situated in the town of Andover and shown on a Plan of Land dated September 7, 1971 drawn by Robert E. Anderson Inc., as Parcels 11 and 12, located in the office of the department of public works in said town.

Parcel 11 consists of the land located and adjacent to the Andover-Wilmington-North Reading town boundaries in the town of Andover and is bounded and described as follows:—

Northerly by land now or formerly of Ernest Sciarappa; Easterly by land now or formerly of Michael Benevento; Westerly by the Andover-Wilmington, Mass. Town line; said parcel containing 27,508± square feet and believed to be owned by Ernest Sciarappa.

Parcel 12 consists of land located adjacent to state highway route 125 in the town of Andover and is bounded and described as follows:—

Northerly by land now or formerly of Michael Benevento; Easterly by Route 125; Southerly by land of owner unknown; Westerly by land now or formerly of Ernest Sciarappa; said parcel containing 116,914± square feet and believed to be owned by Michael Benevento.

SECTION 2. For the purposes provided for in section one, the

town of North Reading may appropriate by transfer from the water surplus fund the sum of fifteen hundred dollars.

Approved June 4, 1974.

Chap. 296. AN ACT GRANTING A REAL ESTATE TAX EXEMPTION DURING THE CALENDAR YEAR NINETEEN HUNDRED AND SEVENTY-FOUR TO WIDOWS AND SURVIVING MINOR CHILDREN OF CERTAIN FIREFIGHTERS KILLED IN THE LINE OF DUTY.

Be it enacted, etc., as follows:

Notwithstanding any 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-four 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 such widows 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 June 4, 1974.

Chap. 297. AN ACT FURTHER REGULATING THE NONFAT MILK SOLIDS IN FORTIFIED SKIMMED MILK.

Be it enacted, etc., as follows:

The first paragraph of section 12A of chapter 94 of the General Laws, as most recently amended by section 2 of chapter 425 of the acts of 1967, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— "Fortified nonfat milk", "fortified skimmed milk" and "fortified low fat milk" shall be made from nonfat milk, skimmed milk or low fat milk, which come from sources approved for sale in the commonwealth, to which sufficient nonfat milk solids have been added, so that the total nonfat milk solids will not be less than ten per cent by weight.

Approved June 4, 1974.

Chap. 298. AN ACT FURTHER REGULATING REPORTS OF INSPECTIONS FOR VIOLATIONS OF THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

The sixth paragraph of section 127B of chapter 111 of the General Laws, added by chapter 920 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— A copy of the report of any investigation or inspection of residential premises for violations of the code or other applicable laws, ordinances, by-laws, rules or regulations, and of any written order or notice issued by the board, shall be delivered personally or sent by first class mail to the occupants of all affected premises within seven days after the investigation or inspection of the premises or the issuance of the order or notice.

Approved June 4, 1974.

Chap. 299. AN ACT PROVIDING THAT INTEREST EARNED ON BANK ACCOUNTS OF CERTAIN INPATIENTS OR RESIDENTS OF MENTAL HEALTH FACILITIES BE CREDITED TO SUCH PERSONS.

Be it enacted, etc., as follows:

Section 27 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 first sentence the following sentence:— The interest earned by any funds so deposited shall be credited to the account of such person.

Approved June 4, 1974.

Chap. 300. AN ACT PROVIDING FOR THE PROMPT DISPOSITION OF CASES PENDING AGAINST PRISONERS INVOLVING VIOLATION OF PROBATION.

Be it enacted, etc., as follows:

Chapter 279 of the General Laws is hereby amended by striking out section 3, as amended by chapter 251 of the acts of 1972, and inserting in place thereof the following section:—

Section 3. 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. When taken before the court, it may, if he has not been sentenced, sentence him or make any other lawful disposition of the case, and if he has been sentenced, it may continue or revoke the suspension of the execution of his sentence. If such suspension is revoked, the sentence shall be in full force and effect. If a warrant has been issued by the court for the arrest of such a person

and he is a prisoner in any correctional institution, jail or house of correction, the commissioner of correction, the sheriff, master or keeper of said house of correction, or in Suffolk county, the penal institutions commissioner of the city of Boston, as the case may be, having such prisoner under his supervision or control, upon receiving notice of such warrant, shall notify such prisoner that he has the right to apply to the court for prompt disposition thereof. Such an application shall be in writing and given or sent by such prisoner to the commissioner of correction, or such sheriff, master, keeper, or penal institutions commissioner, who shall promptly forward it to the court from which the warrant issued, by certified mail, together with a certificate of said commissioner of correction, sheriff, master, keeper, or penal institutions commissioner, stating (*a*) the term of commitment under which such prisoner is being held, (*b*) the amount of time served, (*c*) the amount of time remaining to be served, (*d*) the amount of good time earned, (*e*) the time of parole eligibility of such prisoner, and (*f*) any decisions of the board of parole relating to such prisoner. Said commissioner of correction, sheriff, master, keeper, or penal institutions commissioner shall notify the appropriate district attorney by certified mail of such application to the court. Any such prisoner shall, within six months after such application is received by the court, be brought into court for sentencing or other lawful disposition of his case as hereinbefore provided.

Approved June 4, 1974.

Chap. 301. AN ACT PROVIDING THAT FUTURE MEMBERS OF THE POLICE FORCE OF THE TOWN OF AYER SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the acceptance by the town of Ayer of the provisions of section forty-eight of chapter thirty-one of the General Laws, the positions of the regular and permanent members of the police force of the said town shall be exempt from the civil service law and rules; provided, however, that any member of said police force who is subject to the provisions of said chapter thirty-one on the effective date of this act shall continue to be subject to said chapter.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Ayer at an 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-four, entitled 'An Act providing that future members of the police force of the town of Ayer shall be exempt from 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.

(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, June 5, 1974, and, in concurrence, by the Senate, June 5, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 302. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW IMPOSING A PENALTY FOR THE COMMISSION OF A FELONY FOR HIRE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make forthwith a corrective change in the law imposing a penalty for the commission of a felony for hire, 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 265 of the General Laws is hereby amended by striking out section 13F, inserted by chapter 618 of the acts of 1973, and inserting in place thereof the following section:—

Section 13G. Whoever, for the payment of consideration or for the promise of the payment of such consideration, commits a felony, shall be punished by imprisonment in the state prison for not more than five years. The punishment imposed by this section shall be in addition to the punishment provided by law for the commission of a felony so committed.

Approved June 5, 1974.

Chap. 303. AN ACT AUTHORIZING THE CITY OF QUINCY TO CONTINUE TO EMPLOY WILLIAM A. NOVELLI AS MASTER MECHANIC IN THE FIRE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the city of Quincy is hereby authorized to continue to employ William A. Novelli as the master mechanic of the fire department of said city until the appointment of a permanent master mechanic from the civil service list.

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

Approved June 5, 1974.

Chap. 304. AN ACT EXTENDING THE PERIOD OF ELIGIBILITY FOR CIVIL SERVICE APPLICANTS ON ELIGIBLE LISTS AFFECTED BY CERTAIN COURT INJUNCTIONS.

Whereas, The deferred operation of this act would tend to defeat

its purpose, which is to extend the period of eligibility for persons whose names appear on eligible lists which have been affected by an injunction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The second paragraph of section 12 of chapter 31 of the General Laws, as appearing in chapter 571 of the acts of 1955, is hereby amended by inserting after the word "service", in line 4, the words:— ; provided, however, that whenever the director is temporarily enjoined by a court order from certifying persons from an eligible list, the period of eligibility of all persons whose names appear on said list shall be extended for a period equal to the duration of such order.

Approved June 5, 1974.

Chap. 305. AN ACT ALLOWING SCHOOL COMMITTEES TO REIMBURSE SCHOOL BUS OPERATORS FOR INCREASED FUEL COSTS WITHOUT FURTHER PUBLIC BIDDING ON THEIR CONTRACTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow reimbursement to parties furnishing school bus transportation for increases in the costs of fuel used in such transportation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seven A of chapter seventy-one or sections four and four B of chapter forty of the General Laws or of any general or special law to the contrary, the school committee of any city, town or district and any party to whom said committee has awarded a contract or contracts for the furnishing of transportation of school children, may, by mutual agreement and after a public hearing and without further public bidding, amend any such contract signed prior to January the first, nineteen hundred and seventy-four to provide that said school committee shall pay up to one hundred per cent of the costs attributable to the increase since October the first, nineteen hundred and seventy-three in the price of fuel consumed in the furnishing of the transportation specified in said contract. Said school committee may require as a condition for amending a contract or as a part of such amendment, that it have complete access to the records used to determine the costs attributable to the increase in fuel prices. In the event that the party furnishing the transportation indicates as a basis for requesting from the school committee agreement to such an amendment that the operations performed pursuant to the contract are producing a net loss financially, the school committee may require access to such other records as are necessary to determine

the profit or loss incurred by the party awarded the contract in the operations carried out pursuant to the contract.

Notwithstanding the provisions of said section seven A of said chapter seventy-one which relate to bidding procedures, any amendment of a contract in accordance with this act shall not affect the reimbursement by the commonwealth to any city, town or district for expenses incurred for the transportation of school children which is otherwise authorized by said section seven A or by any other general or special law; provided, however, that any increased costs incurred by a city, town, or district as a result of a contract amendment authorized by this act shall not receive reimbursement by the commonwealth.

SECTION 2. This act shall cease to be effective on June thirtieth, nineteen hundred and seventy-five.

Approved June 5, 1974.

Chap. 306. AN ACT RELATIVE TO THE APPOINTMENT OF PLYMOUTH COUNTY MOSQUITO CONTROL COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 514 of the acts of 1957 is hereby amended by inserting after section 3 the following section:—

Section 3A. There shall be a commission as provided under section five A of chapter two hundred and fifty-two of the General Laws which shall consist of five members. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of five years. The commission shall elect its own chairman and clerk and shall keep accurate records of its meetings.

SECTION 2. Notwithstanding the provisions of section five A of chapter two hundred and fifty-two of the General Laws to the contrary, the terms of all members of the Plymouth county mosquito control commission shall terminate upon the effective date of this act.

SECTION 3. This act shall take effect on December first, nineteen hundred and seventy-four.

Approved June 5, 1974.

Chap. 307. AN ACT RELATIVE TO THE APPOINTMENT OF NORFOLK COUNTY MOSQUITO CONTROL COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 341 of the acts of 1956 is hereby amended by inserting after section 3A the following section:—

Section 3B. There shall be a commission as provided under section five A of chapter two hundred and fifty-two of the General Laws which shall consist of five members. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of five years. The commission shall elect its own chairman and clerk and shall keep accurate records of its meetings.

SECTION 2. Notwithstanding the provisions of section five A of chapter two hundred and fifty-two of the General Laws to the contrary, the terms of all members of the Norfolk county mosquito control commission shall terminate upon the effective date of this act.

SECTION 3. This act shall take effect on December first, nineteen hundred and seventy-four.

Approved June 5, 1974.

Chap. 308. AN ACT RELATIVE TO THE APPOINTMENT OF ESSEX COUNTY MOSQUITO CONTROL COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 516 of the acts of 1958 is hereby amended by inserting after section 4A, inserted by section 2 of chapter 615 of the acts of 1964, the following section:—

Section 4B. There shall be a commission as provided under section five A of chapter two hundred and fifty-two of the General Laws which shall consist of five members. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of five years. The commission shall elect its own chairman and clerk and shall keep accurate records of its meetings.

SECTION 2. Notwithstanding the provisions of section five A of chapter two hundred and fifty-two of the General Laws to the contrary, the terms of all members of the Essex county mosquito control commission shall terminate upon the effective date of this act.

SECTION 3. This act shall take effect on December first, nineteen hundred and seventy-four.

Approved June 5, 1974.

Chap. 309. AN ACT RELATIVE TO THE APPOINTMENT OF CAPE COD MOSQUITO CONTROL COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 379 of the acts of 1930 is hereby amended by adding after section 2 the following section:—

Section 3. There shall be a commission as provided under section five A of said chapter two hundred and fifty-two which shall consist of three members. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of three years. The commission shall elect its own chairman and clerk and shall keep accurate records of its meetings.

SECTION 2. Notwithstanding the provisions of section five A of chapter two hundred and fifty-two of the General Laws to the contrary, the terms of all members of the Cape Cod mosquito control commission shall terminate upon the effective date of this act.

SECTION 3. This act shall take effect on December first, nineteen hundred and seventy-four.

Approved June 5, 1974.

Chap. 310. AN ACT RELATIVE TO THE APPOINTMENT OF BRISTOL COUNTY MOSQUITO CONTROL COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 432 of the acts of 1958 is hereby amended by inserting after section 3 the following section:—

Section 3A. There shall be a commission as provided under section five A of chapter two hundred and fifty-two of the General Laws which shall consist of five members. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of five years. The commission shall elect its own chairman and clerk and shall keep accurate records of its meetings.

SECTION 2. Notwithstanding the provisions of section five A of chapter two hundred and fifty-two of the General Laws to the contrary, the terms of all members of the Bristol county mosquito control commission shall terminate upon the effective date of this act.

SECTION 3. This act shall take effect on December first, nineteen hundred and seventy-four.

Approved June 5, 1974.

Chap. 311. AN ACT RELATIVE TO THE APPOINTMENT OF BERKSHIRE COUNTY MOSQUITO CONTROL COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 456 of the acts of 1945 is hereby amended by adding after section 2 the following section:—

Section 3. There shall be a commission as provided under section five A of chapter two hundred and fifty-two of the General Laws which shall consist of three members. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of three years. The commission shall elect its own chairman and clerk and shall keep accurate records of its meetings.

SECTION 2. Notwithstanding the provisions of section five A of chapter two hundred and fifty-two of the General Laws to the contrary, the terms of all members of the Berkshire county mosquito control commission shall terminate upon the effective date of this act.

SECTION 3. This act shall take effect on December first, nineteen hundred and seventy-four.

Approved June 5, 1974.

Chap. 312. AN ACT PROVIDING THAT LICENSES TO POSSESS AND CARRY MACHINE GUNS MAY BE ISSUED FOR FIVE YEARS.

Be it enacted, etc., as follows:

The first paragraph of section 131 of chapter 140 of the General Laws, as appearing in section 1 of chapter 415 of the acts of 1972, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— A license issued to carry a firearm or to possess and carry a machine gun shall be for a period of five years, expiring on the anniversary of the applicant's date of birth occurring not less than four years but not more than five years from the date of issue.

Approved June 5, 1974.

Chap. 313. AN ACT RELATIVE TO RESTRAINTS ON PERSONAL LIBERTY OF PARTIES TO A PENDING LIBEL FOR DIVORCE.

Be it enacted, etc., as follows:

Section 18 of chapter 208 of the General Laws is hereby amended by striking out the first sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:— The superior court sitting in any county or the probate court in which the

libel is pending may, upon petition of the wife, prohibit the husband, or upon petition of the husband, prohibit the wife from imposing any restraint upon her or his personal liberty during the pendency of the libel.

Approved June 5, 1974.

Chap. 314. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION PLAY AREA ON FACTORY HILL IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON AS THE HARRY W. LAWLER PLAYGROUND.

Be it enacted, etc., as follows:

The children's play area on Factory Hill in the Hyde Park district of the city of Boston being redesigned by the metropolitan district commission shall, upon its completion, be designated and known as the Harry W. Lawler Playground, in memory of Harry W. Lawler, a beloved citizen, and a civic and fraternal leader of the Hyde Park community. A suitable marker bearing such designation shall be erected thereat by said commission.

Approved June 5, 1974.

Chap. 315. AN ACT AUTHORIZING THE CITY OF LYNN TO PAY A CERTAIN SUM OF MONEY TO JOSEF BENEDEK.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Lynn is hereby authorized to appropriate and after such appropriation the treasurer of said city is hereby authorized to pay to Josef Benedek the sum of one thousand one hundred and twenty-eight dollars and sixty-eight cents for medical expenses incurred by him as a result of injuries sustained by his wife at Classical high school in said city.

Approved June 5, 1974.

Chap. 316. AN ACT FURTHER REGULATING THE TAXATION OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 21 of chapter 138 of the General Laws, as most recently amended by section 1 of chapter 698 of the acts of 1966, is hereby further amended by striking out, in lines 27 and 31, the word "twenty-four" and inserting in place thereof, in each instance, the word:— fifteen.

Approved June 7, 1974.

Chap. 317. AN ACT ESTABLISHING A DEPARTMENT OF TRANSPORTATION IN THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Brookline, hereinafter referred to as the town, a department of transportation, consisting of a transportation board, hereinafter referred to as the board, a director of transportation hereinafter referred to as the director, and such staff as may be appointed as hereinafter provided. All statutes and by-laws applicable generally to the departments of the town shall apply to the department of transportation.

SECTION 2. The board shall consist of six persons to be appointed by the selectmen. The selectmen shall initially appoint two members for terms of one year, two for terms of two years, and two for terms of three years, respectively, from the first Monday of May next following such appointment and until the qualification of their respective successors. Thereafter as the term of office of any member expires the selectmen shall annually, before the first Monday of May, appoint his successor for a term of three years from the first Monday of May. Any vacancy on the board shall be filled by appointment by the selectmen for the remainder of the unexpired term. No person holding a public office in the town other than a town meeting member shall be eligible for appointment. A member of the board shall not receive any compensation for his services. Meetings of the board shall be called by the chairman on his own motion, on request of two or more members, or on request of the director. All actions of the board shall be by affirmative vote of at least four members of the entire board.

SECTION 3. The director shall be a traffic engineer or the equivalent, possessing the qualifications required for the position as determined by the board of selectmen. The selectmen shall appoint and may remove, when in their judgment the public interest so requires, and may fix the compensation of, the director. The director shall not be subject to the civil service law and rules. During his tenure, he shall hold no elective public office nor shall he engage in any other business or occupation. Upon recommendation of the director the selectmen shall have the authority to create subordinate staff positions in the department. The director, with the approval of the selectmen, may appoint persons to fill these positions, and he may remove them pursuant to law.

SECTION 4. The board shall have exclusive authority generally consistent with the transportation policies of the board of selectmen and except as otherwise provided in this act, to take any and all of the following actions after public notice and at a public meeting, if it determines, by the vote of at least four members, that such actions serve the public safety, welfare, environment or convenience.

The board may adopt, alter or repeal rules and regulations, not inconsistent with general law as modified by this act, relative to pedestrian movement, vehicular and bicycle traffic in the streets and

in the town-controlled public off-street parking areas in the town, and to the movement, stopping, standing or parking of vehicles and bicycles on, and their exclusion from, all or any streets, ways, highways, roads, parkways and public off-street parking areas under the control of the town, including rules and regulations designating any way or part thereof under such control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws. The board shall also have all authority previously granted to the selectmen by virtue of the provisions of section twenty-two of chapter forty of the General Laws. The board may prescribe a schedule of fines for each violation of parking regulations as authorized by section twenty C of chapter ninety of the General Laws. All other violations of regulations adopted under the provisions of this act, except as otherwise provided by statute, shall be subject to fines not to exceed fifty dollars for each offense as set forth in the regulations.

No such adoption, alteration or repeal of a rule or regulation shall take effect, except with respect to such special rules or regulations as are declared by the board to be urgently required for public safety or welfare or such as are of a temporary nature and are to be effective for a period of not more than sixty days, until thirty days have expired following publication in a newspaper published or distributed in the town.

Upon the filing of a petition with the board of selectmen by not less than twenty registered voters of the town within twenty-one days of the adoption, alteration or repeal of any rule or regulation under this section, the board of selectmen shall hold an evening public hearing thereon within twenty-one days after the filing thereof. Petition forms for this purpose shall be available in the office of the board of selectmen. A majority vote of the board of selectmen shall be required to overturn an action of the transportation board.

The board may authorize the construction, installation, and maintenance of traffic signs, signals, markings, parking meters and other devices for the control of traffic and parking in the town and for informing and warning the public as to rules and regulations adopted under this act, subject however, to section two of chapter eighty-five, to sections eight and nine of chapter eighty-nine and to sections eighteen and eighteen A of chapter ninety of the General Laws.

Nothing in this act shall be construed to authorize the board to adopt any rule or regulation excluding the trackless trolley vehicles or buses of a street railway or bus company from any way or part thereof in which said company has a location, or to modify or limit any power or authority of the metropolitan district commission, state department of public works or state department of public utilities; or to modify or limit any power or authority now vested in the selectmen or heads of town departments with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks.

SECTION 5. The director shall be the administrative head of the

transportation department, and as such shall have full charge and supervision of the work of the department and its personnel. He shall provide full staff services to the board, and to the extent authorized by the board shall act on its behalf, in the exercise of its powers and responsibilities under this act. He shall act as technical advisor to the selectmen, the transportation board, and other town agencies or officials in connection with transportation matters.

SECTION 6. Chapter three hundred and seventy-five of the acts of nineteen hundred and sixty-eight is hereby repealed.

SECTION 7. All existing by-laws, rules and regulations relating to the control of vehicular and pedestrian traffic, including those relating to the parking of vehicles on any streets, ways, highways, roads, parkways, and public off-street parking areas, under the control of the town, shall remain in full force and effect until superseded by rules and regulations adopted by the board under this act, and the adoption thereof by the board shall not affect any act done, any right accrued, any penalty incurred or any suit, prosecution or proceeding pending at the time of such adoption.

SECTION 8. This act shall take effect upon its acceptance, during the current year or the year subsequent thereto, by a vote of the selectmen of the town.

Approved June 7, 1974.

Chap. 318. AN ACT PROVIDING FOR THE APPOINTMENT OF A CUSTODIAN OF CONTROLLED SUBSTANCES AND NARCOTIC DRUGS SEIZED BY POLICE DEPARTMENT.

Be it enacted, etc., as follows:

Chapter 94C of the General Laws is hereby amended by inserting after section 47 the following section:—

Section 47A. The police commissioner, chief superintendent or other officer or board at the head of each police department in the commonwealth shall appoint a police officer to act as custodian of all controlled substances and narcotic drugs seized in the course of any arrest or investigation. Such custodian shall be designated as the "evidence officer".

Approved June 7, 1974.

Chap. 319. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized to pay, subject to appropriation, and after such appropriation, the treasurer of said county is hereby authorized to pay, such of the unpaid bills incurred by said county and totaling

eleven thousand five hundred and ninety-one dollars and twenty-eight cents, as are set forth in a list on file in the office of the director of accounts in the department of corporations and taxation for goods supplied and services rendered to said county during the years nineteen hundred and sixty-four through nineteen hundred and seventy-two. Said bills are legally unenforceable against said county by reason of their being incurred in excess of available appropriations.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer 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 said 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 June 7, 1974.

Chap. 320. AN ACT FURTHER DEFINING THE RIGHTS OF TENANTS WHOSE FAILURE TO PAY RENT IS CAUSED BY DELAYED PAYMENTS BY CERTAIN AGENCIES.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 186 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:— If the neglect or refusal to pay the rent due was caused by a failure or delay of the federal government, the commonwealth or any municipality, or any departments, agencies or authorities thereof, in the mailing or delivery of any subsistence or rental payment, check or voucher other than a salary payment to either the tenant or the landlord, the court in any such action shall continue the hearing not less than seven days in order to furnish notice of such action to the appropriate agency and shall, if all rent due with interest and costs of suit has been tendered to the landlord within such time, treat the tenancy as not having been terminated.

SECTION 2. Section 12 of said chapter 186, as most recently amended by section 1 of chapter 256 of the acts of 1973, is hereby further amended by adding the following sentence:— If the neglect or refusal to pay the rent due was caused by a failure or delay of the federal government, the commonwealth or any municipality, or any departments, agencies or authorities thereof, in the mailing or delivery of any subsistence or rental payment, check or voucher other than a salary payment to either the tenant or the landlord, the

court in any action for possession shall continue the hearing not less than seven days in order to furnish notice of such action to the appropriate agency and shall, if all rent due with interest and costs of suit has been tendered to the landlord within such time, treat the tenancy as not having been terminated.

Approved June 7, 1974.

Chap. 321. AN ACT PERMITTING THE USE OF DECALS UNDER THE PROVISIONS OF LAW RELATIVE TO THE REGISTRATION AND OPERATION OF CERTAIN BICYCLES.

Be it enacted, etc., as follows:

Section 11A of chapter 85 of the General Laws is hereby amended by inserting after the word "plate", in lines 6, 20, 22, 26, 29, 32, 40, and 47, as appearing in section 1 of chapter 710 of the acts of 1941, in each instance, the words:— or decal.

Approved June 7, 1974.

Chap. 322. AN ACT EXTENDING THE TIME FOR THE ACCEPTANCE BY ANY COUNTY, CITY, TOWN, DISTRICT, REGIONAL SCHOOL DISTRICT OR HOUSING AUTHORITY OF THE VETERANS' RETIREMENT LAW, SO-CALLED.

Be it enacted, etc., as follows:

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

Approved June 7, 1974.

Chap. 323. AN ACT AUTHORIZING THE CONVERSION OF MIDDLESEX MUTUAL INSURANCE COMPANY TO A STOCK COMPANY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the immediate conversion of a certain mutual insurance company to a stock company, 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:

Middlesex Mutual Insurance Company, a corporation organized by chapter one hundred forty-one of the acts of eighteen hundred and twenty-six, and subject to chapter one hundred seventy-five of the General Laws, may convert to and become a domestic stock insurance company and to that end may formulate and carry out a plan for such conversion and the issuance of capital stock, which plan:

(1) shall have been adopted by a vote by a majority of the directors of such company;

(2) together with said vote shall have been submitted to and filed with the commissioner of insurance and shall have been approved by him as conforming to the requirements of this chapter and as not prejudicial to the policyholders of such company;

(3) shall specify the method and basis for the issuance of shares of its capital stock to an independent party in connection with an investment by such independent party in an amount sufficient to restore such company to a sound financial condition;

(4) may provide that such conversion may be accomplished without any distribution to the policyholders, past, present or future, provided that the commissioner finds that the value of the company prior to the conversion is insufficient to warrant any such distribution;

(5) shall include as a part thereof such amendments to the charter, agreement of association, if any, articles of organization, if any, and by-laws, as are necessary or appropriate in connection with such conversion which shall have been adopted by the vote of the majority of the directors of such company and which shall have been approved by the commissioner of insurance as conforming to the requirements of this act, without compliance with the notice and other requirements which may now exist in the charter or by-laws of such company if said commissioner finds that in view of the existing financial condition of such company, or the need for immediate remedial action or otherwise, noncompliance is in the best interests of the policyholders of such company.

The conversion authorized under this act shall be effective upon the written certification by the commissioner of insurance that such conversion has been accomplished in accordance with the plan and this act, and the stock company resulting from said conversion shall be subject to and shall comply with all provisions of chapter one hundred and seventy-five of the General Laws applicable to domestic stock insurance companies. The stock corporation shall be deemed to have been organized at the time the converted mutual was organized.

The Middlesex Mutual Insurance Company may by a majority vote of the directors and with the approval of the commissioner of insurance abandon such plan for conversion at any time before the certificate required by the preceding paragraph has been executed. Upon such abandonment, all rights and obligations arising out of the plan shall terminate, and the company shall continue to conduct its business as a domestic mutual insurance company as though no such plan had ever been adopted.

Upon conversion the officers and directors of said mutual insurance company shall remain as the officers and directors of the resulting stock company until the expiration of their terms of office or until their successors shall have been duly elected and qualified in accordance with the by-laws of the mutual company as the same may have been amended pursuant to the plan. No suits, rights or contracts of the company shall be affected by the conversion. In all other respects all rights and properties of the mutual company shall continue to be the property of the resulting stock company, which shall remain bound by all the obligations and liabilities of the mutual company; and the policyholders of the mutual company shall continue to be subject to all the liabilities, claims and demands existing against them at or before the conversion.

Refusal by the commissioner of insurance to grant his approval to the plan for conversion filed with him under this act shall be subject to judicial review.

Approved June 10, 1974.

Chap. 324. AN ACT REQUIRING REASONABLE NOTICE TO BE GIVEN TO CERTAIN SEXUALLY DANGEROUS PERSONS WHEN SUCH PERSONS ARE BEING CONSIDERED FOR COMMITMENT TO THE CENTER FOR THE CARE, TREATMENT AND REHABILITATION OF SEXUALLY DANGEROUS PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 123A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 646 of the acts of 1958, and inserting in place thereof the following sentence:— Upon the determination of guilt of a person in the superior court of the crime of indecent assault or indecent assault and battery, indecent assault and battery on a child under the age of fourteen, rape, rape of a female child under sixteen, carnal knowledge and abuse of a female child under sixteen, assault with intent to commit rape, open and gross lewdness and lascivious behavior, incest, sodomy, buggery, unnatural and lascivious acts with another person or with a child under the age of sixteen, lewd, wanton lascivious behavior or indecent exposure, or an attempt to commit any such crime, the court, upon its own motion, or upon motion of the district attorney, prior to imposing sentence, but subject to the issuance of reasonable notice informing such person that it is considering his commitment to the center, may commit him to the center or to a suitable branch thereof for a period not exceeding sixty days for the purpose of examination and diagnosis under the supervision of not less than two psychiatrists who shall, within said period, file with said court a written report of such examination and diagnosis, and their recommendations for the disposition of such person.

SECTION 2. The first paragraph of section 6 of said chapter

123A, as so appearing, is hereby amended by inserting after the word "attorney", in line 14, the words:— , after having notified said person of the nature of the proceedings and the possibility of his commitment to the center,.

SECTION 3. Said first paragraph of said section 6 of said chapter 123A, as so appearing, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:— At least fourteen days prior to acting upon said motion, the court shall notify said person that it is considering his commitment to the center or a suitable branch thereof for a period not exceeding sixty days, and shall inform said person of his right to be represented by counsel during the pendency of said motion or any subsequent commitment petition. If the court grants the motion, it shall commit such person under the provisions of section four insofar as may be applicable.

Approved June 10, 1974.

Chap. 325. AN ACT CHANGING THE RENEWAL DATE OF THE CERTIFICATION OF NURSING HOME ADMINISTRATORS.

Be it enacted, etc., as follows:

Section 111 of chapter 112 of the General Laws, as appearing in section 2 of chapter 865 of the acts of 1970, is hereby amended by striking out, in lines 11 to 13, inclusive, the words "the anniversary day of the calendar year after the year in which issued, and may be renewed" and inserting in place thereof the words:— July first after date of issue and may be renewed annually on that date thereafter.

Approved June 10, 1974.

Chap. 326. AN ACT RELATIVE TO THE DISPENSING OF CONTROLLED SUBSTANCES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 30, as amended by section 3 of chapter 343 of the acts of 1937, and inserting in place thereof the following section:—

Section 30. No person shall dispense any controlled substance or any substance intended for hypodermic use except a person registered as a pharmacist or assistant pharmacist under section twenty-four or corresponding provisions of earlier laws who is acting in the course of his employment in a pharmacy, an intern in pharmacy under the direct supervision of a registered pharmacist in accordance with the regulations of the board, and a practitioner in accordance with the provisions of chapter ninety-four C. The terms "controlled substances", "dispense", "practitioner", and "pharmacy", as used in this section, shall have the same meaning as set forth in section one of said chapter ninety-four C.

Whoever violates any provision of this section shall be punished by imprisonment in a jail or the house of correction for not more than three months, or by a fine of not more than five hundred dollars, or both.

Notwithstanding any provision of this section to the contrary, a person under the direction and supervision of a registered pharmacist may perform those clerical and ministerial supportive services in a pharmacy which do not require the exercise of professional judgment by a registered pharmacist. The board may make such rules and regulations as it deems necessary to define the supportive services which an unregistered person may perform in a pharmacy. The registered pharmacist shall be responsible for the actions of any supportive personnel under his supervision.

SECTION 2. Section thirty-five of said chapter one hundred and twelve is hereby repealed.

Approved June 10, 1974.

Chap. 327. AN ACT INCLUDING MALE EMPLOYEES IN THE PROVISIONS OF CERTAIN PROTECTIVE LABOR LAWS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 103, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 103. Employers shall provide suitable seats for the use of their employees and shall permit such employees to use such seats whenever they are not necessarily engaged in the active duties of their employment, and shall also provide for their use and permit them to use suitable seats while at work, except when the work cannot properly be performed in a sitting position or when such seats may reasonably be expected to result in an unsafe or hazardous working condition. Whoever violates this section shall be punished by a fine of not less than ten nor more than thirty dollars.

Approved June 10, 1974.

Chap. 328. AN ACT DISSOLVING THE HUNTINGTON FIRE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The Huntington fire district is hereby dissolved. By virtue of this act and without further conveyance or other action, the assets of said district are transferred to the town of Huntington, and the obligations, indebtedness and liabilities of said district shall be assumed by said town.

SECTION 2. Chapter three hundred and forty-three of the acts of eighteen hundred and ninety-eight is hereby repealed.

SECTION 3. All employees of the Huntington fire district are

hereby transferred to the town of Huntington without loss in seniority, retirement, vacation or other employee rights and benefits.

Approved June 10, 1974.

Chap. 329. AN ACT PROVIDING FOR THE CONVEYANCE OF CERTAIN LAND BY THE COMMONWEALTH TO THE TOWNS OF ABINGTON, ROCKLAND AND WEYMOUTH UNDER A CERTAIN CONDITION.

Be it enacted, etc., as follows:

The commissioner of administration, on behalf of the commonwealth, is hereby authorized and directed to convey to the towns of Abington, Rockland and Weymouth certain land located in said towns which was acquired by the United States of America for the purposes of the United States Naval Air Station at South Weymouth, if and when title to said land is acquired by deed or otherwise by the commonwealth.

Approved June 10, 1974.

Chap. 330. AN ACT PROVIDING THAT CERTAIN FORMER TRUSTEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION MAY HOLD UNPAID POSITIONS AT SAID INSTITUTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith that certain former trustees at public institutions of higher education may be appointed to or hold unpaid offices or positions with said institutions, 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 23A of chapter 268A of the General Laws, as most recently amended by chapter 775 of the acts of 1973, is hereby further amended by inserting after the word "thereat", in line 9, the words: — , and provided further, that a trustee may be appointed to or hold an unpaid office or position with said institution after his services as such trustee.

Approved June 11, 1974.

Chap. 331. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO BORROW MONEY FOR THE CONSTRUCTION AND ORIGINAL EQUIPPING OF A SOLID WASTE TRANSFER STATION.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and originally equipping of a solid waste transfer station, the town of Brookline may

borrow from time to time such sums as may be necessary, not exceeding in the aggregate the sum of nine hundred and forty-two thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Town of Brookline Solid Waste Transfer Station Loan Act of 1974. The foregoing purposes may include costs of planning, engineering, site preparation, improvements of landfill area, rolling stock and disposal of solid waste or any combination thereof. Each authorized issue shall constitute a separate loan and each such loan shall be payable in not more than twenty years from its date. Indebtedness incurred under this act shall be within the statutory limit but shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of any limitation contained in the first paragraph of section seven thereof.

SECTION 2. The action taken by the town of Brookline under Article 1 of the warrant for its Special Town Meeting held on April second, nineteen hundred and seventy-four is hereby validated and confirmed in all respects and the treasurer of said town, with the approval of the board of selectmen, may issue bonds or notes pursuant to section one of this act.

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

Approved June 11, 1974.

Chap. 332. AN ACT AUTHORIZING THE ASSESSORS OF THE CITY OF NORTH ADAMS TO ABATE A CERTAIN REAL ESTATE TAX PAYMENT DUE ON PROPERTY ACQUIRED BY THE NORTH ADAMS HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The assessors of the city of North Adams are hereby authorized to abate the balance of eleven thousand two hundred and three dollars and thirty-six cents plus interest and charges owed to said city as stated on the nineteen hundred and seventy-two real estate tax bill number two thousand eight hundred and thirty-seven for property assessed to J.L. Marshall and Sons, Inc., a corporation established under the laws of the state of Rhode Island, which property was acquired by the North Adams Housing Authority on September twenty-fifth, nineteen hundred and seventy-two, the balance owing on said taxes representing the pro rata share for the period from the date of acquisition to December thirty-first, nineteen hundred and seventy-two.

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

Approved June 11, 1974.

Chap. 333. AN ACT CHANGING THE TITLE OF CERTAIN EMPLOYEES OF THE GENERAL COURT.

Be it enacted, etc., as follows:

Chapter 3 of the General Laws is hereby amended by striking out

sections 17 to 19, inclusive, and inserting in place thereof the following four sections:—

Section 17. The sergeant-at-arms shall serve such processes and execute such orders as may be enjoined upon him by the general court or by either branch thereof, attend the members or clerks of either branch when they are charged with a message from one branch to the other or to the governor and council, maintain order among the spectators admitted into the chambers in which the respective branches hold their sessions, prevent the interruption of either branch or of the committees thereof, and shall have the control of, and superintendence over, his subordinate officers, taking care that they promptly perform their duties. In respect to any criminal offense committed in any part of the state house assigned to or used by either branch of the general court or any committee or officer thereof, or to any such offense committed against any member of the general court, including any member of a special commission composed in part of members of the general court, while acting within the commonwealth in his official capacity as such member, whether such offense is committed within the state house elsewhere than as aforesaid, or upon premises outside the state house while officially used by a committee of the general court or by such a special commission, the sergeant-at-arms, the chief general court officers and assistant chief general court officers of either branch thereof, and its general court officers shall have and exercise all the powers of police officers, and in respect to the service within the commonwealth of such processes and orders as may be enjoined upon them by the general court or either branch or by any committee of the general court or either branch, they shall have the powers of constables.

Section 18. There shall be two chief general court officers for each branch, each with the title of assistant sergeant-at-arms, and such assistant chief general court officers, general court officers and pages as shall be established by the committees on rules of the two branches of the general court acting concurrently. Such employees shall receive such compensation as may be established by the said committees acting concurrently. There shall be a maintenance superintendent for each branch and such assistants as may be necessary, for whose fitness and good conduct the sergeant-at-arms shall be responsible, and such employees shall receive such compensation as may be established by the said committees acting concurrently.

Section 18A. There shall be a legislative document room serving both branches, which shall have a director and such other assistants as therein may be necessary for said room, and such employees shall receive such compensation as may be established by the committees on rules of the two branches of the general court acting concurrently.

Section 19. The number of chief general court officers, assistant chief general court officers, general court officers and pages of the senate and of the house shall not exceed ninety-two in all.

Approved June 11, 1974.

Chap. 334. AN ACT AUTHORIZING THE BOSTON JUVENILE COURT TO SIT OUTSIDE THE SUFFOLK COUNTY COURT HOUSE.

Be it enacted, etc., as follows:

Section 3 of chapter 489 of the acts of 1906 is hereby amended by adding after the word "house", in line 14, the words:— ; provided, however, that the court may sit in such other suitable place within its territorial jurisdiction as the court may determine.

Approved June 11, 1974.

Chap. 335. AN ACT PROVIDING THAT CERTAIN OPERATORS OF A MOTOR VEHICLE SHALL YIELD THE RIGHT OF WAY WHEN MAKING LEFT TURNS.

Be it enacted, etc., as follows:

Section 14 of chapter 90 of the General Laws is hereby amended by inserting after the next to the last sentence, as appearing in chapter 166 of the acts of 1957, the following sentence:— When turning to the left within an intersection or into an alley, private road or driveway an operator shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

Approved June 11, 1974.

Chap. 336. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION PLAYGROUND TO BE CONSTRUCTED ON THE NEPONSET VALLEY PARKWAY IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON AS THE JOSEPH A. DeSANTIS PLAYGROUND.

Be it enacted, etc., as follows:

The children's playground to be constructed by the metropolitan district commission on Neponset Valley parkway in the Hyde Park district of the city of Boston shall upon completion be designated and known as the Joseph A. DeSantis playground, in memory of Joseph A. DeSantis, who was killed during World War II while serving as a member of the armed forces of the United States. A suitable marker bearing such designation shall be erected thereat by said commission.

Approved June 11, 1974.

Chap. 337. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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, for 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 fiscal year ending June thirtieth, nineteen hundred and seventy-five.

BARNSTABLE COUNTY.

ITEM		Subtotal	Total
1.	For interest on county debt		$176,791 25
2.	For reduction of county debt		373,808 00
3.	For county commissioners, salaries and expenses		55,007 54
	1. Personal services	$48,992 54	
	2. Contractual services	2,965 00	
	3. Supplies and materials	1,060 00	
	4. Current charges and obligations	420 00	
	5. Equipment	1,570 00	
4.	For transportation and expenses of county and acting commissioners		1,000 00
5.	For clerk of courts, salaries and expenses		72,589 91
	1. Personal services	65,948 46	
	2. Contractual services	1,570 00	
	3. Supplies and materials	2,900 00	
	4. Current charges and obligations	881 45	
	5. Equipment	1,290 00	
6.	For county treasurer, salaries and expenses		48,958 91
	1. Personal services	40,253 91	
	2. Contractual services	4,800 00	
	3. Supplies and materials	2,600 00	
	4. Current charges and obligations	370 00	
	5. Equipment	935 00	
7.	For sheriff, salary and expenses		18,581 00
	1. Personal services	15,621 00	
	2. Contractual services	1,450 00	
	3. Supplies and materials	1,125 00	
	4. Current charges and obligations	385 00	

8.	For registry of deeds, salaries and expenses		$645,974 19
	1. Personal services	$430,259 19	
	2. Contractual services	148,620 00	
	3. Supplies and materials	23,085 00	
	4. Current charges and obligations	37,010 00	
	5. Equipment	7,000 00	
8a.	For registry of probate, salaries and expenses		8,196 26
	2. Contractual services	2,151 00	
	3. Supplies and materials	3,850 00	
	4. Current charges and obligations	600 00	
	5. Equipment	1,595 26	
9.	For law library, salaries and expenses		17,110 10
	1. Personal services	7,060 10	
	3. Supplies and materials	50 00	
	4. Current charges and obligations	10,000 00	
10.	For highways, including state highways, bridges and land damages		213,490 00
	2. Contractual services	21,040 00	
	6. All other	192,450 00	
12.	For superior court costs		273,971 67
	1. Personal services	97,507 47	
	2. Contractual services	159,900 00	
	3. Supplies and materials	8,390 50	
	4. Current charges and obligations	4,730 00	
	5. Equipment	3,443 70	
13.	For civil expenses in probate court		21,339 20
	1. Personal services	14,118 60	
	2. Contractual services	6,700 00	
	3. Supplies and materials	270 00	
	4. Current charges and obligations	85 00	
	5. Equipment	165 60	
14.	For district courts, salaries and expenses		
	First District Court of Barnstable		490,713 51
	1. Personal services	456,501 51	
	2. Contractual services	21,088 00	
	3. Supplies and materials	9,710 00	
	4. Current charges and obligations	1,948 00	
	5. Equipment	1,466 00	
	Second District Court of Barnstable		288,851 86
	1. Personal services	260,790 86	
	2. Contractual services	20,646 00	
	3. Supplies and materials	4,750 00	
	4. Current charges and obligations	1,965 00	
	5. Equipment	700 00	
15.	For medical examiners and commitments of insane		14,480 00
16.	For jail and house of correction, maintenance and operation		550,489 88
	1. Personal services	549,494 88	
	6. All other	995 00	

18.	For court houses and registry buildings, maintenance and operation		$296,682 35
	1. Personal services	$137,366 34	
	2. Contractual services	108,795 00	
	3. Supplies and materials	45,725 45	
	4. Current charges and obligations	2,608 40	
	5. Equipment	2,187 16	
18a.	For sewerage system		4,166 36
20.	For agricultural school or county cooperative extension service		92,436 37
	1. Personal services	85,227 37	
	2. Contractual services	4,345 00	
	3. Supplies and materials	2,260 00	
	4. Current charges and obligations	300 00	
	5. Equipment	304 00	
22.	For hospital		1,283,659 57
	1. Personal services	946,828 34	
	2. Contractual services	96,312 00	
	3. Supplies and materials	135,250 00	
	4. Current charges and obligations	75,321 23	
	5. Equipment	18,405 00	
	6. All other	11,543 00	
23.	For health service		146,101 54
	1. Personal services	127,986 54	
	2. Contractual services	13,850 00	
	3. Supplies and materials	2,540 00	
	4. Current charges and obligations	875 00	
	5. Equipment	850 00	
23b.	For children's services		1,000 00
24.	For noncontributory pensions		54,567 23
25.	For contributory retirement system and supervisory expenses		164,221 28
26.	For miscellaneous and contingent expenses		84,097 48
28.	For reserve fund		70,000 00
28a.	For reserve for salary increases		372,500 00
28d.	For reserve for counsel for indigent defendants		36,000 00
29.	For advertising recreational advantages of the county		125,000 00
31.	For police radio system		163,791 68
32a.	For maintenance, forest fire apparatus		2,000 00
35.	For Cape Cod county planning and economic development commission		75,000 00
36.	For police services building		9,080 00
37.	For drug abuse information bureau		52,310 00
38.	For county airplane		3,340 00
39.	For group insurance		173,900 00
40.	For advertising and promoting county fairs		500 00
41.	For fire fighters' training school		8,030 00
42.	For home care		21,293 00
	Total amount of appropriations		$6,511,030 14

	Less estimated amount available for reduction of county tax	**1,892,353 00**
	And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of	**$4,618,677 14**

The following sums are hereby appropriated for said fiscal year from revenue sharing funds subject to the provisions of law regulating the disbursal of county funds and the approval thereof.

ITEM		
2.	For reduction of county debt	**$92,000 00**
3.	For county commissioners	
	2. Contractual services	**350 00**
16.	For jail and house of correction	
	2. Contractual services	**38,750 00**
	3. Supplies and materials	**99,760 00**
	4. Current charges and obligations	**5,880 00**
	5. Equipment	**7,522 00**
22.	For hospital	
5.	Equipment	**30,000 00**
6.	All other	**48,000 00**
33.	For police training school and bureau of criminal investigation	
1.	Personal services	**96,638 74**
2.	Contractual	**4,555 00**
3.	Supplies and materials	**10,440 00**
4.	Current charges and obligations	**305 00**
5.	Equipment	**7,750 00**
	Total	**$441,950 74**

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

Approved June 11, 1974.

Chap. 338. AN ACT AUTHORIZING CREDIT UNIONS TO WAIVE THE MONTHLY PAYMENT OF A PROPORTIONATE PART OF ESTIMATED REAL ESTATE TAXES BY MORTGAGORS.

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 12 of the acts of 1974, is hereby further amended by adding the following paragraph:—

15. Upon the request in writing by the mortgagor, subject to the certification in writing by the credit committee of the credit union that the balance of a first mortgage on real estate is fifty per cent or less of the value of the mortgaged property, the board of directors of the credit union may waive the requirement of the payment each

month of a proportionate part of the estimated real estate taxes and betterment assessments.

Approved June 11, 1974.

Chap. 339. AN ACT PERMITTING CREDIT UNIONS TO MAKE OPEN END LOANS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 24 of chapter 171 of the General Laws is hereby amended by adding after clause (*f*), added by section 1 of chapter 56 of the acts of 1974, the following clause:—

(*g*) Open end loans.

SECTION 2. Said section 24 of said chapter 171 is hereby further amended by adding the following subdivision:—

(G) OPEN END LOANS.

Notwithstanding any prior provisions of the law to the contrary, a credit union may make a loan or a series of loans to its members evidenced by a note, loan agreement, or other instrument, with or without security, at such rates of interest and subject to such lawful charges as its credit committee may determine. Such loan or loans shall be payable in installments at intervals not exceeding one month.

The total obligation of any one member to the credit union, outstanding at any one time on this class of loans, shall not exceed that amount which the credit union is legally permitted to extend to any one member on his own signature, exclusive of interest. The aggregate balance of such loans made by the credit union, at any time outstanding, shall not exceed twenty per cent of its shares, deposits, guaranty fund, reserve fund, and undivided earnings. Any amounts of money paid under this section to the member at any time shall be paid by a check of the credit union extending the credit, made payable to the member.

Approved June 11, 1974.

Chap. 340. 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 is hereby amended by striking out the first sentence, as most recently amended by chapter 95 of the acts of 1973, and inserting in place thereof the following sentence:— A credit union which is insured in full under federal or state law, or under both, and whose shares and deposits aggregate more than two million dollars may make a mortgage loan not exceeding ninety per cent of the value of the real estate, payable not more than twenty-five years from the date of the notes; provided that such loan shall not exceed thirty 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; and provided, further, that the portion of the loan exceeding twenty-five thousand dollars shall be guaranteed or insured by a mortgage insurance company which has been determined to be a "qualified private insurer" under the provisions of the Federal Home Loan Mortgage Corporation Act (P.L. 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.

Approved June 11, 1974.

Chap. 341. AN ACT RELATIVE TO THE INCLUSION OF CHANGES IN THE ASSESSED VALUATION OF PROPERTY IN LOCAL PROPERTY TAX BILLS.

Be it enacted, etc., as follows:

Section 3A of chapter 60 of the General Laws, as most recently amended by section 17 of chapter 546 of the acts of 1969, is hereby further amended by inserting after the first sentence the following sentence:— The commissioner may require, with respect to any city or town, that the tax bill or notice include such information as he may determine to be necessary to notify taxpayers of changes in the assessed valuation of the property.

Approved June 11, 1974.

Chap. 342. AN ACT FURTHER REGULATING THE ELECTION, CONTRACT AND PROMOTION OF PUBLIC SCHOOL TEACHERS.

Be it enacted, etc., as follows:

Section 38 of chapter 71 of the General Laws is hereby amended by striking out the second paragraph, inserted by chapter 507 of the acts of 1971, and inserting in place thereof the following paragraph:—

The vote on the election, contract, or promotion of a teacher shall be by yeas and nays. No election, contract, or promotion of a teacher shall be made by a school committee unless such person shall have been nominated for such election, contract or promotion by the superintendent of schools. If there is a negative vote of the school committee on any name submitted by him, the superintendent shall submit a new recommendation, which recommendation may be the same as that previously submitted.

Approved June 11, 1974.

Chap. 343. AN ACT ESTABLISHING MUNICIPAL LIENS FOR EXPENSES INCURRED BY MUNICIPALITIES IN ASCERTAINING RECORD OWNERSHIP OF CERTAIN REAL ESTATE.

Be it enacted, etc., as follows:

Chapter 59 of the General Laws is hereby amended by inserting after section 17 the following section:—

Section 17A. Wherever real estate has been unassessed because the right or title thereto has been doubtful or unascertained because of missing records or otherwise, and a municipality has conducted a search and has determined the record ownership of said real estate, the said real estate shall become subject to a lien for the expenditures incurred by said municipality in the determination of said ownership. The assessors of said municipality shall forthwith cause to be recorded in the registry of deeds for the county or district in which the real estate is located a statement containing the name of the owner or owners of said real estate, an adequate description thereof, and the amount of said expenditures incurred, for which amount a lien on said real estate shall become effective as of the time and date of its recording. No such lien shall be effective against a bona fide purchaser or other transferee without notice of such lien. The recording fee for such statement shall be added to and become a part of the expenditures constituting said lien.

Approved June 11, 1974.

Chap. 344. AN ACT ALLOWING CERTAIN MARRIED WOMEN TO ATTEND PUBLIC EVENING SCHOOLS.

Be it enacted, etc., as follows:

Section 3 of chapter 76 of the General Laws, as most recently amended by section 9 of chapter 925 of the acts of 1973, is hereby amended by inserting after the first sentence the following sentence:— Every married woman who does not meet the requirements for the completion of the sixth grade of the public schools of the town where she resides may attend such programs.

Approved June 11, 1974.

Chap. 345. AN ACT REPEALING THE LAW PROHIBITING THE EMPLOYMENT OF WOMEN WITHIN A CERTAIN PERIOD BEFORE AND AFTER CHILDBIRTH.

Be it enacted, etc., as follows:

Section fifty-five of chapter one hundred and forty-nine of the General Laws is hereby repealed.

Approved June 12, 1974.

Chap. 346. AN ACT RELATIVE TO LIMITATIONS ON HOLDINGS IN SAVINGS BANKS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 1 of section 21 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 84 of the acts of 1972, is hereby further amended by adding the following sentence:— Notwithstanding the foregoing, such corporation may receive term deposits for the account of any person or any one more distinct estates or trust and joint term deposits to an aggregate amount which when added to the aggregate amount on deposit for the account of such person, estate or trust in other types of accounts does not exceed one hundred thousand dollars, exclusive in each case of interest accumulated thereon and upon such interest.

SECTION 2. Section 22 of chapter 168 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 2 of said chapter 84, and inserting in place thereof the following paragraph:—

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

SECTION 3. Chapter 170 of the General Laws is hereby amended by striking out section 16, as most recently amended by chapter 41 of the acts of 1972, and inserting in place thereof the following section:—

Section 16. Except as otherwise provided in this chapter and in other applicable provisions of law, no person individually 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 one thousand 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 five hundred paid-up and savings shares in the denomination of two hundred dollars. 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 one thousand paid-up and savings shares or in the denomination of two hundred dollars one hundred and fifty serial shares and the combined total of five hundred paid-up and savings shares. Of the shares which are permitted to be held as aforesaid, other than serial shares, no person individually shall hold in one corporation, at the same time, more than a combined total of four hundred paid-up and savings shares in the denomination of one hundred dollars other

than term deposit account savings shares issued pursuant to a term deposit account plan approved by the commissioner pursuant to subsection three B of section thirteen, nor more than the combined total of two hundred paid-up and savings shares in the denomination of two hundred dollars other than term deposit account savings shares. No two or more persons, as provided in section fifteen, shall hold more than the combined total of eight hundred paid-up and savings shares in the denomination of one hundred dollars other than term deposit account savings shares, nor more than the combined total of four hundred paid-up and savings shares in the denomination of two hundred dollars other than term deposit account savings shares. 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 the combined total of eight hundred paid-up and savings shares other than term deposit account savings shares, or in the denomination of two hundred dollars the combined total of four hundred paid-up and savings shares other than term deposit account savings shares. Said limitations upon individual holdings shall apply to shares held by more than one fiduciary in the same estate and to shares held for each estate where the same person is fiduciary in two or more distinct estates.

The foregoing limitations shall not apply to shares held by the commonwealth or any town, city, county, instrumentality or political subdivision thereof, a trustee appointed pursuant to the Self Employed Individuals Tax Retirement Act of 1962, a banking institution, corporation, trust, religious, educational, charitable, medical service or cemetery organization or corporation, labor union, credit union, fraternal benefit society, by any public or private retirement or pension system, association, corporation or trust, or by any housing authority referred to in section twenty-six of chapter one hundred and twenty-one. Such foregoing limitations shall also not apply with respect to any one estate or proceeding in the name of a judge of probate or by order or approval of court, or on account of any fund held by any fiduciary subject to the supervision of any court or on account of any fund held in custody or trust under the jurisdiction of the commonwealth or any town, city, county, instrumentality or political subdivision thereof for public uses or otherwise or to deposits of funds representing replacement reserves or similar accumulations required under the provisions of any mortgage held by such corporation and insured by the federal housing administration or to deposits of the funds of the Co-operative Banks Employees Retirement Association. However, the aggregate of deposits in all classes held shall not exceed one hundred thousand dollars or one and one-half per cent of the share capital of such co-operative bank, whichever is the greater, exclusive of dividends credited.

Notwithstanding that the foregoing limitations may thereby be

exceeded, said limitations shall not apply to nor be construed to include shares or accounts (*a*) received by any person or persons by inheritance or bequest; (*b*) received by execution of a power of attorney contained in any mortgage on the foreclosure thereof; (*c*) issued to qualify for a co-operative bank mortgage; (*d*) issued, pursuant to a vote of at least three fifths of all the directors with the written approval of the commissioner, to any governmental agency, authority, town, city, county or instrumentality of the commonwealth or to The Co-operative Central Bank or the Share Insurance Fund thereof; (*e*) amounts accumulated in accounts held pursuant to section sixteen of chapter one hundred and sixty-seven; (*f*) dividend savings accounts and interest thereon; (*g*) school savings accounts and interest thereon, and (*h*) interest on or added to savings share accounts together with any portion of the principal balance in such an account not representing a multiple of either one hundred dollars to two hundred dollars.

Approved June 12, 1974.

Chap. 347. AN ACT EXCLUDING AN AMOUNT EQUIVALENT TO THE MINIMUM SOCIAL SECURITY PAYMENTS PAYABLE UNDER THE FEDERAL SOCIAL SECURITY ACT FROM GROSS RECEIPTS FOR PURPOSES OF DETERMINING ELIGIBILITY FOR REAL ESTATE TAX EXEMPTIONS FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. Clause Forty-first of section 5 of chapter 59 of the General Laws, as appearing in section 1 of chapter 456 of the acts of 1970, is hereby amended by inserting after the word "expenses", in line 21, the words:— ; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the state tax commission, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and wife, both of whom are seventy years of age or over, if the applicant is married.

SECTION 2. This act shall apply to taxes levied for the fiscal year ending June thirtieth, nineteen hundred and seventy-five, and subsequent fiscal years.

Approved June 12, 1974.

Chap. 348. AN ACT REQUIRING THE DEPARTMENT OF MENTAL HEALTH TO ALLOW PATIENTS OR RESIDENTS TO REVIEW THEIR RESPECTIVE RECORDS.

Be it enacted, etc., as follows:

Section 36 of chapter 123 of the General Laws, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— Such records shall be private and not open to public inspection except (1) upon proper judicial order whether or not in connection with pending judicial proceedings, (2) that the commissioner shall allow the attorney of a patient or resident to inspect records of said patient or resident if requested to do so by the patient, resident or attorney, and (3) that the commissioner may permit inspection or disclosure when in the best interests of the patient or resident as provided in the rules and regulations of the department.

Approved June 12, 1974.

Chap. 349. AN ACT RELATIVE TO THE DETERMINATION OF MOSQUITO BREEDING AREAS AS PUBLIC NUISANCES.

Be it enacted, etc., as follows:

SECTION 1. Clause (36) of section 5 of chapter 40 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:— The authority of said board of health may be delegated to another agency, provided, however, said board of health notifies the state reclamation board of such delegation, and provided, further, that said agency files annually with the said reclamation board a detailed report of their mosquito control program.

SECTION 2. Chapter 252 of the General Laws is hereby amended by striking out section 5B, as most recently amended by chapter 699 of the acts of 1965, and inserting in place thereof the following section:—

Section 5B. The board of health of a city or town not included in an area designated by an identifying name for the purpose of section five A, or the commissioners appointed to make improvements on behalf of a mosquito control district under such a name, as provided in said section, may determine any area infested by mosquitoes, or likely to produce mosquitoes within the limits of any such city or town or of such district, to be a public nuisance, and may serve upon the owner, occupant or person in charge of such area, written notice of the presence of such nuisance with a statement that such mosquitoes cause 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 shall be abated in accordance with the methods given therein. If the person so notified refuses or neglects to abate such nuisance the board of health or the

commissioners, as the case may be, may abate such nuisance in such manner as may be approved by the board, and may maintain such works as may be necessary to prevent its recurrence, and said boards of health or commission may employ all necessary assistants for this purpose, who may enter upon public or private property, if such entry is necessary for this purpose.

Approved June 12, 1974.

Chap. 350. AN ACT FURTHER REGULATING THE REQUIRED NUMBER OF DIRECTORS AND THE MANNER OF HOLDING MEETINGS OF BUSINESS CORPORATIONS.

Be it enacted, etc., as follows;

SECTION 1. Section 47 of chapter 156B of the General Laws is hereby amended by striking out the second sentence, as appearing in section 2 of chapter 929 of the acts of 1971, and inserting in place thereof the following sentence:— The number of directors shall be fixed by or determined in the manner provided in the by-laws, but shall be not less than three, except that whenever there shall be only two stockholders the number of directors shall be not less than two and whenever there shall be only one stockholder or prior to the issuance of any stock, there shall be at least one director.

SECTION 2. Section 59 of said chapter 156B, as most recently amended by section 15 of chapter 392 of the acts of 1969, is hereby further amended by adding the following paragraph:—

Unless the articles of organization or the by-laws otherwise provide, members of the board of directors of any corporation or any committee designated thereby may participate in a meeting of such board or committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participation by such means shall constitute presence in person at a meeting.

SECTION 3. Section 78 of chapter 156B is hereby amended by striking out subsection (*e*), as amended by section 33 of chapter 685 of the acts of 1965, and inserting in place thereof the following subsection:—

(*e*) The resulting or surviving corporation shall within twenty days of the effective date of the consolidation or merger file a copy of the articles of consolidation or merger certified by the state secretary in the registry of deeds in each district within the commonwealth in which real property of any constituent corporation is situated, or in lieu of such certified copy a certificate issued pursuant to section eighty-four, except that no filing need be made with respect to real property of a constituent corporation which is the surviving corporation of a merger.

SECTION 4. Section 79 of said chapter 156B is hereby amended by striking out subsection (*d*), as amended by section 34 of said

chapter 685, and inserting in place thereof the following subsection:—

(*d*) The resulting or surviving corporation shall within twenty days of the effective date of the consolidation or merger file a copy of the articles of consolidation or merger certified by the state secretary in the registry of deeds in each district within the commonwealth in which real property of any constituent corporation is situated, or in lieu of such certified copy a certificate issued pursuant to section eighty-four, except that no filing need be made with respect to real property of a constituent corporation which is the surviving corporation of a merger.

Approved June 12, 1974.

Chap. 351. AN ACT RELATIVE TO INVESTMENT OF FUNDS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 21 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 48 of the acts of 1974, 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 bank holding companies stock, insurance stocks, or preferred stocks of public utility companies, 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 bank holding company stocks, or insurance stocks, or preferred stocks of public utility companies or in all four 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, bank holding company, insurance company, or preferred stock of public utility companies.

Approved June 12, 1974.

Chap. 352. AN ACT AUTHORIZING TRUST COMPANIES TO TAKE SECOND MORTGAGES ON REAL ESTATE AS SECURITY FOR CERTAIN LOANS.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by inserting after section 48A the following section:—

Section 48B. A trust company may take a second mortgage on real estate as security for a loan on residential property for noncommercial or nonbusiness purposes to an amount not exceeding ten thousand dollars.

Approved June 12, 1974.

Chap. 353. AN ACT PERMITTING THE BURNING OF FUEL WITH SULPHUR CONTENT OF TWO AND TWO TENTHS PER CENT FOR RESIDENTIAL FUEL OIL UTILIZATION FACILITIES IN THE BERKSHIRE AIR POLLUTION CONTROL DISTRICT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to permit residual fuel oil utilization facilities in the Berkshire air pollution control district to burn oil containing two and two tenths per cent sulphur content, which higher sulphur fuel is expected to be in greater supply during the present energy shortage, therefore it is hereby declared to be an emergency law necessary for the preservation of public convenience and welfare.

Be it enacted, etc., as follows:

Notwithstanding any general or special law or any rule or regulation of the department of public health to the contrary, the residual fuel oil utilization facilities within the Berkshire air pollution control district may burn oil containing two and two tenths per cent sulphur content.

(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, June 11, 1974, and, in concurrence, by the Senate, June 12, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 354. AN ACT RELATIVE TO THE DESIGNATION OF MANAGERIAL EMPLOYEES UNDER THE LAW REGULATING COLLECTIVE BARGAINING BY PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

The definition of "Employee" or "public employee" in section 1 of chapter 150E of the General Laws, as appearing in section 2 of chapter 1078 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— Employees shall be designated as managerial employees only if they (*a*) participate to a substantial degree in formulating or determining policy, or (*b*) assist to a substantial degree in the preparation for or the conduct of collective bargaining on behalf of a public employer, or (*c*) have a substantial responsibility involving the exercise of independent judgment of an appellate responsibility not initially in effect in the administration of a collective bargaining agreement or in personnel administration.

(This Bill, returned by the Governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, June 4, 1974, and, in concurrence, by the House of Representatives, June 11, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 355. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the county commissioners of Hampden county are hereby authorized to pay, from any available funds, and the treasurer of said county shall pay to The M. J. O'Malley Company a sum not to exceed fifteen thousand four hundred and forty-six dollars and twenty-five cents, to Pynchon Press Co., Inc. a sum not to exceed seven hundred and eighty-two dollars and sixty-five cents, and to The Collins Electric Company, Inc. a sum not to exceed two thousand six hundred dollars.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer 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 said 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.

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

Approved June 13, 1974.

Chap. 356. AN ACT FURTHER REGULATING THE LENGTH OF MEALTIME PERIODS FOR CERTAIN EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 100, as most recently amended by chapter 323 of the acts of 1968, and inserting in place thereof the following section:—

Section 100. No person shall be required to work for more than six hours during a calendar day without an interval of at least thirty minutes for a meal. Any employer, superintendent, overseer or agent who violates this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Approved June 13, 1974.

Chap. 357. AN ACT PROVIDING THAT JOSEPH FRECHETTE SHALL BE ELIGIBLE FOR APPOINTMENT AS A POLICE OFFICER IN THE CITY OF NEWTON.

Be it enacted, etc., as follows:

The division of civil service shall certify for appointment and the appointing authority of the city of Newton may appoint Joseph Frechette to the police force in said city, notwithstanding the fact that he fails to meet the height requirement for said position, provided he passes all other physical requirements.

Approved June 13, 1974.

Chap. 358. AN ACT FURTHER REGULATING THE REQUIREMENTS OF DIVORCE DECREES ON THE GROUND OF DESERTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 208 of the General Laws is hereby amended by striking out section 1, as most recently amended by chapter 740 of the acts of 1973, and inserting in place thereof the following section:—

Section 1. A divorce from the bond of matrimony may be decreed for adultery, impotency, utter desertion continued for one year next prior to the filing of the libel, gross and confirmed habits of intoxication caused by the voluntary and excessive use of intoxicat-

ing liquor, opium or other drugs, cruel and abusive treatment or, on the libel of the wife, if the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her; provided, however, that a divorce shall be decreed although both parties have cause, and no defense upon recrimination shall be entertained by the court.

SECTION 2. Said chapter 208 is hereby further amended by striking out section 22, as amended by chapter 433 of the acts of 1962, and inserting in place thereof the following section:—

Section 22. In order to prove a libel for divorce on the grounds of desertion, the libellant shall establish that the libellee left voluntarily and without justification and with intent not to return, that at the time such libellee left the libellant did not consent thereto, and that the libellee failed to cohabit with the libellant for at least one year next prior to the date of filing of the libel. A libel for divorce for desertion shall not be defeated by a temporary return or other act of the libellee if the court finds that such return or other act was not made or done in good faith, but with intent to defeat such libel. The prior filing of a libel for divorce or a petition for separate support shall not be deemed to raise a conclusive presumption to defeat a libel for divorce for desertion.

SECTION 3. Sections one and two of this act shall take effect as to libels for divorce filed on or after July first, nineteen hundred and seventy-four.

Approved June 13, 1974.

Chap. 359. AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF THE CONTROLLED SUBSTANCES ACT RELATIVE TO RESEARCH AND STUDY PROJECTS INVOLVING CERTAIN DRUGS.

Be it enacted, etc., as follows:

Section 8 of chapter 94C of the General Laws is hereby amended by adding after paragraph (*h*), added by section 11 of chapter 806 of the acts of 1972, the following paragraph:—

(*i*) Whoever knowingly or intentionally violates any provision of this section shall be punished for each offense by imprisonment in a jail or house of correction for not more than one year or by a fine of not more than one thousand dollars, or both.

Approved June 13, 1974.

Chap. 360. AN ACT EXTENDING THE OPERATION OF THE LAW ENABLING CITIES AND TOWNS TO CONTROL RENTS AND EVICTIONS.

Be it enacted, etc., as follows:

Section 13 of chapter 842 of the acts of 1970 is hereby amended by

striking out, in line 2, the words "April the first" and inserting in place thereof the words:— December the thirty-first.

Approved June 13, 1974.

Chap. 361. AN ACT RELATIVE TO THE PROMULGATION OF CERTAIN REGULATIONS UNDER THE LAW PROVIDING FOR THE ESTABLISHMENT OF CERTAIN STATE ADMINISTRATIVE PROCEDURES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (5) of section 1 of chapter 30A of the General Laws, as most recently amended by section 2 of chapter 712 of the acts of 1970, is hereby further amended by striking out clause (*c*).

SECTION 2. Paragraph (3) of section 3 of said chapter 30A is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 681 of the acts of 1954, and inserting in place thereof the following paragraph:—

If the agency reasonably finds that the immediate adoption or amendment of a regulation is necessary for the preservation of the public health, safety or general welfare, and that observance of the requirements of notice and affording interested persons an opportunity to present data, views, or arguments would be contrary to the public interest, the agency may dispense with such requirements and adopt the regulation or amendment as an emergency regulation or amendment. The agency's finding and a brief statement of the reasons for its finding shall be incorporated in the emergency regulation or amendment as filed with the state secretary under section thirty-seven of chapter thirty. An emergency regulation or amendment shall not remain in effect for longer than three months unless during that time the agency gives notice and affords interested persons an opportunity to present data, views, or arguments as required in this section, and files notice of compliance with the state secretary.

SECTION 3. Said chapter 30A is hereby further amended by striking out section 7, as amended by section 1 of chapter 1114 of the acts of 1973, and inserting in place thereof the following section:—

Section 7. Unless an exclusive mode of review is provided by law, judicial review of any regulation or of the sufficiency of the reasons for its adoption as an emergency regulation may be had through an action for declaratory relief in the manner and to the extent provided under chapter two hundred and thirty-one A.

Approved June 14, 1974.

Chap. 362. AN ACT ALLOWING THE SAVINGS BANK INVESTMENT FUND TO ESTABLISH SEPARATE INVESTMENT FUNDS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 283 of the acts of 1945 is hereby

amended by striking out the third sentence and inserting in place thereof the following sentence:— The purpose of the corporation shall be to hold, invest, reinvest, and manage, one or more mutual investment funds, which shall include all property of the corporation, to be derived from voluntary subscription thereto made by savings banks now or hereafter during said term established under the laws of the commonwealth and subject to the provisions of chapter one hundred and sixty-eight of the General Laws, hereinafter referred to as savings banks.

SECTION 2. The first sentence of section 3 of chapter 283 of the acts of 1945 is hereby amended by inserting after the word "share", in line 6, the words:— ; provided, however, that if the directors elect to establish distinct investment funds as provided in section four of this act, they may authorize shares to be issued in distinct classes and each class so authorized shall represent shares of beneficial interest in one distinct investment fund so established, and every share of any such class shall be equal in every respect to every other share of such class.

SECTION 3. Section 4 of chapter 283 of the acts of 1945, as most recently amended by chapter 338 of the acts of 1972, is hereby further amended by adding the following paragraph:—

The board of directors may invest and hold the funds of the corporation in one or more distinct portfolios or investment funds, provided that any such distinct investment fund shall consist solely of investments described in one or more of paragraphs (*a*) to (*e*), inclusive of this section; the corporation shall at all times keep separate accounts with respect to each such distinct investment fund, showing separately the assets and liabilities of each such fund, and the general and administrative expenses of the corporation shall be allocated among such distinct funds as the by-laws or the board of directors may provide; and every reference in this act to "the fund" shall be deemed to refer separately to each such distinct fund, unless the context otherwise requires.

SECTION 4. Section 5 of said chapter 283 is hereby amended by inserting after the word "share", in line 1, the words:— of each class of shares.

SECTION 5. Said chapter 283 is hereby amended by striking out section 7 and inserting in place thereof the following section:—

Section 7. The board of directors may in their discretion from time to time enter into one or more investment advisory or management contracts whereby the other party to any such contract shall undertake to furnish to the board of directors such investment advisory, statistical and research facilities and services with respect to any one or more distinct investment funds and such other facilities and services, if any, and all upon such terms and conditions, as the directors may in their discretion determine; provided, that such contract has been approved by the incorporators and (1) precisely prescribes all compensation to be paid thereunder; (2) shall continue in effect for a period more than two years from the date of its execution only so long as such continuance is specifically approved at

least annually by the board of directors; (3) provides, in substance, that it may be terminated at any time, without the payment of any penalty, by the board of directors or the incorporators on not more than sixty days' written notice to the investment adviser; and (4) provides, in substance, for its automatic termination in the event of its assignment by the investment adviser; and provided, further, that no such contract or contracts shall empower any one investment adviser to advise or control the disposition of any fund or combination of funds amounting in the aggregate to more than one half of one per cent of the total of all deposits of savings banks, as determined by the board of directors or the incorporators at the time any such contract is approved.

SECTION 6. The first paragraph of section 8 of said chapter 283 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The board of directors may from time to time declare and pay dividends with respect to shares of any class of shares of the corporation, and, subject to the limitations contained in this section and in section three, the amount of such dividends and the payment of them shall be wholly in the discretion of the board of directors.

SECTION 7. Section 49 of chapter 168 of the General Laws is hereby amended by striking out paragraph 1, as most recently amended by section 3 of chapter 218 of the acts of 1969, and inserting in place thereof the following paragraph:—

1. Shares of Savings Bank Investment Fund. — Shares of beneficial interest of the Savings Bank Investment Fund; provided that no such corporation shall invest in any such shares of any class (*a*) if the cost thereof added to the cost of such shares of all classes already owned shall exceed fifty per cent of the total of the guaranty fund and surplus of such corporation, referred to in section fifty-seven, appearing as provided in paragraph three (*a*) of section forty-seven or (*b*) if the cost thereof added to the amount already invested in such shares of all classes and in stocks shall exceed the total of such guaranty fund and surplus.

SECTION 8. The third sentence of paragraph 1A of said section 49 of said chapter 168 is hereby amended by striking out, in lines 7 and 8, as appearing in section 4 of chapter 218 of the acts of 1969, the words "beneficial interest of said Savings Bank Investment Fund" and inserting in place thereof the words:— the Savings Bank Investment Fund of a class representing a beneficial interest in any distinct investment fund consisting in whole or in part of equity securities.

Approved June 14, 1974.

Chap. 363. 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 chapters four hundred and sixty-six and eleven hundred and eighty-one of the acts of nineteen hundred and seventy-three, for the fiscal year ending June the thirtieth, nineteen hundred and seventy-four, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purpose.

SECTION 2.

Legislature

Item

House of Representatives.

0122-0000 For the clerk of the house of representatives, prior appropriation continued, including not more than nine permanent positions **$8,732**

0125-0000 Item 0125-0000 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by adding after the word "positions" the following words:— ; provided, that a certain prior year charge in the amount of six hundred and fifty dollars shall be allowed and paid from this item.

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 **$50,000**

Other Expenses.

0143-0000 For the legislative service bureau **$45,000**

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 **150,000**

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 **$628,200**

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 **25,000**

0185-0000 For an investigation and study relative to the study of compulsory automobile insurance, as authorized by chapter ninety-seven of the resolves of nineteen hundred and sixty-eight **10,000**

0185-0001 For an investigation and study by a special commission relative to the modernization of county government, as authorized by chapter fifty-seven of the resolves of nineteen hundred and sixty-nine and by chapter one hundred and one of the resolves of nineteen hundred and seventy-three **5,000**

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 **30,000**

0185-7106 For an investigation and study relative to the regulation of the location and operation of electric utility generation and transmission facilities and related matters, as authorized by chapter seventy-eight of the resolves of nineteen hundred and seventy-one **30,000**

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 **15,000**

0185-7304 For an investigation and study relative to the recreation, travel, vacation and tourist facilities of the commonwealth as authorized by chapter fifty-seven of the resolves of nineteen hundred and seventy-two **25,000**

Tourism and Industrial Development Fund 100.0%

0185-7306 For an investigation and study relative to federal base conversion as authorized by chapter nineteen of the resolves of nineteen hundred and seventy-three, to be in addition to any federal funds available for the purpose **70,000**

0125-7401 For a study relative to the feasibility of supplanting the present system of welfare payments with a "workfare" system so called, as used in other states, an Order authorized by the house of representatives **$20,000**

0185-7403 For an investigation and study relative to providing a payroll disability or salary protection plan for state employees who become victims of catastrophic illnesses or accidents, as authorized by chapter seventy-one of the resolves of nineteen hundred and seventy-three **10,000**

Judiciary.

Supreme Judicial Court.

0301-0002 For law clerks and clerical assistance for the justices **$6,414**

Administration of District Courts.

0304-0002 For the expenses of district court justices when acting in the appellate divisions of the district courts, pursuant to the provisions of section one hundred and eight of chapter two hundred and thirty-one of the General Laws **$28,000**

Land Court.

0306-0001 For the office of the land court; provided, that there shall be paid from this item a certain prior year's salary earned but not paid; including not more than sixty-two permanent positions **$2,200**

Secretary of the Commonwealth.

0511-0000 Item 0511-0000 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby further amended by striking out, in line 2, the word "four", inserted by chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three, and inserting in place thereof the word:— seven **$1,600**

Office of Campaign and Political Finance.

0531-0100 For the administration of the office, including not more than eight permanent positions **$19,100**

Treasurer and Receiver-General.

0611-5000 For compensation to victims of violent crimes **$600,000**

State Board of Retirement.

0612-1000 For the payment of the commonwealth's share in financing the state employees' retirement system, 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 and authorities and agencies of the commonwealth and political subdivisions thereof on account of the retirement of employ-

ees are to be in addition to this item and to be available for expenditure without further appropriation **$2,918,000**

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 **500,000**

Highway Fund	22.0%
General Fund	78.0%

0612-6000 For retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission; provided, that said commission's share of this item shall be assessed by methods fixed by law **27,000**

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 **2,500**

MDC Sewerage District Fund	100.0%

Executive Office of Administration and Finance.

Office of the Commissioner.

1100-2401 For federal-state relations, appropriation expires on June thirtieth, nineteen hundred and seventy-five **$69,923**

Fiscal Affairs Division.

1101-2109 For computer printing of the budget, appropriation expires on June thirtieth, nineteen hundred and seventy-five **$38,900**

Comptroller's Division.

1103-1000 Item 1103-1000 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "division", in line 1, the following words:— ; provided that notwithstanding the provisions of any general or special law to the contrary the comptroller is hereby authorized during the fiscal years nineteen hundred and seventy-five or nineteen hundred and seventy-six to enter into a lease purchase-agreement to replace certain computer equipment at a cost not to exceed four hundred and fifty thousand dollars for a twelve-month period.

Department of Corporations and Taxation.

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 for the calendar years nineteen hundred and seventy-two and nineteen hundred and seventy-three, and for reimbursement of certain towns, appropriation expires June thirtieth, nineteen hundred and seventy-five **$11,470,213**

1233-1500 For reimbursing cities and towns for loss of taxes on land taken for flood control purposes, appropriation expires June thirtieth, nineteen hundred and seventy-five **$215,000**

1233-2210 For reimbursing certain cities and towns for abatements granted and expenditures incurred in repairing damages, pursuant to chapters eight hundred and twenty-six and one thousand and twenty-two of the acts of nineteen hundred and seventy-three; appropriation expires June thirtieth, nineteen hundred and seventy-five **430,000**

1233-3100 For reimbursing certain cities and towns for career incentive salary increase for police officers, as authorized by section one hundred and eight L of chapter forty-one of the General Laws, for the calendar years nineteen hundred and seventy-one and nineteen hundred and seventy-two; appropriation expires June thirtieth, nineteen hundred and seventy-five **640,000**

Division of Civil Service.

1400-0100 Item 1400-0100 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "dollars;", in line 5, the words:— and, further provided, that there shall be allowed and paid from this item the sum of ten thousand one hundred and four dollars and eighty-two cents for certain prior year's services;.

Miscellaneous.

1599-0001 Item 1599-0001 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by adding at the end thereof the words:— , including the cost-of-living adjustment for prior years.

1599-0005 For the reimbursement of the state treasurer for certain prior-year overpaid salary advances, in accordance with a schedule approved by the joint committee on ways and means **$40,974**

Unassigned Accounts.

Unforeseen Emergencies.

1599-2008 For a reserve to meet the cost of fuel and power; provided, that the governor, upon recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated to other items of appropriation for the fiscal year nineteen hundred and seventy-four where the amounts otherwise available are insufficient for the purpose; and, provided further, that the governor, upon recommendation of the commissioner of administration, is further authorized to allocate the amounts of such transfer to the several state or other funds to which such items of appropriation are charged **$2,500,000**

1599-2016 Item 1599-2016 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and

seventy-three is hereby amended by striking out the wording and inserting in place thereof the following wording:—

For a reserve to meet the cost of such cost-of-living increases as may be determined and established for the period beginning December thirtieth, nineteen hundred and seventy-three, and ending June thirtieth, nineteen hundred and seventy-four, in accordance with the requirements of section forty-six of chapter thirty of the General Laws; provided, that the comptroller may pay from this item the cost of said increases; 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-four which are available, in whole or in part, for personal services such amounts as are necessary to meet the cost of said increases where the amounts otherwise available are insufficient for the purpose, 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 state or other funds to which such items of appropriations are charged; appropriation expires June thirtieth, nineteen hundred and seventy-five.

1599-2030 For the payment of deficiencies in certain appropriations for previous years based upon schedules approved by the joint committee on ways and means; provided, that the comptroller is hereby authorized to allocate the amounts of such payments to the several state or other funds to which said payments would have been chargeable if appropriations had been available therefor **$5,000,000**

1599-3100 For the payment of certain employment security benefits **750,000**

Executive Office of Environmental Affairs.

Metropolitan Parks District.

2440-0010 Item 2440-0010 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "standardization" the words:— ; and provided further, that the amount of eight hundred and fifty-two dollars and fifty-seven cents shall be allowed and paid from this item for certain police services incurred for the period from April twenty-eighth, nineteen hundred and seventy, to May first, nineteen hundred and seventy; **$90,000**

Highway Fund	60.0%
MDC Parks District Fund	39.0%
General Fund	1.0%

2440-0011 For the payment of certain overtime earned but not paid for the fiscal years nineteen hundred and seventy-two and nineteen hundred and seventy-three; provided, that the amount appropriated herein shall not be used for any other purposes **163,600**

Highway Fund	60.0%
MDC Parks District Fund	39.0%
General Fund	1.0%

2444-9013 For the construction of a recreational facility, including the cost of equipment, authorized by chapter five hundred and fifty-eight of the acts of nineteen hundred and fifty-five, and for the acquisition of certain property, authorized by chapter one thousand one hundred and six of the acts of nineteen hundred and seventy-one, to be in addition to any other federal or state funds or assistance which may be made available for the purposes of said chapters, prior appropriation continued.

MDC Parks District Fund 100.0%

Executive Office of Communities and Development.

Mobile Homes Commission.

3100-0100 For the expenses of the commission **$1,500**

Department of Community Affairs.

Division of Community Development.

3722-9006 Item 3722-9006 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three, as appearing in section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three, is hereby further amended by adding after the word "comptroller" the words:— ; appropriation expires June thirtieth, nineteen hundred and seventy-five **$500,000**

Division of Community Services.

3732-3036 For land records commission, appropriation expires on June thirtieth, nineteen hundred and seventy-five **$75,000**

Executive Office of Human Services.

Bureau of Medical Care.

4110-1030 For the commonwealth's share of certain medical assistance programs, including medical supplies and equipment, and including previous fiscal years **$330,000**

Soldiers' Home in Massachusetts.

4180-9030) 0471-9030) 4180-9040) 4180-9043) Item 0471-9030 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy and items 4180-9040 and 4180-9043 of section two of chapter five hundred and fourteen of the acts of nineteen hundred and seventy-two are hereby amended by adding to each of the said items the following words:— provided, that accounts payable funds reserved for the payment of encumbrances in this item which would have reverted as of December thirty-first, nineteen hundred and seventy-three, are hereby extended to June thirtieth, nineteen hundred and seventy-four.

Soldiers' Home in Holyoke.

4190-9025 For certain improvements to the drainage system, appropriation expires June thirtieth, nineteen hundred and seventy-five **$73,000**

Department of Youth Services.

Bureau of Institutional Services.

4235-1010 Item 4235-1010 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "boys,", in line 1, the words:— provided, that the sum of one thousand three hundred and eighty dollars and eighty-four cents shall be allowed and paid from this item for certain overtime services earned but not paid during the fiscal year nineteen hundred and seventy-two;.

Department of Correction.

4313-0001 Item 4313-0001 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three, as amended by chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three, is hereby further amended by inserting after the word "Walpole,", in line 1, the words:— including payment of certain authorized overtime compensation earned in fiscal year nineteen hundred and seventy-two, **$468,000**

4314-0001 Item 4314-0001 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three, is hereby amended by inserting after the word "Concord,", in line 1, the words:— including payment of certain authorized overtime compensation earned in fiscal year nineteen hundred and seventy-two, **350,000**

4316-0001 Item 4316-0001 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "Norfolk,", in line 1, the words:— including payment of certain authorized overtime compensation earned in fiscal year nineteen hundred and seventy-two, **190,000**

Department of Public Welfare.

4400-1000 Item 4400-1000 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three is hereby amended by adding the words:— ; and, further provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws as amended, the sum of three thousand six hundred dollars shall be allowed and paid from this item for certain arbitration services rendered during fiscal years nineteen hundred and seventy-one, nineteen hundred and seventy-two, and nineteen hundred and seventy-three.

4401-1000 Item 4401-1000 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by striking out, in lines 5 and 6, the words

"in advance",— and by striking out, in lines 10 and 11, the words "thirty days prior to the effective date of such increase" and inserting in place thereof the words:— within thirty days of his decision.

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 **$24,000,000**

4403-2020 Item 4403-2020 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by striking out, in line 8, the word "twenty-five" and inserting in place thereof the word:— fifty-, and by striking out, in line 13, the word "seventy-five" and inserting in place thereof the word:—fifty.

4403-2060 For a program of residential summer camperships for children eight to fifteen years of age; provided, that all residential camps approved shall have American Camping Association accreditation or meet such standards as are acceptable to the department of public welfare; provided, that, notwithstanding any provisions 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 expenditure and shall be further 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 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 that no federal grants or reimbursements available for present or future programs other than those herein authorized 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-five **700,000**

4405-2000 For an old age assistance program, including state supplement to the federal program as authorized by Public Law 92-603; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund **1,300,000**

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 such 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 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 **6,000,000**

Department of Public Health.

Bureau of Hospital Facilities

4514-0100 Item 4514-0100 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "bureau,", in line 1, the words:— provided, that there shall be allowed and paid from this item eighteen thousand one hundred and eight dollars for certain audit exceptions for the fiscal years nineteen hundred and sixty-five to nineteen hundred and sixty-nine, inclusive **$18,108**

Bureau of Consumer Products Protection.

4517-0100 For the administration 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 so expended; including not more than ninety-seven permanent positions **$30,000**

4536-9003 Item 4536-9003 of section two of chapter four hundred and thirty-nine of the acts of nineteen hundred and seventy-three is hereby amended by striking out, in lines 2 and 3, the word "seventy-three" and inserting in place thereof the word:— seventy-five **13,375**

Department of Mental Health.

Region One.

5181-9009 For the cleaning up of a certain fuel oil spillage on certain private property; provided, that the department of mental health and its duly authorized agents without being liable for trespass shall have the right, after giving due notice, to enter upon said property for the purpose of oil spillage cleanup; and provided further, that any damages to private property resulting from the exercising of said right shall be reimbursed by the agency to the owner of the property so damaged **$22,100**

Region Four.

5481-0000 For the maintenance of the Charles V. Hogan Regional Center, including not more than four hundred and sixty-five permanent positions **$41,000**

Region Six.

5691-0000 Item 5691-0000 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three is hereby amended by adding at the end thereof the following:— ; provided, that to restore to the patient funds in an amount stolen by unknown persons in November, nineteen hundred and seventy-two, there shall be allowed and paid from this item the sum of one hundred and twenty-eight dollars and fifteen cents.

Executive Office of Transportation and Construction.
Department of Public Works.

Highway Activities.

Personal Services.

6010-0001 Item 6010-0001 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three is hereby amended by adding the words:— , and provided further, that the sum of two hundred and one dollars shall be allowed and paid from this item for a certain salary earned but not paid for the period from May fifteenth, nineteen hundred and seventy-two, to August twelfth, nineteen hundred and seventy-two.

Administrative and Engineering Expenses.

6020-2906 For the payment of a certain claim authorized by chapter one hundred and sixty-one of the resolves of nineteen hundred and seventy-three **$27,750**
Highway Fund 100.0%

Maintenance and Operation of State Highways and Bridges.

6030-7402 For the purchase of certain signs in connection with the bicentennial celebration, appropriation expires June thirtieth, nineteen hundred and seventy-five **$130,000**
Highway Fund 100.0%

6030-7604 For the providing of certain portable sanitary facilities in connection with the bicentennial celebration, appropriation expires June thirtieth, nineteen hundred and seventy-five **300,000**
Highway Fund 100.0%

6030-7605 For the providing of certain temporary parking facilities in connection with the bicentennial celebration, appropriation expires June thirtieth, nineteen hundred and seventy-five **150,000**
Highway Fund 100.0%

Executive Office of Educational Affairs.

George Fingold Library.

7000-0601 Item 7000-0601 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three is hereby amended by adding after the word "year" the words:— ; and provided further, that the sum of eight hundred and thirty-five dollars and eighty-three cents may be allowed and paid from this item as authorized by chapter one hundred and fifty-six of the resolves of nineteen hundred and seventy-three; and further provided, that there may be allowed and paid from this item the sum of one thousand and twenty-one dollars for a certain salary earned but not paid for the fiscal year nineteen hundred and seventy-one;.

Board of Education.

Board of Education and Commissioner's Office.

7010-0001 Item 7010-0001 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "officers,", in line 3, the words:— provided, that there shall be allowed and

paid from this item the sum of six hundred and twelve dollars, as authorized by chapter twenty-one of the resolves of nineteen hundred and seventy-three; **$612**

Division of Administration and Personnel.

7025-9004 For the payment of the commonwealth's share in financing the teachers' retirement system **$366,561**

Division of Curriculum and Instruction.

7035-0004 For the reimbursement of certain cities and towns and regional school districts for the transportation of pupils **$12,767,587**

Division of School Facilities and Related Services.

7052-0002 For reimbursement of certain cities and towns for part of the cost of construction of school projects **$11,000,000**

7053-1910 For the reimbursement to cities and towns and partial assistance to private schools for a lunch program for needy elderly persons; provided, that no expenditures shall be made herefrom unless there is allocated for the purposes of said program at least seven thousand five hundred dollars by the federal government **90,000**

Board of Trustees of State Colleges.

7105-0001 For the operation of a data processing system **$174,954**

7118-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **11,978**

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 expense to the commonwealth, and for said purpose the university may receive and expend income derived therefrom; including not more than five hundred and sixty-seven permanent positions **$104,229**

Massachusetts Board of Regional Community Colleges.

For the administration and maintenance of and for certain improvements of community colleges with the approval of the board of regional community colleges.

7502-0100 Berkshire community college, including not more than one hundred and sixty-six permanent positions **$10,000**

7503-0100 Bristol community college, including not more than one hundred and seventy-four permanent positions **54,170**

7506-0100 Holyoke community college, including not more than two hundred and forty-eight permanent positions **40,000**

7509-0100 Mount Wachusett community college, including not more than one hundred and eighteen permanent positions **9,433**

7516-0100) From the unexpended balance remaining in item 7516-0100 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three, as amended by chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three, the sum of twelve thousand two hundred dollars is hereby transferred and made available for the purposes of item 7516-9704 of said section two of said chapter four hundred and sixty-six.

7516-9704)

Executive Office of Public Safety.

Massachusetts Criminal Justice Training Council.

8200-0100 Item 8200-0100 of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by striking out the wording and inserting in place thereof the following:—
For the administration of the Massachusetts criminal justice training council; provided, that, notwithstanding the provisions of chapter one thousand two hundred and twenty-eight of the acts of nineteen hundred and seventy-three or chapter two hundred and forty-one of the acts of nineteen hundred and seventy-four to the contrary, any funds available in this item may be used by the Massachusetts criminal justice training council for meeting the obligations of the Massachusetts police training council; appropriation expires June thirtieth, nineteen hundred and seventy-five, including not more than three permanent positions **$73,000**

8311-1000 Item 8311-1000 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three is hereby amended by adding the words:— ; provided, that the sum of one hundred and sixty dollars shall be allowed and paid from this item for certain services rendered during May and June, nineteen hundred and seventy-three.

Department of Public Safety.

Division of State Police.

8312-0100 Item 8312-0100 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three, as amended by chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three, is hereby further amended by inserting after the word "retired", in line 3, the words:— provided, that, notwithstanding any provisions of the law to the contrary, there shall be allowed and paid from this item the amount of nine hundred and ninety-five dollars and sixty-two cents for a certain police incentive pay increase, incurred but not paid **$250,000**

Executive Office of Manpower Affairs.

Department of Labor and Industries.

For the personal services and expenses of the following agencies of the department:

9020-3001 Division of occupational hygiene, including not more than twenty-one permanent positions **$32,000**

Executive Office of Consumer Affairs.

Division of Registration.

9230-1200 Item 9230-1200 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by striking out, in line 1, the word "nine" and inserting in place thereof the word:— ten **$13,884**

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-five certain balances of

appropriations which otherwise would revert on June thirtieth, nineteen hundred and seventy-four, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and seventy-five:

0526-0110	2425-9002	2434-9012
1102-3909	2425-9003	2439-9009
1102-3911	2426-9008	2442-9011
1102-3914	2426-9009	2442-9030
1102-3915	2426-9010	2442-9032
1120-3000	2426-9011	2442-9033
1599-3100	2429-7100	2442-9034
2420-1100	2434-9008	2444-5511
2420-1200	2434-9009	2444-9001
2423-3002	2434-9010	2444-9007
2425-9001		
2444-9008	4221-1933	6032-2012
2444-9013	4234-1916	6032-2017
2444-9018	4235-1932	6032-2018
2444-9019	4312-0905	6032-2021
2444-9020	4312-0908	6032-4022
2444-9024	4312-8714	6032-4023
2444-9026	4312-9019	6032-4030
2444-9028	4313-9030	6032-5003
2444-9032	4315-9001	6032-7000
2444-9038	4409-3000	6032-7100
2444-9052	4511-9006	6033-1007
2449-7020	5294-9002	6033-1009
2449-7050	5691-9004	6033-1011
2449-7120	5691-9007	6033-1024
2449-7150	6008-9011	6033-1025
2449-7240	6008-9012	6034-0001
2449-7260	6008-9013	6034-0003
2449-7270	6008-9014	6050-0010
2449-7280	6008-9015	6059-0000
2490-0000	6020-3002	7117-9101
2490-0001	6020-3003	7410-9002
2490-0004	6020-3004	8312-9001
2611-2121	6030-7501	8312-9007
2640-0011	6030-7603	8400-0029
4190-9019	6031-0131	

SECTION 2B. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-five certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and seventy-four, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and seventy-five; provided, that unexpended balances in any other items of appropriation included by reference in the accounts listed below are not reappropriated:

1102-8632	1102-8702	2681-9011
1102-8633	1102-8704	2681-9012
1102-8642	2611-9022	2681-9013
1102-8652	2630-8681	2681-9025
1102-8671	2630-8701	4180-8663
4233-8691	6004-8693	7118-8651
4236-8701	6004-8694	7118-8671
4312-8611	6004-8701	7118-8703
4312-8651	6004-8702	7118-8704

4312-8671	6004-8703	7118-8705
4501-8691	6032-8573	7250-8671
4504-8651	6032-8611	7390-8681
4504-8671	6032-8641	7490-8671
4504-8681	6032-8671	7490-8672
4504-8701	6032-8691	7490-8681
4531-9011	7101-8692	7490-8684
4532-8682	7108-8692	7490-8691
4533-8661	7109-8662	7490-8697
4533-8691	7109-8691	7490-8698
4537-8651	7110-8661	7490-8702
4537-8681	7110-8671	7490-8705
5294-8661	7110-8681	7490-8706
5294-8691	7111-8661	7490-8707
5491-8632	7112-8671	7503-8662
5592-8671	7112-8701	7503-8663
5651-8671	7115-8681	7504-8692
5662-8691	7115-8703	7504-8701
5662-8701	7115-8704	7508-8691
6004-8673	7116-8681	7518-8671
6004-8681	7117-8661	8069-41
6004-8692		

SECTION 3. Chapter 466 of the acts of 1973 is hereby amended by striking out section 3 and inserting in place thereof the following section:—

Section 3. In order to meet the estimated costs of utilities to be furnished projects constructed by the building authorities established by chapter five hundred and fifty-seven of the acts of nineteen hundred and sixty-one and chapter seven hundred and three of the acts of nineteen hundred and sixty-three, the comptroller shall transfer to the General Fund on or after July first of each year, beginning July first, nineteen hundred and seventy-three, the following amounts:

from item 7111-0100	$68,688
from item 7113-0100	20,988
from item 7116-0100	32,436
from item 7118-0100	33,072

provided, that said amounts shall be credited to said items upon payment by said building authorities and may be expended without further appropriation.

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

Approved June 14, 1974.

Chap. 364. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO GRANT THE CONTINUED USE OF A SITE ON MOUNT GREYLOCK RESERVATION FOR BROADCASTING AND REBROADCASTING OF RADIO AND TELEVISION SIGNALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the department of natural resources to grant a lease permitting the continued use of a

site on Mount Greylock Reservation for broadcasting and rebroadcasting of radio and television signals, 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 636 of the acts of 1951 is hereby amended by striking out section 1, as amended by chapter 504 of the acts of 1955, and inserting in place thereof the following section:—

Section 1. The department of natural resources is hereby authorized to grant to Poole Broadcasting Company Incorporated of Albany, New York, its agents and assigns, a renewable ten-year lease, the terms and conditions of which shall be subject to the approval of the commissioner of natural resources, for the continued use of the following described parcel of land located on the summit of Mount Greylock in the town of Adams bounded and described as follows:

Beginning at a point in the westerly extension of the southerly face of the seven stall garage located on said summit, thence seventy (70) feet westerly from the southwesterly corner thereof:

Thence northwesterly a distance of one hundred (100) feet along said extension line;

Thence southwesterly a distance of one hundred fifty (150) feet;

Thence southeasterly in a line parallel to the first-mentioned bound a distance of one hundred (100) feet;

Thence northeasterly a distance of one hundred fifty (150) feet to the point of beginning.

Together with a right of access to the road leading southerly from the traffic circle to said garage building.

Said site shall be used for broadcasting and rebroadcasting of radio and television signals; provided, however, that said lease shall contain a fair rental fee, an agreement by Poole Broadcasting Company Incorporated that all subleases it may grant shall be subject to the prior approval of the commissioner of natural resources, an agreement by Poole Broadcasting Company Incorporated to assume all costs and liabilities that may arise from said use, including any and all expenses, damages and costs that may arise from any interference with communication systems of the commonwealth and an agreement that any and all buildings and equipment used in connection with said use shall be subject to the approval of said commissioner of natural resources.

Approved June 18, 1974.

Chap. 365. AN ACT AUTHORIZING THE TOWN OF BRIDGEWATER TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The town of Bridgewater 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 seven thousand seven hundred and sixty-seven dollars to Celco Construction Corporation for construction work for the water department of said town, said bill being legally unenforceable by reason of it not having been incurred pursuant to the provisions of the General Laws and by-laws of said town.

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 June 18, 1974.

Chap. 366. AN ACT VALIDATING THE ACTION OF THE TOWN OF FOXBOROUGH AT ITS ANNUAL TOWN MEETING HELD IN THE YEAR NINETEEN HUNDRED AND SEVENTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the town of Foxborough at its annual town meetings, and at adjourned sessions thereof, held in the year nineteen hundred and seventy-four, and all acts done in pursuance thereof, are hereby ratified, validated and confirmed to the same extent as if the warrant for the meetings had been posted in a timely manner in accordance with the provisions of Section 2 of Article 1 of the by-laws of the town of Foxborough.

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

Approved June 18, 1974.

Chap. 367. AN ACT RELATIVE TO THE PREPARATION OF BUDGETS OF DISTRICT PLANNING COMMISSIONS AND AUTHORIZING SUCH A COMMISSION TO CONTRACT WITH OTHER PLANNING COMMISSIONS OR PLANNING COUNCILS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 7 of chapter 40B of the General Laws, as amended by chapter 112 of the acts of 1973, is

hereby amended by striking out, in line 2, the word "January" and inserting in place thereof the word:— February.

SECTION 2. Said section 7 of said chapter 40B is hereby further amended by striking out the seventh sentence, as appearing in section 2 of chapter 839 of the acts of 1967, and inserting in place thereof the following sentence:— Any such district planning commission may contract with the federal or state government or a city or town within such district, or with another district planning commission or planning council for the performance of planning studies and services within the limits of funds available to the district planning commission for such purposes.

Approved June 18, 1974.

Chap. 368. AN ACT CHANGING THE NAME OF THE ORTHODOX CONGREGATIONAL CHURCH IN ASHBY TO ASHBY CONGREGATIONAL CHURCH.

Be it enacted, etc., as follows:

SECTION 1. The name of the Orthodox Congregational Church in Ashby, incorporated by chapter one hundred and seventy-seven of the acts of eighteen hundred and eighty-five, is hereby changed to Ashby Congregational Church.

SECTION 2. All gifts, bequests, devises, conveyances and grants heretofore or hereafter made to said corporation by either of said names, shall vest in the Ashby Congregational Church.

Approved June 18, 1974.

Chap. 369. AN ACT INCLUDING UNITED STATES DOLLAR TRAVELLER'S CHECKS OR CHEQUES UNDER THE LAWS RELATIVE TO CRIMES AGAINST CURRENCY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 267 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "property", in line 9, the words:— or an instrument described as a United States Dollar Traveller's Check or Cheque, purchased from a bank or other financially responsible institution, the purpose of which is a source of ready money on cashing the instrument without identification other than the signature of the purchaser.

SECTION 2. Section 8 of said chapter 267, as so appearing, is hereby amended by inserting after the word "company", in line 4, the words:— or an instrument described as a United States Dollar Traveller's Check or Cheque, purchased from a bank or other financially responsible institution, the purpose of which is a source of ready money on cashing the instrument without identification other than the signature of the purchaser.

SECTION 3. Section 10 of said chapter 267, as so appearing, is hereby amended by inserting after the word "aforesaid", in line 5, the words:— or an instrument described as a United States Dollar Traveller's Check or Cheque, purchased from a bank or other financially responsible institution, the purpose of which is a source of ready money on cashing the instrument without identification other than the signature of the purchaser.

SECTION 4. Section 12 of said chapter 267, as so appearing, is hereby amended by inserting after the word "company", in line 4, the words:— or an instrument described as a United States Dollar Traveller's Check or Cheque, purchased from a bank or other financially responsible institution, the purpose of which is a source of ready money on cashing the instrument without identification other than the signature of the purchaser.

SECTION 5. Section 13 of said chapter 267, as so appearing, is hereby amended by inserting after the word "company", in lines 7 and 8, the words:— or an instrument described as a United States Dollar Traveler's Check or Cheque, purchased from a bank or other financially responsible institution, the purpose of which is a source of ready money on cashing the instrument without identification other than the signature of the purchaser.

SECTION 6. Section 14 of said chapter 267, as so appearing, is hereby amended by inserting after the word "banks", in line 2, the words:— or institutions.

Approved June 18, 1974.

Chap. 370. 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:

SECTION 1. 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. 19°-44' W. one hundred twenty-seven and 22/100 (127.22) feet to a stone bound at the southeasterly corner of other land of the grantee;

thence by other land of the grantee N. 2°-53' 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.

SECTION 2. Chapter seven hundred and twenty-two of the acts of nineteen hundred and seventy-two is hereby repealed.

Approved June 18, 1974.

Chap. 371. AN ACT REPEALING THE LAW PROHIBITING THE EMPLOYMENT OF WOMEN FOR CERTAIN NIGHT WORK.

Be it enacted, etc., as follows:

SECTION 1. Section fifty-nine of chapter one hundred and forty-nine of the General Laws is hereby repealed.

SECTION 2. Section 36 of said chapter 149, as appearing in chapter 91 of the acts of 1957, is hereby amended by striking out, in line 5, the words ", fifty-six and fifty-nine" and inserting in place thereof the words:— and fifty-six.

Approved June 19, 1974.

Chap. 372. AN ACT REPEALING RESTRICTIONS ON MEAL-TIMES FOR WOMEN AND CHILDREN EMPLOYED IN FACTORIES.

Be it enacted, etc., as follows:

SECTION 1. Section ninety-nine of chapter one hundred and forty-nine of the General Laws is hereby repealed.

SECTION 2. The second sentence of section 56 of said chapter 149, as appearing in chapter 200 of the acts of 1935, is hereby amended by striking out, in line 10, the words "sections ninety-nine and one hundred" and inserting in place thereof the words:— section one hundred.

Approved June 19, 1974.

Chap. 373. AN ACT RELATIVE TO THE ALLOWANCE OF HOURS FOR MEALS FOR CERTAIN EMPLOYEES IN CERTAIN ESTABLISHMENTS.

Be it enacted, etc., as follows:

Section 101 of chapter 149 of the General Laws is hereby amended by striking out section 101, as most recently amended by chapter 111 of the acts of 1955, and inserting in place thereof the following section:—

Section 101. The preceding section shall not apply to iron works, glass works, paper mills, letterpress establishments, print works, bleaching works, or dyeing works; and the commissioner, if it is proved to his satisfaction that in any other factories or workshops or mechanical establishments it is necessary, by reason of the continu-

ous nature of the processes or of special circumstances affecting such establishments, including collective bargaining agreements to exempt them from the preceding section and that such exemption can be made without injury to the persons affected thereby, may grant such exemption as, in his discretion, seems necessary.

Approved June 19, 1974.

Chap. 374. AN ACT PROHIBITING THE REFUSAL OF THE ISSUANCE OF LIFE INSURANCE POLICIES FOR THE SOLE REASON OF BLINDNESS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 120A the following section:—

Section 120B. No insurer authorized to issue policies on the lives of persons in the commonwealth may refuse, for the sole reason of blindness, to issue a policy of individual life insurance on the life of any such person residing in the commonwealth.

SECTION 2. Section 9 of chapter 176 of the General Laws, as most recently amended by section 62 of chapter 925 of the acts of 1973, is hereby further amended by adding the following paragraph:—

No society authorized to issue certificates under this chapter may refuse to admit to benefit membership any person, otherwise qualified, for the sole reason of blindness.

SECTION 3. Section 31 of said chapter 176, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by adding the following sentence:— No society authorized to issue certificates under this chapter may refuse to admit to benefit membership any person, otherwise qualified, for the sole reason of blindness.

SECTION 4. The third sentence of section 6 of chapter 178 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "application", in line 3, the words:— ; provided, however, said insurance department may not decline or reject any application for the sole reason of blindness.

SECTION 5. This act shall take effect on December thirty-first, nineteen hundred and seventy-four.

Approved June 19, 1974.

Chap. 375. AN ACT INCREASING THE AMOUNT OF MONEY WHICH MAY BE BORROWED BY THE CITY OF NEW BEDFORD FOR THE ACQUISITION OF LAND FOR AND THE CONSTRUCTION AND EQUIPMENT OF PUBLIC OFF-STREET PARKING FACILITIES IN THE NORTH TERMINAL URBAN RENEWAL AREA IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 635 of the acts of 1971 is

hereby amended by striking out the words "four million three hundred thousand", inserted by section 1 of chapter 54 of the acts of 1973, and inserting in place thereof the words:— four million five hundred eighty-six thousand.

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

Approved June 20, 1974.

Chap. 376. AN ACT AUTHORIZING THE TRANSFER OF A CERTAIN PARCEL OF LAND IN THE CITY OF NEW BEDFORD FROM THE BOARD OF HEALTH TO THE BOARD OF PARK COMMISSIONERS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city council of the city of New Bedford, with the approval of its mayor, may, upon the approval of the board of health of said city, transfer the care, custody, management and control of a certain parcel of land in said city to the board of park commissioners of said city. Said land is bounded and described as follows:—

Beginning at the southeast corner of Ashley Boulevard and Brooklawn street; thence easterly in the south line of Brooklawn street a distance of three hundred fifty-five and 6/100 (355.06) feet to a point; thence southerly in a line parallel to Ashley Boulevard a distance of five hundred feet to a point; thence westerly in a line parallel to Brooklawn street a distance of three hundred fifty-five and 6/100 (355.06) feet to a point in the east line of Ashley Boulevard; thence northerly in said east line of Ashley Boulevard a distance of five hundred feet to point of beginning; containing six hundred and forty-two and seventy-nine hundredths square rods, being a portion of Brooklawn Park in said city.

SECTION 2. Chapter five hundred and eighteen of the acts of nineteen hundred and sixty is hereby repealed.

Approved June 20, 1974.

Chap. 377. AN ACT DIRECTING LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS TO MAKE A STUDY OF THE ECONOMIC EFFECT AND ENVIRONMENTAL IMPACT OF THE CONSTRUCTION AND OPERATION OF AN OIL REFINERY IN THE VICINITY OF THE CITIES OF LOWELL AND LAWRENCE AND THE TOWNS OF DRACUT AND METHUEN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the Lowell Technological Institute of Massachusetts to make a study of the economic, social and environmental impact of the construction and operation of an oil refinery in the vicinity of the cities of Lowell and Lawrence and the towns of Dracut and Methuen on or before December thirty-first,

nineteen hundred and seventy-four, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Lowell Technological Institute of Massachusetts is hereby authorized and directed to make a study of the economic effect and environmental impact of the construction and operation of an oil refinery in the vicinity of the cities of Lowell and Lawrence and the towns of Dracut and Methuen. Said Institute shall report the results of said study to the mayors and city councils of said cities and to the selectmen of said towns on or before December thirty-first, nineteen hundred and seventy-four, and shall file a copy thereof with the clerk of the house of representatives on or before said date.

SECTION 2. No contract shall be awarded as part of this investigation and study using funds appropriated therefor to a firm which itself or its parent company, or any partially or wholly owned subsidiary thereof, designs or constructs oil refineries, or any portion thereof or any related facility thereto.

SECTION 3. The provisions of this act shall be severable, and if any such provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Approved June 21, 1974.

Chap. 378. AN ACT REPEALING AN OBSOLETE PROVISION OF LAW RELATIVE TO ELIGIBILITY TO VOTE OF VETERANS LIVING IN THE SOLDIERS' HOME IN CHELSEA.

Be it enacted, etc., as follows:

Section 4 of chapter 51 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 4 of chapter 160 of the acts of 1963.

Approved June 21, 1974.

Chap. 379. AN ACT DESIGNATING THE BRIDGE OVER UNITED STATES HIGHWAY ROUTE 44 IN THE TOWN OF MIDDLEBOROUGH AS THE CORPORAL DAVID LESLIE BELLERIVE BRIDGE.

Be it enacted, etc., as follows:

The bridge over United States highway route 44 in the town of Middleborough shall be designated and known as the Corporal David Leslie Bellerive bridge, in memory of David Leslie Bellerive, who was killed in action while a member of the armed forces of the United States in the Vietnam conflict. The department of public works shall attach a suitable marker bearing said designation in compliance with

the standards of said department and as authorized by the federal highway administration.

Approved June 21, 1974.

Chap. 380. AN ACT FURTHER REGULATING THE DETERMINATION OF NAMES OF INCUMBENT CANDIDATES FOR PLACEMENT ON BALLOTS AT CITY AND TOWN PRIMARIES, PRELIMINARY ELECTIONS, OR ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. The seventh paragraph of section 34 of chapter 53 of the General Laws, as appearing in section 3 of chapter 429 of the acts of 1973, is hereby amended by inserting after the second sentence the following sentence:— A candidate for nomination to the same office in a ward or district which contains any portion of the territory which he was elected to represent at the last preceding municipal election shall be considered an elected incumbent within the meaning of this section.

SECTION 2. The third paragraph of section 41 of chapter 54 of the General Laws, as most recently amended by section 3 of chapter 869 of the acts of 1970, is hereby further amended by inserting after the second sentence the following sentence:— A candidate for election to the same office in a ward or district which contains any portion of the territory which he was elected to represent at the last preceding municipal election shall be considered an elected incumbent within the meaning of this section.

SECTION 3. The second paragraph of section 42 of said chapter 54, as most recently amended by section 4 of chapter 584 of the acts of 1965, is hereby further amended by inserting after the first sentence the following sentence:— A candidate for election to the same office in a ward or district which contains any portion of the territory which he was elected to represent at the last preceding municipal election shall be considered an elected incumbent within the meaning of this section.

Approved June 21, 1974.

Chap. 381. AN ACT ALLOWING THE TOWN OF BELMONT TO ESTABLISH THE RATE OF COMPENSATION FOR ITS FIRE AND POLICE CHIEFS.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section 57G of chapter 48 of the General Laws, as appearing in chapter 1082 of the acts of 1971, shall, on the effective date of this act, not apply to the town of Belmont.

SECTION 2. No salary increases granted pursuant to said section 57G of chapter 48 prior to the effective date of this act shall be reduced by this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the Town of Belmont at an 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-four, entitled 'An Act allowing the Town of Belmont to establish the rate of compensation for its fire and police chiefs' 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 21, 1974.

Chap. 382. AN ACT PROVIDING THAT CERTAIN EMPLOYEES OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS SHALL NOT BE SUBJECT TO CERTAIN LAWS REGULATING LOBBYING AND LEGISLATIVE AGENTS.

Be it enacted, etc., as follows:

Chapter 3 of the General Laws is hereby amended by striking out section 50, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 50. Sections thirty-nine to forty-nine, inclusive, shall not apply to employees or agents of the commonwealth or of a city, town, district or regional school district who are acting in their capacity as such employees or agents or to any person requested to appear before any committee or commission of the general court by a majority of the members of such committee or commission; provided, that such person performs no other act to influence legislation; and provided further, that the name of such person be recorded in the official records of such committee or commission.

Approved June 21, 1974.

Chap. 383. AN ACT PROVIDING FOR THE LOCAL TAXATION OF CERTAIN REAL ESTATE ON GOVERNMENT-OWNED PROPERTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate taxation of certain real estate on government-owned property, 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 59 of the General Laws is hereby amended by striking out section 3A, as appearing in section 1 of chapter 667 of the acts of 1951, and inserting in place thereof the following section:—

Section 3A. Real estate owned in fee or otherwise or held in trust for the benefit of the United States, the commonwealth, or a county, city or town, or any instrumentality thereof, if used in connection with a business conducted for profit or leased or occupied for other than public purposes shall for the privilege of such use, lease or occupancy, be assessed and taxed annually as of January first to the user, lessee or occupant in the same manner and to the same extent as if such user, lessee or occupant were the owner thereof in fee, whether or not there is any agreement by such user, lessee or occupant to pay taxes assessed under this section; provided, however, that whenever under the constitution and laws of the United States the privilege of such use, lease or occupancy of real estate owned by the United States cannot be taxed as aforesaid, but a leasehold or other interest in such real estate or the ownership of or an interest in buildings and other things erected thereon or affixed thereto, may be taxed, such interest or ownership shall be assessed and taxed to the holder thereof to the extent permitted by such constitution and laws. Except as otherwise provided, a payment purporting to be in lieu of a local tax for a particular year on real estate subject to this section shall be applied in reduction of the tax assessed under this section for such year with respect to such real estate. Notwithstanding any contrary provision of section fifteen, unless there is a different agreement, no tax assessed under this section shall be retained out of rent or recovered under section fifteen.

No tax assessed under this section shall be a lien upon the real estate with respect to which it is assessed; nor shall any such tax be enforced by any sale or taking of such real estate; but the interest of any lessee therein may be sold or taken by the collector of the town in which the real estate lies for the nonpayment of such tax in the manner provided by law for the sale or taking of real estate for nonpayment of annual taxes. Such collector shall have for the collection of taxes assessed under this section all other remedies provided by chapter sixty for the collection of annual taxes upon real estate.

This section shall not apply to a use, lease or occupancy which is reasonably necessary to the public purpose of a public airport, port facility, highway, turnpike, transportation system, park, or similar property which is available to the use of the general public or to easements, grants, licenses or rights of way of public utility companies; to the property of the United States, or any instrumentality thereof, for which payments are made in lieu of taxes in amounts equivalent to taxes which might otherwise be lawfully assessed, in behalf of the United States or any instrumentality thereof; or to the property of the United States, or any instrumentality thereof, which is used by a manufacturing corporation so classified under chapter fifty-eight.

SECTION 2. Section three D of said chapter fifty-nine is hereby repealed.

SECTION 3. This act shall take effect as of December the thirty-first, nineteen hundred and seventy-three.

Approved June 24, 1974.

Chap. 384. AN ACT AUTHORIZING THE TOWN OF METHUEN TO APPROPRIATE MONEY FOR, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The town of Methuen is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said town is hereby authorized to pay the following unpaid bills in the following amounts: Forster Lumber Company, Inc. one hundred nineteen dollars and eighty-eight cents, Brooks Machine and Equipment Company, Inc. one hundred fourteen dollars, and The Methuen News of Methuen ninety-five dollars. Said bills were incurred in the year nineteen hundred and seventy-two and are legally unenforceable against said town.

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

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

Approved June 24, 1974.

Chap. 385. AN ACT PROVIDING FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A UNION SCHOOL BY THE TOWNS OF NEW SALEM AND WENDELL.

Be it enacted, etc., as follows:

SECTION 1. The towns of New Salem and Wendell, hereinafter in this act called the two towns, are hereby authorized to act together to acquire land in either town or in both towns and to construct thereon and originally equip and furnish an elementary school, hereinafter called the union school. Such land and union school facilities shall be owned by the two towns as tenants in common. After the effective date of the contract described in section two, each of the two towns may raise its share of the costs of such acquisition and construction, or any subsequent capital expenditure

with respect to the union school, by borrowing or otherwise, under any applicable law as though such share were the cost of a project of such town alone.

SECTION 2. The school committees of the two towns may enter and thereafter amend a contract on behalf of and between the two towns for the purposes of exercising the powers conferred by section one of this act and for the purpose of enabling the two towns to maintain and operate the union school jointly. No contract, or amendment thereto, authorized by this section shall take effect until it has been submitted to the voters in each of the two towns, and a majority of the votes cast in each such town on the question of approval of such contracts or amendments thereto is in the affirmative, and until it has been approved by the commissioner of education and the emergency finance board. Upon the effective date of such contract the members of the school committees of the two towns, and their successors from time to time thereafter, shall constitute a single school committee, hereinafter called the joint school committee, for the purposes of establishing and maintaining and operating the union school. The joint school committee shall have all the powers and duties with respect to the establishment, maintenance and operation of the union school which the joint school committee would have if it were a town school committee and the union school were a town school under its control, except that obligations incurred by the joint school committee shall be regarded as incurred on behalf of the two towns jointly. Without limiting the generality of the foregoing, the joint school committee shall have power to sell or lease the union school to any regional school district of which both towns are members.

SECTION 3. The joint school committee may designate the treasurer of one of the two towns to act as treasurer of moneys raised by the two towns, or received from other sources, with respect to the union school. Payments of funds from the town whose treasurer is not so designated shall be made to the treasurer who is so designated, all in accordance with the contract between the towns. To the extent that grants, reimbursements or other funds from the commonwealth, or other sources, are paid to the designated treasurer for the account of both towns, the designated treasurer shall allocate and credit such money to each of the two towns in such manner as may be appropriate.

SECTION 4. If, upon application of the joint school committee, the construction of the union school, or any subsequent enlargement or remodeling thereof, is an approved school project under chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, each town shall be entitled to receive a school construction grant under said chapter for its share of the approved construction cost as though such share were the cost of a construction project of each town alone. For the purpose of section six of said chapter six hundred and forty-five the two towns shall be deemed to be a regional school district, and the joint school committee may apply for reimbursement under said section. The two towns shall be

entitled to reimbursement under section sixteen C of chapter seventy-one of the General Laws as though they constituted a regional school district having an agreement providing for the furnishing of transportation by such district. The two towns shall also be entitled to receive state aid for educational purposes under section sixteen D of said chapter seventy-one as though they were members of a regional school district and the union school were a school operated by such regional school district.

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

Approved June 24, 1974.

Chap. 386. AN ACT AUTHORIZING THE TOWN OF WINCHENDON TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO THE WORCESTER COUNTY RETIREMENT FUND.

Be it enacted, etc., as follows:

SECTION 1. The town of Winchendon is hereby authorized to appropriate and pay to the Worcester county retirement fund the sum of fourteen thousand nine hundred and six dollars and seventeen cents for the purpose of making up a deficiency in said fund for eight members of the police department of said town.

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

Approved June 24, 1974.

Chap. 387. AN ACT AUTHORIZING THE TOWN OF TOPSFIELD TO GRANT A CERTAIN RETIREMENT ALLOWANCE TO ROGER G. PEABODY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Topsfield is hereby authorized to appropriate and pay to Roger G. Peabody, incumbent of the office of chief of police in said town, upon his retirement, an additional retirement allowance over and above any pension or retirement allowance to which he shall be entitled under chapter thirty-two of the General Laws. The additional retirement allowance paid by said town together with the pension or retirement allowance which said Roger G. Peabody will receive under said chapter thirty-two shall not exceed the sum of seven thousand eight hundred dollars annually. The additional retirement allowance to be paid by said town shall not exceed the sum of four thousand dollars in any year. Nothing in this act shall be deemed to affect the pension or retirement allowance rights of said Roger G. Peabody under said chapter thirty-two.

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

Approved June 24, 1974.

Chap. 388. AN ACT RELATIVE TO THE MEMORIAL FOR VETERANS OF THE KOREAN EMERGENCY AND THE VIETNAM CONFLICT.

Be it enacted, etc., as follows:

Section 124 of chapter 6 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 2 of chapter 684 of the acts of 1973, and inserting in place thereof the following two paragraphs:—

Upon the transfer of the U.S.S. Massachusetts from the United States to said corporation said commission shall, with the consent of said corporation, erect and maintain thereon an honor roll in memory of those members of the armed forces of the United States from the commonwealth who died in the service of their country during World War II and suitable facilities to honor the dead of said war. Said U.S.S. Massachusetts is hereby designated as the Massachusetts World War II Memorial.

Upon the transfer of the U.S.S. Joseph P. Kennedy, Jr. from the United States to said corporation said commission shall, with the consent of said corporation, erect and maintain thereon an honor roll in memory of those members of the armed forces of the United States from the commonwealth who died in the service of their country during the Korean Emergency and the Vietnam Conflict and suitable facilities to honor the dead of said wars. Said U.S.S. Joseph P. Kennedy, Jr. is hereby designated as the Massachusetts Korean Emergency and Vietnam Conflict Memorial.

Approved June 24, 1974.

Chap. 389. AN ACT RELATIVE TO THE AMERICAN ACADEMY OF ARTS AND SCIENCES.

Be it enacted, etc., as follows:

Section 6 of chapter 46 of the acts of 1779, as most recently amended by section 2 of chapter 47 of the acts of 1911, is hereby further amended by inserting after the word "personal", in line 6, the words:— to an unlimited amount,— and by striking out, in lines 6 to 12, inclusive, the words "*provided,* that the said real estate shall not exceed in value the sum of two hundred thousand dollars, and the said personal estate shall not exceed in value the sum of five hundred thousand dollars; all the sums mentioned in the preceding section of this act to be valued in silver at the rate of six shillings and eightpence by the ounce",— so as to read as follows:—

Section 6. That the fellows of the said academy may and shall forever hereafter be deemed capable in the law of having, holding and taking, in fee-simple or any less estate, by gift, grant, devise or otherwise, any lands, tenements or other estate, real and personal to an unlimited amount: and the annual interest and income of the said real and personal estate, together with the fines and penalties aforesaid, shall be appropriated for premiums, to encourage

improvements and discoveries in agriculture, arts and manufactures, or for other purposes consistent with the end and design of the institution of the said academy, as the fellows thereof shall determine.

Approved June 24, 1974.

Chap. 390. AN ACT REGULATING THE BORROWING BY OFFICERS, DIRECTORS, TRUSTEES, CORPORATORS, AND MAJORITY SHAREHOLDERS OF BANKS AND CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by inserting after section 65 the following section:—

Section 65A. Every such corporation shall be required to make an annual report to the commissioner of any loan or extension of credit in any manner to any officer, trustee, or corporator of the corporation. Said corporation shall also be required to make an annual report to the commissioner of any loan or extension of credit in any manner to a fraternal organization, voluntary association, partnership or corporation, the majority interest of which is owned or controlled by an officer, trustee or corporator of said corporation.

Said report to the commissioner shall consist of, but not be limited to, the following: (*a*) the original amount of the loan, (*b*) the date of the loan, (*c*) the type of loan, (*d*) if the loan is secured in any manner, the type of secured asset and its valuation, (*e*) the terms of the payment, (*f*) the current balance, (*g*) the amount of any principal or interest payments in default, if any, and the length of time of such default.

SECTION 2. Chapter 170 of the General Laws is hereby amended by inserting after section 42 the following section:—

Section 42A. Every such corporation shall be required to make an annual report to the commissioner of any loan or extension of credit in any manner to any officer or director of the corporation. Said corporation shall also be required to make an annual report to the commissioner of any loan or extension of credit in any manner to a fraternal organization, voluntary association, partnership or corporation, the majority interest of which is owned or controlled by an officer or director of said corporation.

Said report to the commissioner shall consist of, but not be limited to, the following: (*a*) the original amount of the loan, (*b*) the date of the loan, (*c*) the type of loan, (*d*) if the loan is secured in any manner, the type of secured asset and its valuation, (*e*) the terms of the payment, (*f*) the current balance, (*g*) the amount of any principal or interest payments in default, if any and the length of time of such default.

SECTION 3. Chapter 171 of the General Laws is hereby amended by inserting after section 27, the following section:—

Section 27A. Every credit union shall be required to make an annual report to the commissioner of any loan or extensions of credit in any manner to any officer or director of the credit union. Said credit union shall also be required to make an annual report to the commissioner of any loan or extension of credit in any manner to a fraternal organization, voluntary association, partnership or corporation, the majority interest of which is owned or controlled by an officer or director of said credit union.

Said report to the commissioner shall consist of, but not be limited to, the following: (*a*) the original amount of the loan, (*b*) the date of the loan, (*c*) the type of loan, (*d*) if the loan is secured in any manner, the type of secured asset and its valuation, (*e*) the terms of the payment, (*f*) the current balance, (*g*) the amount of any principal or interest payments in default, if any, and the length of time of such default.

SECTION 4. Chapter 172 of the General Laws is hereby amended by inserting after section 26 the following section:—

Section 26A. Such trust company shall be required to make an annual report to the commissioner of any loan or extension of credit in any manner to any officer, director or majority shareholder of said trust company. Said trust company shall also be required to make an annual report to the commissioner of any loan or extension of credit in any manner to a fraternal organization, voluntary association, partnership or corporation, the majority interest of which is owned or controlled by an officer, director or majority shareholder of said trust company.

Said report to the commission shall consist of, but not be limited to, the following: (*a*) the original amount of the loan, (*b*) the date of the loan, (*c*) the type of loan, (*d*) if the loan is secured in any manner, the type of secured asset and its valuation, (*e*) the terms of the payment, (*f*) the current balance, (*g*) the amount of any principal or interest payments in default, if any, and the length of time of such default.

Approved June 24, 1974.

Chap. 391. AN ACT EXTENDING THE OPERATION OF THE LAW IMPLEMENTING CERTAIN FEDERAL MANPOWER PROGRAMS.

Be it enacted, etc., as follows:

Section 2 of chapter 778 of the acts of 1972 is hereby amended by striking out, in line 2, the word "seventy-five" and inserting in place thereof the word:— seventy-eight.

Approved June 24, 1974.

Chap. 392. AN ACT AUTHORIZING THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY TO PROVIDE FERRY SERVICE BETWEEN THE TOWN OF BARNSTABLE AND THE ISLANDS OF NANTUCKET AND MARTHA'S VINEYARD THROUGHOUT THE YEAR.

Be it enacted, etc., as follows:

Section 16 of chapter 701 of the acts of 1960 is hereby amended by striking out the fifth paragraph, as most recently amended by chapter 573 of the acts of 1969, and inserting in place thereof the following paragraph:—

The Authority may, in its discretion, provide ferry runs or such transportation annually from May first to September thirtieth to and from the port of New Bedford, via the port of Woods Hole to and from said islands, and throughout the year may also provide ferry service to and from inner Lewis bay, in the town of Barnstable, to and from the islands of Martha's Vineyard and Nantucket, and may acquire any business enterprise necessary or convenient for such purposes.

Approved June 24, 1974.

Chap. 393. AN ACT AUTHORIZING INSURANCE AGENTS OR BROKERS TO ADD ON CERTAIN CHARGES FOR LATE PAYMENT OF INSURANCE PREMIUMS AFTER FORTY-FIVE DAYS FROM THE EFFECTIVE DATE OF A POLICY.

Be it enacted, etc., as follows:

The first paragraph of section 22 of chapter 255C of the General Laws is hereby amended by striking out the last two sentences, added by chapter 512 of the acts of 1973, and inserting in place thereof the following two sentences:— Nothing contained in this chapter or in chapter one hundred and seventy-five shall prohibit the addition by an insurance agent or broker not licensed as a premium finance agent of a late charge for late payment of premium so long as any such charge does not exceed one and one half per cent of the unpaid balance per month; provided, however, that such late charge shall not be imposed in the event payment is received within forty-five days from the effective date of the policy. Such insurance agent or broker may impose such a charge only if his bills, statements or invoices issued to a policyholder state that such a charge will be made in the event of late payment.

Approved June 24, 1974.

Chap. 394. AN ACT AUTHORIZING THE CITY OF REVERE TO PAY AN ANNUITY TO THE WIDOW OF JAMES F. ROBERTSON, A FORMER CITY COUNCILLOR OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Revere is hereby authorized to appropriate and pay to Louise Robertson, widow of James F. Robertson, a former city councillor of said city an annuity for life, as long as she remains unmarried, in the sum of two thousand dollars.

SECTION 2. This act shall take effect as of January first, nineteen hundred and seventy-four.

Approved June 24, 1974.

Chap. 395. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO REGISTRATION OF PHYSICIANS AND SURGEONS.

Be it enacted, etc., as follows:

The second 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 striking out, in lines 18 and 19, the words "; or of abuse of the authority granted in section two hundred and nine A of chapter ninety-four".

Approved June 24, 1974.

Chap. 396. AN ACT ABOLISHING THE REQUIREMENT OF CITIZENSHIP OR A DECLARATION OF INTENTION TO BECOME A UNITED STATES CITIZEN FOR REGISTRATION AS A PHYSICIAN.

Be it enacted, etc., as follows:

Section 2 of chapter 112 of the General Laws is hereby amended by striking out the third paragraph, as appearing in chapter 662 of the acts of 1971.

Approved June 24, 1974.

Chap. 397. AN ACT RELATIVE TO THE ADOPTION OF CHILDREN OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 2 of chapter 210 of the General Laws, as most recently

amended by section 1 of chapter 800 of the acts of 1972, is hereby further amended by adding the following paragraph:—

Any surrender given outside of the commonwealth shall be valid for the purpose of this section if it was taken in accordance with laws of the state or the country where it was executed.

Approved June 24, 1974.

Chap. 398. AN ACT RELATIVE TO THE INVESTMENTS OF PENSION FUNDS.

Be it enacted, etc., as follows:

Paragraph (*c*) of subdivision (3) of section 22 of chapter 32 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by inserting after the word "fund", in line 8, the words:— or amortized over a period of years as prescribed by the commissioner of insurance.

Approved June 24, 1974.

Chap. 399. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO EXPEND MONEY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL, CULTURAL, HISTORICAL, COMMERCIAL, INDUSTRIAL, VACATION, CONVENTION ADVANTAGES AND ENVIRONMENTAL RESOURCES OF SAID COUNTY.

Be it enacted, etc., as follows:

The county commissioners of Middlesex county may, for the purposes of promoting the recreational, cultural, historical, vacation, convention, commercial, industrial advantages and environmental resources of said county, expend such sums, not exceeding one hundred and 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, by a city or town, or by donation deposited with the county treasurer for the purposes aforesaid. Said commissioners may expend such sums for advertising in newspapers, magazines, newsletters and other advertising media, for booklets, publicity, posters, signs, and facility guides and maps and the distribution thereof and for booths including the staffing thereof and the facilities required by federal law, and displays at fairs, expositions or travel shows, in and outside the county; for such other promotional activity as may be reasonably necessary to effectuate the purposes of this act, including the writing of copy, art work, advertising production costs, photography, and the processing of inquiries resulting from such promotional activities. In carrying out the provisions of this act said 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 said commissioners. *Approved June 24, 1974.*

Chap. 400. AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF TEWKSBURY TO ACT AS A BOARD OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER DEPARTMENTS AND TOWN OFFICIALS.

Be it enacted, etc., as follows:

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

SECTION 2. The board shall have all the powers, rights, duties and liabilities now and from time to time vested by any general or special law or town by-law in the following boards, departments, and offices in the town, to wit: water commissioners, road commissioners, park commissioners, sewer commissioners and tree warden, and such boards, departments and offices shall be abolished and consolidated into a department of public works. No existing contract or liability shall be affected by such abolition, but the board shall in all respects be the lawful successor of such boards, departments and offices so abolished. The board shall have such added powers with respect to public works as the town may from time to time by by-law provide, any other provisions of the law to the contrary notwithstanding.

SECTION 3. The board shall appoint and fix the compensation of a superintendent of public works subject to appropriation by the town therefor, who shall exercise and perform, under supervision and direction of the board, such of the powers, rights and duties transferred to it under section two as it may from time to time designate. He shall be specially fitted by education, training and experience to perform the duties of his office. He shall be responsible for the efficient exercise and performance of such powers, rights and duties. He shall render to the board, as often as it may require, a full report of all operations under his control. He shall not be subject to the civil service law and rules. He may be removed for just cause only and by a majority vote of the members of the board, who shall give him a written notice at least fourteen days prior to the date of removal, which notice shall specify the reasons for such removal. At his request, a public hearing shall be held on the charges brought against him.

SECTION 4. Any permanent employee or superintendent of any department, board or office abolished by this act shall be transferred to and become an employee of the board, without loss of seniority, retirement, holiday, sick leave, vacations, or other rights and job

classification under any provision of law or by-law, in effect prior to the effective date of this act. All offices and positions of the department wherever on a full time basis shall be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 5. The board of selectmen is hereby authorized, ninety days after the effective date of this section, to appoint a person, subject to the qualifications provided in section two, to act as temporary superintendent during the interim period prior to the town election in the year nineteen hundred and seventy-five. Said temporary superintendent shall acquaint himself with the various departments, and personnel affected and the duties imposed on the position of superintendent of public works under the provisions of this act.

SECTION 6. For the purposes of section five, this act shall take effect immediately, otherwise it shall take effect on the date of the election of town officers to be held in the year nineteen hundred and seventy-five and for all matters relating to said election.

Approved June 24, 1974.

Chap. 401. AN ACT AUTHORIZING THE MASSACHUSETTS BOARD OF REGIONAL COMMUNITY COLLEGES TO SELL AND CONVEY CERTAIN LAND TO THE COUNTY OF WORCESTER FOR THE CONSTRUCTION OF A COURTHOUSE FOR THE FIRST DISTRICT COURT OF NORTHERN WORCESTER.

Be it enacted, etc., as follows:

The Massachusetts board of regional community colleges is hereby authorized in the name of the commonwealth to sell and convey to the county of Worcester for the construction of a courthouse for the first district court of northern Worcester a certain parcel of land on the northerly side of Matthews street in the city of Gardner, bounded and described as follows:

Beginning at a point in the northerly line of Matthews Street, said point being 700 feet easterly of land of the Henry Heywood Memorial Hospital and being the southwesterly corner of the parcel to be conveyed,

Thence North 3° 03' 05" West by land of the Commonwealth of Massachusetts a distance of 500.00 feet to a point,

Thence North 61° 44' 30" East by land of the Commonwealth of Massachusetts a distance of 398.28 feet to a point,

Thence South 3° 03' 05" East by land of the Commonwealth of Massachusetts a distance of 496.19 feet to the northerly line of Matthews Street,

Thence South 58° 49' 10" West by the northerly line of Matthews Street a distance of 68.18 feet to a point,

Thence South 61° 44' 30" West by the northerly line of Matthews Street a distance of 331.82 feet to the point of beginning.

Containing an area of 4.13 acres, more or less.

The architectural design of said courthouse shall not be inconsistent with the design of Mount Wachusett community college.

Approved June 24, 1974.

Chap. 402. AN ACT PERMITTING SUMS RECEIVED FROM INVESTMENTS MADE BY THE TREASURER OF THE TOWN OF ROCKLAND OF THE PROCEEDS OF BONDS AND NOTES ISSUED FOR PROJECTS OF THE ROCKLAND WATER DEPARTMENT TO BE PLACED IN THE WATER SURPLUS REVENUE ACCOUNT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, monies received from investments made by the treasurer of the town of Rockland of the proceeds of bonds and notes issued for projects of the water department of said town and invested under the provisions of section fifty-five of chapter forty-four of the General Laws shall be placed in the water surplus revenue account of said town, and such monies as have been received from said investments for the period from January first, nineteen hundred and seventy-three, to the effective date of this act, shall be transferred from the general surplus revenue account of said town to the water surplus revenue account of said town in such amount and upon such date as is determined by the director of accounts.

Approved June 24, 1974.

Chap. 403. AN ACT RELATIVE TO THE AVAILABILITY OF CERTAIN FUNDS RESERVED FOR THE PLANNING AND CONSTRUCTION OF THE FALL RIVER CENTRAL WATERFRONT PROJECT.

Be it enacted, etc., as follows:

The first paragraph of section 2 of chapter 727 of the acts of 1970 is hereby amended by adding the following sentence:— The amount reserved by this paragraph shall be available for expenditure until June thirtieth, nineteen hundred and seventy-nine.

Approved June 24, 1974.

Chap. 404. AN ACT REGULATING THE LABELING AND SALE OF HONEY.

Be it enacted, etc., as follows:

Chapter 128 of the General Laws is hereby amended by inserting after section 36A the following section:—

Section 36B. No person shall package, label, sell, keep for sale, expose or offer for sale, any article or product in imitation or semblance of honey branded as "honey", "liquid or extracted honey",

"strained honey", "imitation honey" or "pure honey" which is not pure honey made by honey bees. No person, firm, association, company or corporation, shall manufacture, sell, expose or offer for sale, any compound or mixture branded or labeled as "honey" which consists of honey mixed with any other substance or ingredient. There shall be printed on the package containing such compound or mixture a statement of the ingredients of which it is made and if honey is one of such ingredients it shall be so plainly stated in the same size type as are the other ingredients; provided, however, such compound shall not be packaged, sold, exposed for sale, or offered for sale as "honey" or "imitation honey" nor shall such compound or mixture be branded or labeled with the word "honey", other than as herein provided.

Approved June 24, 1974.

Chap. 405. AN ACT RELATIVE TO THE GRANTING OF CERTAIN LICENSES BY THE DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF FAIRHAVEN.

Be it enacted, etc., as follows:

Chapter 786 of the acts of 1971 is hereby amended by striking out, in line 6, the words "such distances, not exceeding three hundred" and inserting in place thereof the words:— and the land owned by the town of Fairhaven and the city of New Bedford abutting said land of said Jessica Realty Trust, such distances, not exceeding four hundred and thirty.

Approved June 24, 1974.

Chap. 406. AN ACT DIRECTING THE COMMISSIONER OF MENTAL HEALTH TO CONVEY CERTAIN LAND IN THE CITY OF TAUNTON TO SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized and directed to convey by deed approved as to form by the attorney general to the city of Taunton for municipal industrial development purposes certain land within the confines of the Paul A. Dever state school situated in said city.

After the time the land is sold by the city of Taunton said city shall pay to the commonwealth the sum of twelve hundred dollars per acre for the said land which is bounded and described as follows:

All that land in Taunton, Mass. together with the buildings and improvements thereon, bounded and described as follows;

Beginning at the intersection of Bay Street and Allston Road; thence Southwesterly bounding Northwesterly by said Allston Road, 451.95 feet more or less to North Boundary Road, thence Westerly bounding Southerly by said North Boundary Road, 1420.45 feet more or less to the boundary line between the City of Taunton, and the Town of Norton; thence Southwesterly bounding Northwesterly by the said

Norton Town Line, 6200 feet more or less to Hill Street; thence Southeasterly bounding Southwesterly by said Hill Street and the Penn Central Railroad, 4600 feet more or less to a corner; thence Northeasterly bounding Southeasterly by the remaining land of this grantor 225 feet more or less to a corner; thence Northwesterly bounding Northeasterly by said remaining land of this grantor, by a line parallel to and 200 feet Easterly from the said Penn Central Railroad, a distance of 2500 feet more or less to a corner; thence turning and proceeding Northeasterly bounding Southwesterly by the said remaining land of this grantor, 3000 feet more or less to a corner; thence proceeding Northeasterly bounding Southeasterly by the said remaining land of this grantor 2000 feet more or less to the Easterly line of a street usually known as Bassett Street; thence by the said Easterly line of Bassett Street, Northwesterly bounding Northeasterly by the said remaining land of this grantor, 2500 feet more or less to the intersection of said Easterly line of Bassett Street and the Southerly line of another street usually known as Crane Avenue; thence by the said Southerly line of Crane Avenue, Easterly bounding Southerly by the said remaining land of this grantor, 2800 feet more or less, to a corner in the Easterly perimeter boundary line of this grantor's present land; thence by said grantor's boundary line by the following two lines, Southeasterly bounding Southerly by land of others, 356.96 feet more or less to a corner, thence Northerly bounding Easterly by said land of others, 878.33 feet more or less to said Bay Street; thence Northwesterly bounding Northeasterly by said Bay Street 1226.85 feet to the point of beginning. Containing approximately 425 acres of land.

The department of mental health shall have access at all times, to the water tower located within the perimeter boundary line of the herein described parcel of land, for the purpose of the maintenance and repair, etc., of the said water tower.

Said department shall have a right of way, seventy-five feet in width for the purpose of passing and repassing along the easterly sideline of the Pennsylvania Central Railroad Company's right of way, from the southwesterly corner of the herein described parcel of land, northwesterly, approximately three thousand six hundred feet to the juncture of Crane Avenue and Hill street.

Said conveyance shall include the right of said city for the future use of a right of way over the remaining land of the said grantor, for the interception of the existing sanitary sewer main presently servicing the area proposed for conveyance to said city, and in the approximate vicinity of the exising Paul A. Dever sewer treatment plant, for a proposed extension of the sewerage system of said city, into the herein described tract of land.

SECTION 2. Said conveyance shall also provide that adequate safeguards for all residents of the Paul A. Dever state school shall be provided by the city of Taunton along the Pennsylvania Central Transportation Company's right of way abutting that portion of land area retained by the commonwealth.

Approved June 24, 1974.

Chap. 407. AN ACT RELATIVE TO THE DISTRIBUTION OF CERTAIN FINANCIAL AID TO WELFARE RECIPIENTS.

Be it enacted, etc., as follows:

Chapter 18 of the General Laws is hereby amended by inserting after section 27 the following section:—

Section 27A. A recipient of financial aid from the department shall be given the option of instructing said department to forward all checks of such person to a checking account, established in his name, at any banking institution within the commonwealth which he shall designate.

Approved June 24, 1974.

Chap. 408. AN ACT PROVIDING THAT CARMEN SIMONELLI SHALL BE ELIGIBLE FOR APPOINTMENT AS A PERMANENT POLICE OFFICER IN THE TOWN OF ADAMS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Notwithstanding any general or special law or any rule to the contrary, Carmen Simonelli may be appointed a permanent police officer in the town of Adams under the provisions of chapter thirty-one of the General Laws.

(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, June 24, 1974, and, in concurrence, by the Senate, June 25, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 409. AN ACT ESTABLISHING A DIVISION OF COMMUNICABLE AND VENEREAL DISEASES IN THE DEPARTMENT OF PUBLIC HEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a division of communicable and venereal diseases in the department of public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 4 of chapter 17 of the General Laws, as most recently amended by section 1A of chapter 1076 of the acts of 1971, is hereby further amended by inserting after the word "sanitoria", in line 1, the words:— , a division of communicable and venereal diseases,.

SECTION 2. Said section 4 of said chapter 17 is hereby further amended by inserting after the first paragraph the following paragraph:—

The responsibility of the division of communicable and venereal

diseases shall include, but not be limited to, the prevention and control of communicable and venereal diseases and the provision of diagnostic and treatment care of those having or suspected of having a venereal disease, or any program relating thereto.

(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, June 24, 1974, and, in concurrence, by the Senate, June 25, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 410. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS FOR HIGHWAY PURPOSES IN THE TOWNS OF MANSFIELD AND NORTON.

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 use, 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 1, 1973", which said department is hereby directed to file in the office of the state secretary and which the state secretary is hereby authorized to receive for filing and are identified as follows:

Approximately 19 acres of land in the town of Mansfield lying at the southerly end of the Mansfield Airport and running westerly from the Mansfield-Norton town line. Said land is under the control of the Mansfield Municipal Airport Commission and is required for the construction of state highway route 25.

The following three parcels in the town of Norton are also under the control of Mansfield Municipal Airport Commission and are required for the construction of state highway route 25.

Approximately 0.4 acres of town land lying at the southerly end of the Mansfield Airport and running easterly from the Mansfield-Norton town line.

Approximately 1.4 acres of town land lying southerly of the Mansfield Airport and easterly of Woodland Road.

Approximately 0.02 acres of town land lying at the southeast end of the Mansfield Airport.

Said lands shall be transferred and diverted only after receipt by

said department of an approval of an environmental impact study for this project by the Secretary of Transportation of the United States and by the secretary of environmental affairs.

Approved June 25, 1974.

Chap. 411. AN ACT RELATIVE TO THE EMPLOYMENT OF REGISTERED NURSES IN THE PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 53 of chapter 71 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "and", in lines 2 and 9, in each instance, the word:— registered.

SECTION 2. The first sentence of section 53A of said chapter 71, as so appearing, is hereby amended by inserting after the word "school", in line 5, the word:— registered.

SECTION 2A. The second sentence of said section 53A of said chapter 71, as so appearing, is hereby amended by inserting after the word "or", in line 2, the word:— registered.

SECTION 3. Section 53B of said chapter 71, as so appearing, is hereby amended by inserting after the word "and", in line 3, the word:— registered.

SECTION 4. This act shall not apply to any person employed as a nurse by a school committee of a city, town or district prior to or on the effective date of this act.

Approved June 25, 1974.

Chap. 412. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO TAKE BY EMINENT DOMAIN A CERTAIN TRACT OF LAND LOCATED IN THE TOWN OF NORTHBOROUGH AND THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

The water resources commission, acting for and in behalf of the commonwealth, is hereby authorized to take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise the following described land or easements therein, or both, for the purpose of flood prevention and related purposes including water resources utilization and other purposes and uses as authorized by chapter twenty-one of the General Laws and chapter six hundred and sixty-nine of the acts of nineteen hundred and sixty, as amended, said land being located in the town of Northborough and the city of Marlborough and owned by the town of Northborough and being bounded and described as follows:

Said tract of land is situated on the southwesterly side of Boundary street in the town of Northborough, being more particularly bounded and described as follows:

Beginning at the most northwesterly corner of the parcel herein described on the southwesterly side of Boundary Street at the center line of the Assabet River;
THENCE RUNNING S. 63° 27' 50" E., 72.90 feet to a point;
THENCE RUNNING S. 54° 07' 22" E., 779.76 feet to a drill hole at other land of grantor; The last two courses being by the southwesterly side of Boundary Street.
THENCE RUNNING S. 24° 24' 20" W., 314.21 feet to a concrete bound;
THENCE RUNNING S. 85° 59' 40" W., 74.88 feet to a drill hole;
THENCE RUNNING N. 08° 10' 00" W., 180.86 feet to a concrete bound;
THENCE RUNNING S. 69° 33' 46" W., 285.58 feet to a concrete bound;
THENCE RUNNING N. 80° 10' 25" W., 289.35 feet to a concrete bound;
THENCE RUNNING S. 24° 38' 55" W., 422.77 feet to a point at a drill hole;
THENCE RUNNING S. 42° 58' 55" W., 436.32 feet to a concrete bound;
THENCE RUNNING S. 82° 23' 10" E., 381.11 feet to a copperweld rod;
THENCE RUNNING N. 21° 12' 10" E. 411.92 feet to a concrete bound;
THENCE RUNNING N. 61° 32' 05" E., 89.38 feet to a drill hole;
THENCE RUNNING S. 00° 06' 05" W., 191.76 feet to a copperweld rod;
THENCE RUNNING N. 87° 00' 54" E., 122.81 feet to a copperweld rod;
THENCE RUNNING N. 76° 10' 19" E., 389.79 feet to a copperweld rod;
THENCE RUNNING S. 48° 18' 34" E., 224.28 feet to a point at a drill hole in a stone wall;
THENCE RUNNING S. 70° 51' 36" W., 100.00 feet to a drill hole;
THENCE RUNNING S. 44° 08' 05" W., 273.97 feet to a concrete bound;
THENCE RUNNING S. 18° 27' 09" E., 310.34 feet to a concrete bound;
THENCE RUNNING N. 65° 26' 38" E., 227.50 feet to a concrete bound;
THENCE RUNNING S. 46° 37' 00" E., 380.57 feet to a concrete bound;
THENCE RUNNING S. 45° 44' 50" W., 335.95 feet to a concrete bound;
THENCE RUNNING S. 66° 17' 50" E., 123.99 feet to a point at land of Raymond S. Haitsma;
THENCE RUNNING in a southwesterly direction 271 feet, more or less, to the center line of Stirrup Brook;
THENCE RUNNING by the center line of Stirrup Brook, 2,625 feet,

more or less, to a point in the center line of the Assabet River;

THENCE RUNNING by the center line of the Assabet River in a general northerly direction 3,055 feet, more or less, to the point of beginning.

The above described parcel contains 56.2 acres, more or less, and is a portion of the land taken by the town of Northborough in an order of taking recorded September 18, 1964, Worcester district registry of deeds, Book 4501, Page 219, and in a deed recorded at Worcester district registry of deeds, Book 4705, Page 328.

Said tract of land was taken by the town of Northborough for the purpose of erecting a sewage treatment plant and facilities.

Approved June 25, 1974.

Chap. 413. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

BERKSHIRE COUNTY.

ITEM	Subtotal	Total
1. For interest on county debt		**$34,500 00**
2. For reduction of county debt		**65,000 00**
3. For county commissioners, salaries and expenses		**32,112 42**
1. Personal services	**$28,162 42**	
2. Contractual services	**2,300 00**	
3. Supplies and materials	**650 00**	
4. Current charges and obligations	**550 00**	
5. Equipment	**450 00**	
4. For transportation and expenses of county and acting commissioners		**1,000 00**
5. For clerk of courts, salary and expenses		**71,056 28**
1. Personal services	**60,847 28**	
2. Contractual services	**2,500 00**	
3. Supplies and materials	**6,400 00**	

		Subtotal	Total
	4. Current charges and obligations	$459 00	
	5. Equipment	850 00	
6.	For county treasurer, salaries and expenses		$49,080 90
	1. Personal services	44,332 90	
	2. Contractual services	2,050 00	
	3. Supplies and materials	1,500 00	
	4. Current charges and obligations	623 00	
	5. Equipment	575 00	
7.	For sheriff, salary and expenses		16,667 00
	1. Personal services	15,667 00	
	2. Contractual services	900 00	
	4. Current charges and obligations	100 00	
8.	For registries of deeds, salaries and expenses		
	Northern District		
	1. Personal services	57,923 30	66,598 30
	2. Contractual services	4,875 00	
	3. Supplies and materials	1,850 00	
	4. Current charges and obligations	1,200 00	
	5. Equipment	750 00	
	Middle District		104,368 68
	1. Personal services	90,115 68	
	2. Contractual services	7,050 00	
	3. Supplies and materials	6,150 00	
	4. Current charges and obligations	300 00	
	5. Equipment	753 00	
	Southern District		29,908 20
	1. Personal services	24,953 20	
	2. Contractual services	2,950 00	
	3. Supplies and materials	1,500 00	
	4. Current charges and obligations	55 00	
	5. Equipment	450 00	
8a.	For registry of probate, salaries and expenses		11,652 39
	2. Contractual services	4,800 00	
	3. Supplies and materials	2,450 00	
	4. Current charges and obligations	650 00	
	5. Equipment	3,752 39	
9.	For law library, salaries and expenses		23,385 25
	1. Personal services	10,003 25	
	2. Contractual services	982 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	11,900 00	
10.	For highways, including state highways, bridges and land damages		438,833 01
	1. Personal services	112,702 41	
	2. Contractual services	2,270 00	
	3. Supplies and materials	3,675 00	
	4. Current charges and obligations	1,537 60	
	5. Equipment	8,398 00	
	6. All other	310,250 00	
12.	For superior court costs		352,726 74
	1. Personal services	118,496 32	
	2. Contractual services	225,370 00	
	3. Supplies and materials	5,490 00	

		Subtotal	Total
	4. Current charges and obligations	$1,200 00	
	5. Equipment	2,170 42	
13.	For civil expenses in probate court		$13,650 00
	1. Personal services	5,000 00	
	2. Contractual services	8,650 00	
14.	For district courts, salaries and expenses		
	District Court of Northern Berkshire		77,999 53
	1. Personal services	65,508 33	
	2. Contractual services	3,600 00	
	3. Supplies and materials	5,200 00	
	4. Current charges and obligations	1,526 20	
	5. Equipment	2,165 00	
	District Court of Central Berkshire		256,788 81
	1. Personal services	233,407 71	
	2. Contractual services	13,795 00	
	3. Supplies and materials	5,100 00	
	4. Current charges and obligations	1,315 00	
	5. Equipment	3,171 10	
	District Court of Southern Berkshire		50,141 00
	1. Personal services	45,548 20	
	2. Contractual services	2,836 00	
	3. Supplies and materials	1,045 00	
	4. Current charges and obligations	711 80	
	Fourth District Court of Berkshire		69,974 51
	1. Personal services	55,884 51	
	2. Contractual services	9,000 00	
	3. Supplies and materials	2,375 00	
	4. Current charges and obligations	1,365 00	
	5. Equipment	1,350 00	
	District Court of Lee		69,975 45
	1. Personal services	58,933 65	
	2. Contractual services	3,050 00	
	3. Supplies and materials	5,350 00	
	4. Current charges and obligations	2,353 80	
	5. Equipment	288 00	
	District Court of Williamstown		48,678 25
	1. Personal services	41,978 25	
	2. Contractual services	1,400 00	
	3. Supplies and materials	1,900 00	
	4. Current charges and obligations	3,400 00	
	District Court-Juvenile Division		69,732 57
	1. Personal services	59,480 67	
	2. Contractual services	8,742 00	
	3. Supplies and materials	650 00	
	4. Current charges and obligations	220 00	
	5. Equipment	639 90	
15.	For medical examiners and commitments of insane		35,000 00
16.	For jail and house of correction, maintenance and operation		156,997 62
	1. Personal services	45,337 62	
	2. Contractual services	24,925 00	
	3. Supplies and materials	76,775 00	
	4. Current charges and obligations	3,075 00	
	5. Equipment	6,885 00	
18.	For court houses and registry buildings, maintenance and operation		98,091 52

		Subtotal	Total
	1. Personal services	$52,016 52	
	2. Contractual services	40,000 00	
	3. Supplies and materials	4,380 00	
	4. Current charges and obligations	850 00	
	5. Equipment	845 00	
20.	For agricultural school or county cooperative extension service		$105,788 28
	1. Personal services	85,974 28	
	2. Contractual services	7,575 00	
	3. Supplies and materials	1,775 00	
	4. Current charges and obligations	7,390 00	
	5. Equipment	3,074 00	
21.	For state reservation, maintenance and operation (Mount Everett)		12,995 50
	1. Personal services	8,855 50	
	2. Contractual services	365 00	
	3. Supplies and materials	525 00	
	4. Current charges and obligations	3,250 00	
23a.	For tuberculosis clinic		65,799 33
23c.	For mental health association		10,000 00
24.	For noncontributory pensions		16,830 00
25.	For contributory retirement system and supervisory expenses		110,436 34
26.	For miscellaneous and contingent expenses		50,805 00
28.	For reserve fund		35,000 00
28a.	For reserve for salary increases		156,000 00
28d.	For reserve for counsel for indigent defendants		14,000 00
28e.	For reserve for children's services		7,500 00
29.	For advertising recreational, industrial and agricultural advantages of the county		60,000 00
31.	For radio system for fire protection		7,384 13
31a.	For radio system for police protection		17,369 13
32.	For forest development		3,830 00
35.	For industrial development commission		60,247 50
36.	For Dutch elm disease		5,000 00
37.	For human services		16,000 00
39.	For group insurance		55,000 00
45.	For community action council		20,000 00
Total amount of appropriations			$3,073,903 64
	Less estimated amount available for reduction of county tax		389,597 54
	And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the fiscal year, in the manner provided by law, the sum of		$2,684,306 10

The following item is hereby appropriated from federal revenue sharing funds for said fiscal year, subject to the provisions of law regulating the disbursement of county funds and the approval thereof.

16.	For jail and house of correction	
	1. Personal services	$300,000 00

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

Approved June 25, 1974.

Chap. 414. AN ACT FURTHER REGULATING THE APPLICATION OF SUPPLEMENTARY PROCESS PROCEEDINGS IN CIVIL ACTIONS IN THE DISTRICT COURTS TO CORPORATIONS AND CERTAIN TRUSTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 224 of the General Laws is hereby amended by striking out section 14, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 14. A judgment creditor or a person in his behalf may file in court an application for supplementary process under this chapter. Upon the filing of such an application, a summons may issue, requiring the judgment debtor to appear at a time and place named therein and submit to an examination relative to his or its property and ability to pay. Such summons may be served by an officer qualified to serve civil process and shall be served at least seven days before the return day thereof. If the debtor is a natural person, service shall be made by delivery in hand or by leaving a copy at the debtor's last and usual place of abode. If the debtor is a corporation, service shall be made by delivery in hand to, or by leaving a copy at a business office of, the president, treasurer, clerk, resident agent appointed pursuant to section forty-nine of chapter one hundred and fifty-six B, cashier, secretary, agent or other officer in charge of its business, or, if no such officer is found within the county, any member of the corporation. If the debtor is a trust with transferable shares, service shall be made in the same manner on any trustee. If due service is not made, the court may order further notice. A judgment debtor who has been arrested on mesne process or on execution, or a person in his behalf, may file such an application and cause service to be made upon the judgment creditor or his attorney of record in the action, in a similar manner, requiring the judgment creditor to appear at such examination; and upon failure of the judgment creditor to appear personally or by attorney the proceedings under this section may be dismissed. The failure of a judgment debtor personally to appear without reasonable excuse upon such summons, or at an examination otherwise appointed, or to submit to the examination as provided in section fifteen, shall constitute a contempt of court; and if the debtor is a corporation or a trust with transferable shares, the court shall treat the officer, trustee or agent served as the contemnor. Supplementary proceedings shall be in order for examination at the return day and hour set forth in the summons or further notice, but may by order of court for good cause shown be continued from time to time for examination, and may be brought up for further proceedings at such time or times, and in such manner as the court by general or special rule or order may direct.

The death of the judgment creditor shall not affect supplementary proceedings.

SECTION 2. Section 15 of said chapter 224, as so appearing, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:— The judgment debtor, if appearing, shall be examined on oath as to his or its property and ability to pay; provided, however, if the debtor is a corporation the person examined shall be its president, treasurer, cashier or other officer or agent in charge of the payment of debts, or if the debtor is a trust with transferable shares the person examined shall be any trustee or agent in charge of payment of debts; and such examination, if in writing, shall be signed and sworn to by the debtor if a natural person, or by the officer, trustee or agent in charge of payment of debts appearing in its behalf, if a corporation or trust with transferable shares, and filed with the court. Either party may introduce additional evidence, and if the debtor fails to appear at the examination and is a natural person, the examination may proceed and orders may be made in such debtor's absence.

SECTION 3. Said chapter 224 is hereby further amended by striking out section 16, as appearing in section 1 of chapter 292 of the acts of 1943, and inserting in place thereof the following section:—

Section 16. If the court finds that the debtor has no property not exempt from being taken on execution, and is unable to pay the judgment, in full or by partial payments, or if the creditor fails to appear at the examination, personally or by attorney, the proceedings may be dismissed. If the court is satisfied that the debtor has property not exempt from being taken on execution, the court may order him or it to produce it, or so much thereof as may be sufficient to satisfy the judgment and costs of the proceedings, so that it may be taken on the execution; or may order him or it to execute, acknowledge if necessary, and deliver to the judgment creditor, or to a person in his behalf, a transfer, assignment or conveyance thereof; or if the debtor is able to pay the judgment in full or by partial payments the court may, after allowing the debtor, if a natural person, out of his income an amount not less than twenty dollars each week for the support of himself and family if he be the head of a family, order the debtor to pay the judgment and costs of the proceedings in full or by partial payments from time to time; or the court may make an order combining any of the orders above mentioned. The court may prescribe the times, places, amounts of payments, forms of instruments and other details in making any of the orders above mentioned. The court may at any time renew, revise, modify, suspend or revoke any order made in any proceedings under the provisions of this chapter. Failure, without just excuse, to obey any lawful order of the court in supplementary proceedings shall constitute a contempt of court; and if the debtor is a corporation, the court shall treat the president, treasurer, cashier or other officer or agent in charge of the payment of debts as the contemnor; and if the debtor is a trust with transferable shares, the court shall treat any trustee or agent in charge of the payment of debts as the contemnor.

SECTION 4. The first paragraph of section 18 of said chapter 224, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first sentence the following sentence:— The term debtor, as used in this section shall mean, if the debtor is a corporation or a trust with transferable shares, the contemnor as defined in section fourteen or section sixteen.

SECTION 5. Said chapter 224 is hereby further amended by striking out sections 19 to 22, inclusive, as so appearing, and inserting in place thereof the following four sections:—

Section 19. At any time pending the examination of the defendant or debtor, the plaintiff or creditor or a person in his behalf may allege charges, to wit:—

First, That, since the debt was contracted or the cause of action accrued, the defendant or debtor has fraudulently conveyed, concealed or otherwise disposed of the whole or a part of his or its property, with intent to secure it to his or its own use or to defraud his or its creditors; or

Second, That, since the debt was contracted or the cause of action accrued, the defendant or debtor has hazarded his or its money or other property to the value of one hundred dollars or more in some kind of gaming prohibited by the laws of this commonwealth; or

Third, That, if the action was founded on contract, the defendant or debtor contracted the debt with intent not to pay it.

Such charges shall be in writing, subscribed and sworn to by the plaintiff or creditor or by a person in his behalf, and shall be considered in the nature of an action at law, to which the defendant or debtor may plead that he or it is guilty or not guilty, and the court may thereupon hear and determine the same. The plaintiff or creditor shall not upon the hearing give evidence of a charge which is not made or filed as herein provided, nor of a fraudulent act of the defendant or debtor which was committed more than three years before the commencement of the original action.

If the court finds that the defendant or debtor, if a natural person, is guilty of the charges so alleged, he shall be sentenced to imprisonment in the common jail for not more than one year, and if the defendant or debtor is a corporation or trust with transferable shares and found guilty of the charges so alleged, it shall be fined not more than one thousand dollars; and the proceedings for the examination of the defendant or debtor as to his or its property or ability to pay may be continued by the court to enable the defendant or debtor to appear.

A party aggrieved by a judgment rendered under this section may appeal therefrom to the superior court in the same manner as from a judgment of a district court in civil actions. If the plaintiff or creditor appeals, he shall before allowance thereof recognize with sufficient sureties to enter and prosecute his appeal, to file therewith a copy of all the proceedings on said charges, and to pay all costs if judgment is not reversed. If the defendant or debtor appeals, he or it shall recognize in like manner, and with the further condition that if final judgment is against him, if a natural person, he will, within thirty

days thereafter, surrender himself to be taken on execution and abide the order of the court, or, if a corporation or trust with transferable shares, it will, within like time, pay the fine previously ordered, or pay to the plaintiff or creditor the amount due him upon the claim or execution as the case may be. In the superior court trial shall be by a jury or, with the consent of both parties, by the court.

Section 20. If at the examination of the debtor it appears that after service of supplementary process, the debtor has made a payment of money or a conveyance, assignment or transfer of property which is not exempt from being taken on execution, with intent to prevent it from being transferred or paid to the creditor or applied to the satisfaction of the judgment, and the court so certifies, the debtor or, in the case of a corporation or trust with transferable shares, its officer, trustee or agent as provided in section sixteen, may in the discretion of the court be committed as for a contempt. The payment by the debtor of a debt for necessaries, or a debt due on any judgment on which he or it has previously been summoned to appear in supplementary proceedings, or a reasonable fee for counsel relative to the proceedings, shall not render him or it liable for contempt.

Section 21. Supplementary proceedings shall be dismissed, and if the debtor or, if a corporation or trust with transferable shares, its officer, trustee or agent, has been imprisoned, he or it shall be discharged from custody, on payment in full to the creditor or his attorney of the amount due on the judgment, with all the costs of the proceedings, or, unless the judgment is upon a bond or recognizance given under the provisions of this chapter, on the giving to the creditor or his attorney of a bond, payable to the creditor, with sufficient surety or sureties, approved by the creditor, his attorney or the court, conditioned that the debtor shall pay to the creditor the amount due on the judgment, with all the costs of the proceedings, within sixty days after the date of giving such bond or within such longer time as the court may allow.

Section 22. The court may issue a writ of habeas corpus to bring before it for examination or disposition or for the purpose of giving bond, a defendant or debtor or, in the case of a corporation or trust with transferable shares, its officer, trustee or agent who has been imprisoned under the provisions of this chapter.

Approved June 25, 1974.

Chap. 415. AN ACT PROVIDING FOR THE ACCEPTANCE BY CITIES, TOWNS AND FIRE DISTRICTS OF THE LAW RELATIVE TO THE COMPENSATION OF POLICE AND FIRE CHIEFS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for local acceptance of the law establishing salaries for police and fire chiefs in municipalities and fire districts of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 57G of chapter 48 of the General Laws, inserted by chapter 1182 of the acts of 1971, is hereby amended by adding the following paragraph:—

The provisions of this section relative to a city, town or fire district shall be in effect only in a city, town or fire district which accepts this section.

SECTION 2. The provisions of section fifty-seven G of chapter forty-eight of the General Laws, inserted by section one of this act, shall apply only to a person appointed as a police chief or fire chief upon the death or retirement of a person who is the incumbent of the office of police chief or fire chief on the effective date of this act.

Approved June 26, 1974.

Chap. 416. AN ACT DIRECTING THE COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY A CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF SALEM TO SOUTH ESSEX SEWERAGE DISTRICT AND FURTHER AUTHORIZING THE SAID SOUTH ESSEX SEWERAGE DISTRICT TO GRANT TEMPORARY RIGHTS OF WAY THROUGH SAID PARCEL OF LAND TO NEW ENGLAND POWER COMPANY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey a certain parcel of land immediately to meet requirements of the federal government for construction of certain sewerage facilities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of the department of natural resources, acting in the name and on behalf of the commonwealth, is hereby authorized and directed to convey, for a nominal consideration, by deed approved as to form by the attorney general, to the South Essex Sewerage District, for sewer treatment purposes and to meet the requirements of the federal government for construction of secondary or tertiary sewerage treatment facilities by the said South Essex Sewerage District, a certain parcel of land in the city of Salem, which is a portion of the land presently held by the commonwealth for use by its department of natural resources as a marine research station, and is bounded and described as follows:—

Beginning at a point on the southerly side of Fort Avenue in said Salem; said point being on the property line of the South Essex Sewerage District and being 25.94 feet from a stone bound at the northeast corner of said property; thence running by the southerly line of Fort Avenue, N 70°-36'-00" E, 15.16 feet; thence northeasterly on a curve with a radius of 790.66 feet a distance of 151.95 feet;

thence N 59°-35'-20" E, 32.89 feet; thence turning and running by other land of the department of natural resources S 34°-52'-40" E, 350.00 feet; thence S 4°-44'-15" E, 189.70 feet to mean high water; thence turning and running northwesterly and westerly by the mean high water line about 235 feet to the land of the South Essex Sewerage District; thence turning and running by said land N 34°-52'-40" W, 410.43 feet to the point of beginning; together with easements to enter upon, excavate, construct, lay, maintain, operate, remove, replace and patrol sewer pipes across other adjoining land of the commonwealth, and subject to the proposed utility easement all as shown on a plan entitled "Plan of 1.913 acre parcel of land and proposed outfall sewer easement in property belonging to the Commonwealth of Massachusetts, Department of Natural Resources, Salem, Massachusetts, November, 1972, Raymond C. Pressey, Inc., Registered Land Surveyor."

SECTION 2. The South Essex Sewerage District is hereby authorized to grant to New England Power Company temporary rights of way through and over the parcel of land described in section one for the use of said rights of way by the New England Power Company for road access to Winter island, until such time as the construction of power generating facilities to be constructed by the said New England Power Company on land presently owned by it and adjacent to the land of the South Essex Sewerage District is completed, said access road to be constructed and maintained at the expense of the New England Power Company; and said temporary grant may provide for the common use of said access road by the South Essex Sewerage District, the New England Power Company and the department of natural resources and their agents, representatives and independent contractors.

SECTION 3. In the event the said parcel of land containing 1.913 acres hereby conveyed is not required by the South Essex Sewerage District to meet the requirements of the federal government for construction of secondary or tertiary sewerage facilities, the title to said land shall revert to the commonwealth, burdened however with a permanent easement permitting said district to enter upon, excavate, construct, lay, maintain, operate, remove, replace, and patrol the sewer lines then existing on said parcel, and further burdened by any temporary rights of way then in force and effect granted by the said District to the New England Power Company.

SECTION 4. The South Essex Sewerage District shall be responsible for, and bear the entire cost of restoration of all facilities, utilities and equipment of the department of natural resources in any way damaged by any of the actions of said District or its agents, and shall provide for an access road and landscaping in a location and of a nature suitable to the department of natural resources.

SECTION 5. Chapter six hundred and fifty-four of the acts of nineteen hundred and seventy-one, as most recently amended by chapter eighty-nine of the acts of nineteen hundred and seventy-three, is hereby repealed.

Approved June 26, 1974.

Chap. 417. AN ACT RELATIVE TO THE CONVERSION OF SAVINGS BANKS TO FEDERAL SAVINGS AND LOAN ASSOCIATIONS AND THE CONVERSION OF FEDERAL SAVINGS AND LOAN ASSOCIATIONS TO SAVINGS BANKS.

Be it enacted, etc., as follows:

Chapter 168 of the General Laws is hereby amended by inserting after section 73A the following two sections:—

Section 73B. Any such corporation involved in the business of home financing may convert to a federal savings and loan association in accordance with the provisions of section 5 of the Federal Home Owners' Loan Act of 1933 upon a vote of fifty-one per cent of the votes of the corporators present and voting at an annual meeting or at a special meeting called to consider such action. Notice of such meeting to vote on conversion shall be mailed at least twenty and not more than thirty days prior to the date of the meeting to each corporator of record at his last known address as shown on the books of such corporation. A copy of the minutes of the proceedings of such meeting of the members, verified by the affidavit of the secretary or an assistant secretary, shall be filed in the office of the commissioner within ten days after the date of such meeting. Such certified copy of the proceedings of such meeting, when so filed, shall be presumptive evidence of the holding and action of such meeting. Within three months after the date of such meeting, the corporation shall take such action in the manner prescribed and authorized by the laws of the United States as shall make it a federal savings and loan association.

There shall be filed with the commissioner a copy of the charter issued to such federal savings and loan association by the federal home loan bank board or a certificate showing the organization of such association as a federal savings and loan association, certified by the secretary or assistant secretary of the federal home loan bank board. A copy of the charter, or of such certificate, shall be filed by the association with the state secretary and with the office of the clerk of the city or town in which the association conducts its business. Any failure to file any such instruments as aforesaid shall not affect the validity of such conversion. Upon the grant to any association of a charter by the federal home loan bank board, the savings bank receiving such charter shall cease to be a savings bank incorporated under this chapter and shall no longer be subject to the supervision and control of the commissioner.

After compliance with this section and approval of such conversion by the shareholders and upon the approval of the conversion by the appropriate federal supervising authority to the extent required by applicable provisions of federal law and regulations thereunder, and the issuance by such authority of a federal savings and loan association charter, such corporation shall cease to be a member bank of the Mutual Savings Central Fund, Inc. and shall cease to be a participating bank in the Savings Bank Employees Retirement Association.

Upon the conversion of any such corporation into a federal savings and loan association, the corporate existence of such bank shall not terminate, but such federal association shall be deemed to be a continuation of the entity of the association so converted and all property of the converted savings bank, including its rights, titles, and interests in and to all property of whatsoever kind, whether real, personal, or mixed, and things in action, and every right, privilege, interest, and asset of any conceivable value or benefit then existing, or pertaining to it or which would inure to it, shall immediately by act of law and without any conveyance or transfer and without any further act or deed remain and be vested in and continue and be the property of such federal association into which the savings bank has converted itself, and such federal association shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting savings bank, and such federal association as of the time of the taking effect of such conversion shall continue to have and succeed to all the rights, obligations, and relations of the converting savings bank. All pending actions and other judicial proceedings to which the converting savings bank is a party shall not be deemed to have been abated or to have been discontinued by reason of such conversion, but may be prosecuted to final judgment, order, or decree in the same manner as if such conversion into such federal association had not been made and such federal association resulting from such conversion may continue such action in its corporate name as a federal association, and any judgment, order or decree may be rendered for or against it, which might have been rendered for or against the converting savings bank theretofore involved in such judicial proceedings.

After receipt by the Mutual Savings Central Fund, Inc., hereinafter called the Fund, of notice from the commissioner that he has been notified in writing by such federal supervising authority that the conversion of such corporation has been completed and that such federal charter has been issued to the succeeding federal savings and loan association, and that he has received from the state secretary a certificate that such corporation, hereinafter called the predecessor corporation, has been duly recorded for dissolution, the following further provisions shall apply.

The Fund shall pay to said succeeding association from the fund representing deposits of member banks, hereinafter called the liquidity fund, an amount equal to not more than the aggregate of all deposits made by the predecessor corporation held in said liquidity fund on the effective date of the conversion, less all indebtedness of such corporation to the Fund; provided, that no part of the surplus, undivided profits or other reserves held by the central fund in said liquidity fund shall be so paid.

An amount equal to the annual assessments paid and which have become due and payable by the predecessor corporation while a member bank to the deposit insurance fund of the Fund shall be retained by the Fund as a charge for insurance of the shares of such corporation while a member bank of said deposit insurance fund. All

other assessments paid by the predecessor corporation to said deposit insurance fund shall continue to be held by the central fund until all losses and estimated losses and expenses of all corporations being assisted by the Fund from said deposit insurance fund and being liquidated at the time that such corporation ceased to be a member bank shall have been paid or provided for. Thereafter the succeeding association shall be entitled to receive from the Fund the portions, if any, of such other assessments not so paid or required as shall be determined by the Fund with the approval of the commissioner and such determination shall be final and conclusive upon the Fund, the predecessor corporation and the succeeding association and all other persons then or thereafter interested; provided, that the supreme judicial court for the county wherein the principal office of the succeeding association is located shall have jurisdiction to review and to confirm or modify such determination upon the petition of the predecessor corporation or the succeeding association filed within ten days after receipt thereby of notice of such determination. The Fund, in its discretion and subject to the approval of the commissioner, may make disposition of such other assessments, at any time after such conversion is completed, by adjustment pursuant to an agreement with the predecessor corporation or the succeeding association and may pay thereto such amount as may be so agreed upon.

The predecessor corporation or the succeeding association shall pay to said deposit insurance fund or make provision for payment thereto of a sum equal to three annual assessments, at the percentage rate in effect at the time the predecessor corporation ceased to be a member bank and computed on the basis of its deposits as shown by its last annual report to the commissioner preceding such conversion or, at its option or at the option of the succeeding association, as shown by the records of the predecessor corporation on the effective date of conversion. Until such sum shall have been paid in full, payments on account thereof shall be made annually or oftener by the predecessor corporation or the succeeding association; provided, that not less than one third of such sum shall be paid annually. If any such one third shall not be so paid or if, at the end of three years from the time the predecessor corporation ceased to be a member bank such sum shall not have been paid in full, the entire balance thereof may be recovered by the Fund, together with interest thereon, in any manner provided by law for the collection of debts. The predecessor corporation or the succeeding association may authorize the deduction of such sum in whole or in part, from the amount, if any, of the portions of said other assessments to which the succeeding association may be entitled as hereinbefore provided. If, however, by federal law or regulation a federal savings and loan association converting therefrom to a savings bank, is required to pay to the federal savings and loan insurance corporation a sum equal to annual premiums or assessments for other than a period of three years, then the number of annual assessments payable to said share insurance fund under this section shall be for the same number of years as is so required.

Section 73C. Any federal savings and loan association may convert to a savings bank under the provisions of this chapter upon a vote of fifty-one percent or more votes of members of such federal savings and loan association present and voting at an annual meeting or at any special meeting called to consider such action. Notice of such meeting to vote on such conversion shall be mailed at least twenty and not more than thirty days prior to the date of the meeting to each member of record at his last known address as shown on the books of the associations.

Copies of the minutes of the proceedings of such meeting or members, verified by the affidavit of the secretary or an assistant secretary, shall be filed in the office of the commissioner and mailed to the Federal Home Loan Bank Board, Washington, D.C., within ten days after such meeting. Such verified copies of the proceedings of the meeting when so filed shall be presumptive evidence of the holding and action of such meeting. At the meeting at which conversion is voted upon, the members shall also vote upon the persons who shall be the corporators and trustees of the state chartered savings bank after conversion takes effect.

The commissioner may provide, by regulation, for the procedure to be followed by any such federal savings and loan association converting into a savings bank.

Upon the conversion of a federal savings and loan association into a savings bank authorized to conduct business in the commonwealth the corporate existence of such association shall not terminate, but such savings bank shall be deemed to be a continuation of the entity of the association so converted and all property of the converted association, including its rights, titles and interests in and to all property of whatsoever kind, whether real, personal, or mixed, and things in action, and every right, privilege, interest, and asset of any conceivable value or benefit then existing, or pertaining to it, or which would inure to it, shall immediately by act or law and without any conveyance or transfer and without any further act or deed remain and be vested in and continue and be the property of such savings bank into which the federal association has converted itself, and such savings bank shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting association and such savings bank as of the time of the taking effect of such conversion shall continue to have and succeed to all the rights, obligations, and relations of the converting association. All pending actions and other judicial proceedings to which the converting federal association is a party shall not be deemed to have been abated or to have been discontinued by reasons of such conversion, but may be prosecuted to final judgment, order or decree in the same manner as if such conversion into such savings bank had not been made and such savings bank resulting from such conversion may continue such action in its corporate name as a savings bank, and any judgment, order or decree may be rendered for or against it, which might have been rendered for or against the converting federal association theretofore involved in such judicial proceedings.

Upon the completion of the conversion of a federal savings and loan association into a savings bank under the provisions of this chapter, said savings bank shall become a member of the Mutual Savings Central Fund, Inc., hereinafter called the Fund, and of the deposit insurance fund thereof. Before such succeeding corporation shall commence business as a savings bank, it shall pay into the liquidity fund of the Fund, an amount equal to the deposit required of a member bank thereof a similar size, as of the date of said certificate, plus such additional amount based upon the surplus of said reserve fund, as the directors of the Fund, with the approval of the commissioner, shall determine to be equitable. In addition to the payment to said reserve fund, the succeeding corporation shall pay to said deposit insurance fund or make provisions for payment thereto of a sum based upon the relation which the total amount of all assessments paid into said deposit insurance fund by all member banks, exclusive of annual assessments, plus the amount of the earned surplus account of said fund, less all losses and expenses incurred by said fund with respect to savings banks which it has assisted or liquidated, bears to the insured liabilities of all member banks; provided, that such payment shall be not less than the sum of six times the average applicable annual assessments paid by member banks during the preceding five years; and provided, further, that the succeeding corporation shall pay to said deposit insurance fund such proportion of the current annual assessments as shall have accrued to the date of said certificate.

After compliance with the foregoing requirements, the succeeding corporation shall thereafter be entitled to exercise all of the rights and privileges, and shall be subject to all of the duties and obligations of a savings bank and shall conduct its business subject to the provisions of this chapter and of other applicable laws; provided that, with the approval of the commissioner, the succeeding corporation shall have reasonable time after the effective date of the conversion within which to comply with any particular provisions of such laws not hereinbefore specifically provided for and which it shall be unable to comply with on or before said date.

The commissioner may require the succeeding corporation to divest itself, within a reasonable time after the effective date of the conversion, of any branch office not in conformity with law, if he shall determine that the public interest so requires.

Approved June 26, 1974.

Chap. 418. AN ACT INCREASING THE PENALTY FOR A PERSON FOUND GUILTY OF UNAUTHORIZED USE OF A MOTOR VEHICLE FOR A THIRD TIME.

Be it enacted, etc., as follows:

Paragraph (*a*) of subdivision (2) of section 24 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 243 of the acts of 1973, and inserting in place thereof the following sentence:— Whoever upon any way or in any place to which the public has a right of access, or

any place to which members of the public have access as invitees or licensees, operates a motor vehicle recklessly, or operates such a vehicle negligently so that the lives or safety of the public might be endangered, or upon a bet or wager or in a race, or whoever operates a motor vehicle for the purpose of making a record and thereby violates any provision of section seventeen or any regulation under section eighteen, or whoever without stopping and making known his name, residence and the register number of his motor vehicle goes away after knowingly colliding with or otherwise causing injury to any other vehicle or property, or whoever loans or knowingly permits his license or learner's permit to operate motor vehicles to be used by any person, or whoever makes false statements in an application for such a license or learner's permit or falsely impersonates the person named in such an application or procures such false impersonation whether of himself or of another, or whoever knowingly makes any false statement in an application for registration of a motor vehicle, shall be punished by a fine of not less than twenty dollars nor more than two hundred dollars or by imprisonment for not less than two weeks nor more than two years, or both; and whoever uses a motor vehicle without authority knowing that such use is unauthorized shall, for the first offense be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment for not less than thirty days nor more than two years, or both, and for a second offense by imprisonment in the state prison for not more than five years or in a house of correction for not less than thirty days nor more than two and one half years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment; and whoever is found guilty of a third or subsequent offense of such use without authority committed within five years of the earliest of his two most recent prior offenses shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars or by imprisonment for not less than six months nor more than two and one half years in a house of correction or for not less than two and one half years nor more than five years in the state prison or by both fine and imprisonment; and whoever operates a motor vehicle upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees, and, without stopping and making known his name, residence and the register number of his motor vehicle, goes away after knowingly colliding with or otherwise causing injury to any person shall be punished by imprisonment for not less than two months nor more than two years.

Approved June 26, 1974.

Chap. 419. AN ACT RELATIVE TO THE CERTIFICATION OF CERTAIN PERSONS AS OPERATORS OF A DRINKING WATER SUPPLY FACILITY.

Be it enacted, etc., as follows:

Section 4 of chapter 942 of the acts of 1971 is hereby amended by

striking out, in lines 4 and 5, the words "July the first, nineteen hundred and seventy-three" and inserting in place thereof the words:— December thirty-first, nineteen hundred and seventy-four.

Approved June 26, 1974.

Chap. 420. AN ACT PROVIDING FOR A MASSACHUSETTS WATERFOWL STAMP.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 131 of the General Laws, as most recently amended by section 1 of chapter 430 of the acts of 1973, is hereby further amended by inserting after the sixth paragraph the following paragraph:—

The fee for a Massachusetts waterfowl stamp issued under section thirteen shall be one dollar and twenty-five cents, of which twenty-five cents may be retained by the authorized agent or city or town clerk issuing such stamp and one dollar shall be transferred to the state treasurer for deposit and disbursement. The state treasurer shall forward, upon request of the director and subject to annual appropriation, eighty cents of the fee for each stamp issued to Ducks Unlimited, Inc., of Chicago, Illinois pursuant to an agreement between the director and Ducks Unlimited, Inc. Such funds are to be used exclusively for waterfowl management in the Atlantic provinces of Canada. A written report shall be annually submitted to the division by Ducks Unlimited, Inc. setting forth what projects, activities and expenses were realized from the commonwealth's contribution. Any unexpended balance shall be credited to the inland fisheries and game fund.

SECTION 2. Section 13 of said chapter 131, as amended by chapter 550 of the acts of 1968, is hereby further amended by inserting after the second paragraph the following paragraph:—

A person shall not hunt migratory waterfowl within the commonwealth or its coastal waters during the open season on waterfowl as established by the director unless he has first obtained from the director, his authorized agents or from a city or town clerk, a Massachusetts waterfowl stamp authorizing him so to hunt. Said stamp shall be signed across the face by the bearer, shall not be transferable and shall be carried at all times upon the person while hunting migratory waterfowl. The director is hereby authorized to issue such stamp in such form as he may prescribe.

Approved June 26, 1974.

Chap. 421. AN ACT PROHIBITING EXPERIMENTATION ON HUMAN FETUSES.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 12I the following section:—

Section 12J. No person shall use any live human fetus, whether

before or after expulsion from its mother's womb, for scientific, laboratory, research or other kind of experimentation. This section shall not prohibit procedures incident to the study of a human fetus while it is in its mother's womb, provided that in the best medical judgement of the physician, made at the time of the study, said procedures do not substantially jeopardize the life or health of the fetus, and provided said fetus is not the subject of a planned abortion. In any criminal proceeding the fetus shall be conclusively presumed not to be the subject of a planned abortion if the mother signed a written statement at the time of the study, that she was not planning an abortion.

This section shall not prohibit or regulate diagnostic or remedial procedures the purpose of which is to determine the life or health of the fetus involved or to preserve the life or health of the fetus involved or the mother involved.

A fetus is a live fetus for purposes of this section when, in the best medical judgement of a physician, it shows evidence of life as determined by the same medical standards as are used in determining evidence of life in a spontaneously aborted fetus at approximately the same stage of gestational development.

No experimentation may knowingly be performed upon a dead fetus unless the consent of the mother has first been obtained, provided however that such consent shall not be required in the case of a routine pathological study. In any criminal proceeding, consent shall be conclusively presumed to have been granted for the purposes of this section by a written statement, signed by the mother who is at least eighteen years of age, to the effect that she consents to the use of her fetus for scientific, laboratory, research or other kind of experimentation or study; such written consent shall constitute lawful authorization for the transfer of the dead fetus.

No person shall perform or offer to perform an abortion where part or all of the consideration for said performance is that the fetal remains may be used for experimentation or other kind of research or study.

No person shall knowingly sell, transfer, distribute or give away any fetus for a use which is in violation of the provisions of this section. For purposes of this section, the word "fetus" shall include also an embryo or neonate.

Whoever violates the provisions of this section shall be punished by imprisonment in a jail or house of correction for not less than one year nor more than two and one half years or by imprisonment in the state prison for not more than five years.

Approved June 26, 1974.

Chap. 422. AN ACT PROVIDING 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 adjustments 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 426 of the acts of 1973, and inserting in place thereof the following:—

GENERAL SALARY SCHEDULE.
Effective December 30, 1973.
(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	$107.15	$110.60	$114.05	$117.50	$120.95	$124.40	$127.85
II	110.25	113.70	117.15	120.60	124.05	127.50	130.95
III	113.80	117.70	121.60	125.50	129.40	133.30	137.20
IV	118.35	122.25	126.15	130.05	133.95	137.85	141.75
V	121.90	126.15	130.40	134.65	138.90	143.15	147.40
VI	128.05	132.30	136.55	140.80	145.05	149.30	153.55
VII	133.40	138.05	142.70	147.35	152.00	156.65	161.30
VIII	138.45	143.50	148.55	153.60	158.65	163.70	168.75
IX	146.50	151.90	157.30	162.70	168.10	173.50	178.90
X	154.65	160.40	166.15	171.90	177.65	183.40	189.15
XI	162.70	168.95	175.20	181.45	187.70	193.95	200.20
XII	172.45	179.00	185.55	192.10	198.65	205.20	211.75
XIII	185.05	191.95	198.85	205.75	212.65	219.55	226.45
XIV	196.70	204.80	212.90	221.00	229.10	237.20	245.30
XV	209.40	218.25	227.10	235.95	244.80	253.65	262.50
XVI	222.50	232.40	242.30	252.20	262.10	272.00	281.90
XVII	237.95	248.30	258.65	269.00	279.35	289.70	300.05
XVIII	250.95	262.15	273.35	284.55	295.75	306.95	318.15
XIX	265.65	277.70	289.75	301.80	313.85	325.90	337.95
XX	281.70	294.15	306.60	319.05	331.50	343.95	356.40
XXI	296.35	309.75	323.15	336.55	349.95	363.35	376.75
XXII	312.75	327.05	341.35	355.65	369.95	384.25	398.55
XXIII	330.45	345.15	359.85	374.55	389.25	403.95	418.65
XXIV	346.90	362.40	377.90	393.40	408.90	424.40	439.90
XXV	363.35	379.75	396.15	412.55	428.95	445.35	461.75
XXVI	378.00	395.20	412.40	429.60	446.80	464.00	481.20
XXVII	395.70	413.45	431.20	448.95	466.70	484.45	502.20
XXVIII	412.20	430.80	449.40	468.00	486.60	505.20	523.80
XXIX	430.25	449.70	469.15	488.60	508.05	527.50	546.95
XXX	450.10	470.40	490.70	511.00	531.30	551.60	571.90
XXXI	468.25	489.45	510.65	531.85	553.05	574.25	595.45
XXXII	488.15	510.20	532.25	554.30	576.35	598.40	620.45
XXXIII	508.00	530.90	553.80	576.70	599.60	622.50	645.40

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 twenty-ninth, nineteen hundred and seventy-three, by an amount equal to six and two-tenths per cent thereof.

SECTION 3. The first sentence of the first paragraph of section 22 of chapter 6 of the General Laws is hereby amended by striking out the words "eighteen thousand two hundred and seventy-three", inserted by section 3 of chapter 426 of the acts of 1973, and inserting in place thereof the words:— nineteen thousand four hundred and six.

SECTION 4. The sixth sentence of section 43 of said chapter 6 is hereby amended by striking out the words "thirteen thousand and nineteen", inserted by section 4 of said chapter 426, and inserting in place thereof the words:— thirteen thousand eight hundred and twenty-six —, and by striking out the words "eleven thousand and seventy-eight", as so inserted, and inserting in place thereof the words:— eleven thousand seven hundred and sixty-five.

SECTION 5. The first sentence of the third paragraph of section 48 of said chapter 6 is hereby amended by striking out the words "ten thousand three hundred and ninety-two", inserted by section 5 of said chapter 426, and inserting in place thereof the words:— eleven thousand and thirty-six —, and by striking out the words "eight thousand seven hundred and ninety-three", as so inserted, and inserting in place thereof the words:— nine thousand three hundred and thirty-eight.

SECTION 6. The first sentence of the third paragraph of section 56 of said chapter 6 is hereby amended by striking out the words "eighteen thousand one hundred and fifty-eight", inserted by section 6 of said chapter 426, and inserting in place thereof the words:— nineteen thousand two hundred and eighty-four —, and by striking out the words "eight thousand nine hundred and eight", as so inserted, and inserting in place thereof the words:— nine thousand four hundred and sixty.

SECTION 7. The second sentence of section 75 of said chapter 6 is hereby amended by striking out the words "nineteen thousand six hundred and forty-two", inserted by section 7 of said chapter 426, and inserting in place thereof the words:— twenty thousand eight hundred and sixty.

SECTION 8. The second sentence of the second paragraph of section 121 of said chapter 6 is hereby amended by striking out the

words "thirteen thousand nineteen", inserted by section 4 of chapter 774 of the acts of 1973, and inserting in place thereof the words:— thirteen thousand eight hundred and twenty-six.

SECTION 9. The second sentence of the second paragraph of section 129 of said chapter 6 is hereby amended by striking out the words "eighteen thousand two hundred and seventy-three", inserted by section 8 of chapter 426 of the acts of 1973, and inserting in place thereof the words:— nineteen thousand four hundred and six.

SECTION 10. The first paragraph of section 4A of chapter 7 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 1131 of the acts of 1973, and inserting in place thereof the following sentence:— The executive office for administration and finance shall include a comptroller's division, in charge of a comptroller, who shall have the rank of a deputy commissioner and shall be appointed by the governor for a term coterminous with that of the governor, and shall receive a salary of thirty-one thousand eight hundred and sixty dollars; a purchasing agent's division, in charge of a purchasing agent, who shall have the rank of a deputy commissioner and shall be appointed by the governor for a term coterminous with that of the governor, and shall receive a salary of thirty-one thousand eight hundred and sixty dollars; a fiscal affairs division, headed by a deputy commissioner for fiscal affairs; and a central services division, headed by a deputy commissioner for central services.

SECTION 11. The fifth sentence of the second paragraph of section 2 of chapter 13 of the General Laws is hereby amended by striking out the words "thirty thousand three hundred and seventy-one", inserted by section 11 of chapter 426 of the General Laws, and inserting in place thereof the words:— thirty-two thousand two hundred and fifty-four.

SECTION 12. The fourth sentence of section 2A of said chapter 13 is hereby amended by striking out the words "fourteen thousand eight hundred and forty-six", inserted by section 12 of said chapter 426, and inserting in place thereof the words:— fifteen thousand seven hundred and sixty-six—, and by striking out the words "thirteen thousand seven hundred and sixty-nine", as so inserted, and inserting in place thereof the words:— fourteen thousand six hundred and twenty-three.

SECTION 13. Section 8 of said chapter 13 is hereby amended by striking out the second sentence, as amended by section 13 of said chapter 426, and inserting in place thereof the following sentence:— Said director shall receive such salary, not exceeding eleven thousand and thirty-six dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 14. The second sentence of section 41 of said chapter 13 is hereby amended by striking out the words "seven thousand three hundred and eight", inserted by section 14 of said chapter 426, and inserting in place thereof the words:— seven thousand seven hundred and sixty-one —, and by striking out the words "six

thousand five hundred and nine", as so inserted, and inserting in place thereof the words:— six thousand nine hundred and thirteen.

SECTION 15. Said section 41 of said chapter 13 is hereby further amended by striking out the third sentence, as most recently amended by section 14A of said chapter 426, and inserting in place thereof the following sentence:— The secretary of the board shall receive a salary of six thousand nine hundred and thirteen dollars.

SECTION 16. The first sentence of section 44 of said chapter 13 is hereby amended by striking out the words "eight thousand nine hundred and eight", inserted by section 15 of said chapter 426, and inserting in place thereof the words:— nine thousand four hundred and sixty —, and by striking out the words "eight thousand one hundred and eight", as so inserted, and inserting in place thereof the words:— eight thousand six hundred and eleven.

SECTION 17. 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-six thousand eight hundred and thirty-eight", inserted by section 16 of said chapter 426, and inserting in place thereof the words:— twenty-eight thousand five hundred and two —, and by striking out the words "twenty thousand seven hundred and eighty-five", as so inserted, and inserting in place thereof the words:— twenty-two thousand and seventy-four.

SECTION 18. The seventh sentence of section 1 of chapter 16 of the General Laws is hereby amended by striking out the words "twenty-nine thousand eight hundred and thirty-eight", inserted by section 17 of said chapter 426, and inserting in place thereof the words:— thirty-one thousand six hundred and eighty-eight —, and by striking out the words "twenty-three thousand four hundred and twelve", as so inserted, and inserting in place thereof the words:— twenty-four thousand eight hundred and sixty-four.

SECTION 19. The third sentence of section 9 of said chapter 16 is hereby amended by striking out the words "twenty-two thousand seven hundred and twenty-seven", inserted by section 18 of said chapter 426, and inserting in place thereof the words:— twenty-four thousand one hundred and thirty-six.

SECTION 20. The third sentence of section 12 of said chapter 16 is hereby amended by striking out the words "nineteen thousand six hundred and seventy-four", inserted by section 2 of chapter 768 of the acts of 1973, and inserting in place thereof the words:— twenty-two thousand eight hundred and ninety-four.

SECTION 21. The third sentence of the first paragraph of section 2 of chapter 17 of the General Laws is hereby amended by striking out the words "thirty-two thousand seven hundred and seventy-seven", inserted by section 20 of chapter 426 of the acts of 1973, and inserting in place thereof the words:— thirty-four thousand eight hundred and nine.

SECTION 22. The fourth sentence of section 3 of chapter 18 of the General Laws is hereby amended by striking out the words "thirty-two thousand five hundred and forty-nine", inserted by section 21 of said chapter 426, and inserting in place thereof the words:— thirty-four thousand five hundred and sixty-seven.

SECTION 23. The first paragraph of section 4 of said chapter 18 is hereby amended by striking out the third sentence, as most recently amended by section 22 of said chapter 426, and inserting in place thereof the following sentence:— The deputy commissioner shall receive a salary of thirty thousand four hundred and forty-three dollars.

SECTION 24. The second paragraph of said section 4 of said chapter 18 is hereby amended by striking out the second sentence, as amended by section 22A of said chapter 426, and inserting in place thereof the following sentence:— The assistant commissioner for research and planning shall receive a salary of twenty-four thousand eight hundred and sixty-four dollars.

SECTION 25. The third paragraph of said section 4 of said chapter 18 is hereby amended by striking out the second sentence, as amended by section 22B of said chapter 426, and inserting in place thereof the following sentence:— He shall receive a salary of twenty-four thousand eight hundred and sixty-four dollars.

SECTION 26. The fourth paragraph of said section 4 of said chapter 18 is hereby amended by striking out the second sentence, as amended by section 22C of said chapter 426, and inserting in place thereof the following sentence:— The assistant commissioner of field operations shall receive a salary of twenty-four thousand eight hundred and sixty-four dollars.

SECTION 27. The fifth paragraph of said section 4 of said chapter 18 is hereby amended by striking out the second sentence, as amended by section 22D of said chapter 426, and inserting in place thereof the following sentence:— The assistant commissioner for social services shall receive a salary of twenty-four thousand eight hundred and sixty-four dollars.

SECTION 28. The sixth paragraph of said section 4 of said chapter 18 is hereby amended by striking out the second sentence, as amended by section 22E of said chapter 426, and inserting in place thereof the following sentence:— The assistant commissioner for medical assistance shall receive a salary of twenty-four thousand eight hundred and sixty-four dollars.

SECTION 29. The sixth paragraph of section 2 of chapter 19 of the General Laws is hereby amended by striking out the words "forty-two thousand two hundred and fifty-six, inserted by section 24 of said chapter 426, and inserting in place thereof the words:— forty-four thousand eight hundred and seventy-six.

SECTION 30. The second sentence of section 2 of chapter 20 of the General Laws is hereby amended by striking out the words "eighteen thousand six hundred and twenty-five", inserted by section 25 of said chapter 426, and inserting in place thereof the words:— nineteen thousand seven hundred and eighty.

SECTION 31. Section 5 of said chapter 20 is hereby amended by striking out the words "fifteen thousand and eighty-four", inserted by section 26 of said chapter 426, and inserting in place thereof the words:— sixteen thousand and nineteen.

SECTION 32. The second sentence of section 3A of chapter 21 of the General Laws is hereby amended by striking out the words

"twenty-three thousand four hundred and twelve", inserted by section 27 of said chapter 426, and inserting in place thereof the words:— twenty-four thousand eight hundred and sixty-four.

SECTION 33. The second sentence of section 2 of chapter 22 of the General Laws is hereby amended by striking out the words "twenty-two thousand seven hundred and twenty-seven", inserted by section 28 of said chapter 426, and inserting in place thereof the words:— twenty-four thousand one hundred and thirty-six.

SECTION 34. Section 2 of chapter 23 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 1 of chapter 1192 of the acts of 1973, and inserting in place thereof the following sentence:— The commissioner shall receive a salary of twenty-one thousand nine hundred and fifty-two dollars, the associate commissioner who is appointed to serve as chairman of the board of conciliation and arbitration shall receive a salary of twenty-one thousand two hundred and forty dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of fifteen thousand nine hundred and thirty dollars, and the other associate commissioner shall receive a salary of thirteen thousand ninety-nine dollars.

SECTION 35. Paragraph (*b*) of section 9I of said chapter 23 is hereby amended by striking out the words "twenty-four thousand six hundred and sixty-eight", inserted by section 30 of chapter 426 of the acts of 1973, and inserting in place thereof the words:— twenty-six thousand one hundred and ninety-seven.

SECTION 36. The eighth sentence of paragraph (*b*) of section 9N of said chapter 23 is hereby amended by striking out the words "fifteen thousand six hundred and forty-six", inserted by section 31 of said chapter 426, and inserting in place thereof the words:— sixteen thousand six hundred and sixteen — , and by striking out the words "fourteen thousand three hundred and eighty-six", as so inserted, and inserting in place thereof the words:— fifteen thousand two hundred and seventy-eight.

SECTION 37. The first sentence of section 9P of said chapter 23 is hereby amended by striking out the words "eighteen thousand six hundred and fifteen", inserted by section 32 of said chapter 426, and inserting in place thereof the words:— nineteen thousand seven hundred and sixty-nine —, and by striking out the words "eleven thousand seven hundred and sixty-three", as so inserted, and inserting in place thereof the words:— twelve thousand four hundred and ninety-two.

SECTION 38. The second sentence of the first paragraph of section 15 of said chapter 23 is hereby amended by striking out the words "twenty-five thousand", inserted by section 1 of chapter 1193 of the acts of 1973, and inserting in place thereof the words:— twenty-six thousand five hundred and fifty —, and by striking out the words "twenty-three thousand", as so inserted, and inserting in place thereof the words:— twenty-four thousand four hundred and twenty-six.

SECTION 39. The fourth sentence of the first paragraph of

section 1 of chapter 23A of the General Laws is hereby amended by striking out the words "twenty-six thousand and thirty-nine", inserted by section 34 of chapter 426 of the acts of 1973, and inserting in place thereof the words:— twenty-seven thousand six hundred and fifty-three.

SECTION 40. The fourth sentence of section 1 of chapter 23B of the General Laws is hereby amended by striking out the words "twenty-four thousand six hundred and sixty-eight", inserted by section 35 of said chapter 426, and inserting in place thereof the words:— twenty-six thousand one hundred and ninety-seven.

SECTION 41. The fifth sentence of section 2 of chapter 25 of the General Laws is hereby amended by striking out the words "twenty thousand six hundred and seventy", inserted by section 36 of said chapter 426, and inserting in place thereof the words:— twenty-one thousand nine hundred and fifty-two —, and by striking out the words "fourteen thousand nine hundred and sixty-one", as so inserted, and inserting in place thereof the words:— fifteen thousand eight hundred and eighty-nine.

SECTION 42. The second sentence of section 2 of chapter 26 of the General Laws is hereby amended by striking out the words "twenty-two thousand seven hundred and twenty-seven", inserted by section 37 of said chapter 426, and inserting in place thereof the words:— twenty-four thousand one hundred and thirty-six.

SECTION 43. The second sentence of section 6 of said chapter 26 is hereby amended by striking out the words "twenty-three thousand seven hundred and fifty-five", inserted by section 38 of said chapter 426, and inserting in place thereof the words:— twenty-five thousand two hundred and twenty-eight.

SECTION 44. The third sentence of section 1 of chapter 27 of the General Laws is hereby amended by striking out the words "thirty-two thousand five hundred and forty-nine", inserted by chapter 703 of the acts of 1973, and inserting in place thereof the words:— thirty-four thousand five hundred and sixty-seven.

SECTION 45. The first sentence of the first paragraph of section 2 of said chapter 27, is hereby amended by striking out the words "twenty thousand one hundred and forty-eight", inserted by section 40 of chapter 426 of the acts of 1973, and inserting in place thereof the words:— twenty-one thousand three hundred and ninety-seven.

SECTION 46. The first sentence of the fourth paragraph of section 4 of said chapter 27 is hereby amended by striking out the words "twenty-two thousand seven hundred and twenty-seven", inserted by section 41 of said chapter 426, and inserting in place thereof the words:— twenty-four thousand one hundred and thirty-six —, and by striking out the words "seventeen thousand five hundred and eighty-seven", as so inserted, and inserting in place thereof the words:— eighteen thousand six hundred and seventy-seven.

SECTION 47. Section 2 of chapter 28 of the General Laws is hereby amended by striking out the words "twenty-six thousand eight hundred and thirty-eight", inserted by section 42 of said

chapter 426, and inserting in place thereof the words:— twenty-eight thousand five hundred and two —, and by striking out the words "eight thousand six hundred and seventy-nine", as so inserted, and inserting in place thereof the words:— nine thousand two hundred and seventeen.

SECTION 48. 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-five thousand", inserted by section 2 of chapter 1193 of the acts of 1973, and inserting in place thereof the words:— twenty-six thousand five hundred and fifty —, and by striking out the words "twenty-three thousand", as so inserted, and inserting in place thereof the words:— twenty-four thousand four hundred and twenty-six.

SECTION 49. The second sentence of the fourth paragraph of section 3 of chapter 354 of the acts of 1952 is hereby amended by striking out the words "thirty-four thousand four hundred and seventy-seven", inserted by section 44 of chapter 426 of the acts of 1973, and inserting in place thereof the words:— thirty-six thousand six hundred and fourteen, — and by striking out the words "nineteen thousand three hundred and ninety-four", as so inserted, and inserting in place thereof the words:— twenty thousand five hundred and ninety-six.

SECTION 50. The last paragraph of section 4 of chapter 598 of the acts of 1958 is hereby amended by striking out the words "eight thousand six hundred and nineteen", inserted by section 45 of said chapter 426, and inserting in place thereof the words:— nine thousand one hundred and fifty-three— , and by striking out the words "two thousand one hundred and fifty-five", as so inserted, and inserting in place thereof the words:— two thousand two hundred and eighty-eight.

SECTION 51. Section 2 of chapter 635 of the acts of 1960 is hereby amended by striking out the words "twelve thousand two hundred and nineteen", inserted by section 46 of said chapter 426, and inserting in place thereof the words:— twelve thousand nine hundred and seventy-seven —, and by striking out the words "eight thousand two hundred and twenty-three", as so inserted, and inserting in place thereof the words:— eight thousand seven hundred and thirty-three.

SECTION 52. The third sentence of section 3 of said chapter 635 is hereby amended by striking out the words "twenty-two thousand one hundred and fifty-six", inserted by section 47 of said chapter 426, and inserting in place thereof the words:— twenty-three thousand five hundred and thirty.

SECTION 53. Sections one and two of this act shall take effect as of December thirtieth, nineteen hundred and seventy-three.

SECTION 54. Sections three to fifty-two, inclusive, shall take effect as of January first, nineteen hundred and seventy-four.

Approved June 27, 1974.

Chap. 423. 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 chapters four hundred and sixty-six, one thousand one hundred and one and one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three and chapters two hundred and fifteen and three hundred and sixty-three of the acts of nineteen hundred and seventy-four, for the fiscal year ending June the thirtieth, nineteen hundred and seventy-four, 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.

Item

Legislature.

House of Representatives.

0125-7402 For a study relative to the control of rents and evictions in certain cities and towns of the commonwealth, authorized by order of the house of representatives **$50,000**

Other Expenses.

0143-0003 For the compilation, indexing, annotating, printing, and other expenses in connection with the publication of the bulletin of committee hearing and of the daily list, with the approval of the joint committees on rules, including not more than three permanent positions **$45,000**

Special Investigations.

0185-7404 For an investigation and study relative to the restriction of weight of vehicles on public ways, as authorized by chapter eight of the resolves of nineteen hundred and seventy-three **$10,000**

Secretary of the Commonwealth.

Office of Campaign and Political Financing.

0531-0100 Item 0531-0100 of section two of chapter three hundred and sixty-three of the acts of nineteen hundred and seventy-four is hereby amended by adding after the word "positions" the words:— appropriation expires June thirtieth, nineteen hundred and seventy-five.

Treasurer and Receiver-General.

0610-0000 Item 0610-0000 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is

hereby amended by adding after the word "positions" the following wording:— ; provided, that, notwithstanding the provisions of any general or special law to the contrary, the treasurer and receiver-general is hereby authorized during the fiscal years nineteen hundred and seventy-five or nineteen hundred and seventy-six to enter into a lease-purchase agreement to replace certain computer equipment at a cost not to exceed two hundred and fifty thousand dollars for a twelve-month period.

Department of the Attorney General.

0810-0014 For expenses incurred by the department pursuant to section eleven E of chapter twelve of the General Laws; appropriation expires June thirtieth, nineteen hundred and seventy-five **$250,000**

Unassigned Accounts.

Unforeseen Emergencies.

1599-2015 Item 1599-2015 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three as amended by chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three is hereby amended by inserting after the word "inclusive" the words:— and to meet the cost resulting from insufficient appropriations in the subsidiary accounts titled "01" permanent positions, and "02" salaries other, and for certain other payroll deficiencies approved by the house and senate committees on ways and means.

Department of Agriculture.

2518-9001 For certain improvements to the state building in West Springfield, appropriation expires June thirtieth, nineteen hundred and seventy-five **$40,000**

Agricultural Purposes Fund	100.0%

Department of Natural Resources.

2600-0100 For the office of the commissioner, including the expenses of the natural resource 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 **$31,500**

General Fund	77.8%
Public Access Fund	2.3%
State Recreation Areas Fund	16.5%
Marine Fisheries Fund	3.0%
Inland Fisheries and Game Fund	0.4%

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, appropriation expires June thirtieth, nineteen hundred and seventy-five **$1,000,000**

Public Access Fund	100.0%

Division of Forestry and Parks.

2611-9007 For certain improvements and repairs to the Mount Greylock State Reservation, appropriation expires June thirtieth, nineteen hundred and seventy-five **$65,000**

State Recreation Areas Fund	100.0%

Department of Community Affairs.

Division of Community Services.

3732-3036 For the purpose of initiating the land record project, so called, appropriation expires June thirtieth, nineteen hundred and seventy-five **$50,000**

Department of Correction.

Correctional Institution at Walpole.

4313-9011 For improvements to the ventilation system of the dining room, including purchase and installation of air conditioning equipment, appropriation expires June thirtieth, nineteen hundred and seventy-five **$48,000**

Correctional Institution at Framingham.

4315-9011 For renovation of the roofs and for the renovation and waterproofing of the exterior masonry walls of the main building complex, appropriation expires June thirtieth, nineteen hundred and seventy-five **$189,000**

Correctional Institution at Norfolk.

4316-9011 For the replacement of the existing roof on the industrial building, appropriation expires June thirtieth, nineteen hundred and seventy-five **$120,000**

Correctional Institution Camps.

4317-9011 For renovation and improvements to the existing heating system, including the replacement of the existing hot water boiler, appropriation expires June thirtieth, nineteen hundred and seventy-five **$100,000**

Department of Public Welfare.

4402-5000 For the medical assistance program; provided, that all federal funds received for the purposes of this item shall be credited to the General Fund; and provided further; that no expenditure 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 **$19,500,000**

4402-5013 Chapter one thousand one hundred and one of the acts of nineteen hundred and seventy-three is hereby amended by striking out the item 4402-5013 and inserting in place thereof the following item:—

4402-5013 For expenses of prior fiscal years for a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund; and provided further, that there shall be expended from this item not more than eight million five hundred eighty-two thousand one hundred and ninety-five dollars for physicians, two million five hundred seven thousand eight hundred and twenty-five dollars for dentists, one million five hundred twenty-one thousand three hundred seventy-eight dollars for other licensed medical providers, one million six hundred eighty-seven thousand two hundred and fifty-two dollars for pharmacies, thirty-four thousand three hundred and thirty-six dollars for psychologists, seven hundred twen-

ty-three thousand seven hundred and twenty-nine dollars for home health services, one hundred eight thousand three hundred and sixty-seven dollars for hearing services, sixty-seven thousand six hundred and seventy-eight dollars for laboratory services, eighteen million one hundred ninety-nine thousand six hundred and seventy-two dollars for nursing homes, twenty million one hundred nine thousand nine hundred and sixty-six dollars for acute hospitals, six million four hundred forty-two thousand eight dollars for chronic hospitals, one million two hundred ten thousand and sixty dollars for public medical institutions, two million six hundred fifty-seven thousand four hundred and seven dollars for clinics, and four hundred sixty-three thousand five hundred and seventy-four dollars for medical supplies; provided, that all payments from this item shall be post-audited by the comptroller and a detailed report of said audit filed with the house and senate committees on ways and means; and provided further, that the department shall on or before the tenth day of each month file a report of expenditures made from the allocations specified in this item for the preceding month with the house and senate committees on ways and means **$64,315,447**

4403-2003 Said chapter one thousand one hundred and one is hereby further amended by striking out item 4403-2003 and inserting in place thereof the following item:—

4403-2003 For expenses of prior fiscal years 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; provided further, that all payments from this item shall be post-audited by the comptroller and a detailed report of said audit be filed with the house and senate committees on ways and means; and provided further, that the department shall on or before the tenth day of each month file a report of expenditures from this item for the preceding month with the house and senate committees on ways and means **$205,754**

4405-2002 Said chapter one thousand one hundred and one is hereby further amended by striking out item 4405-2002 and inserting in place thereof the following item:—

4405-2002 For expenses of prior fiscal years for a program of old age assistance; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund; and provided further, that all payments from this item shall be post-audited by the comptroller and a detailed report of said audit filed with the house and senate committees on ways and means; and provided further, that the department shall on or before the tenth day of each month file a report of expenditures from this item for the preceding month with the house and senate committees on ways and means **$82,902**

4406-2003 Said chapter one thousand one hundred and one is hereby further amended by striking out item 4406-2003 and inserting in place thereof the following item:—

4406-2003 For expenses of prior fiscal years for a program of general relief; provided, that there shall be expended from this item not more than five hundred twenty-three thousand nine hundred and seventy-nine dollars for physicians, one hundred sixty thousand and two dollars for dentists, forty-three thousand seven hundred and sixty-seven dollars for

other medical providers, seventy-three thousand and fourteen dollars for pharmacies, forty thousand two hundred and seventy-four dollars for home health services, nine thousand five hundred and eighty-nine dollars for hearing services, six thousand and sixty-one dollars for laboratory services, eighty-two thousand five hundred and thirty-six dollars for nursing homes, three million one hundred ninety-one thousand one hundred and seventy-eight dollars for acute hospitals, three hundred thousand three hundred and forty-six dollars for chronic hospitals, forty thousand one hundred and six dollars for public medical institutions, seventy-five thousand two hundred and forty dollars for clinics, thirty-five thousand dollars for medical supplies, nine hundred and sixteen thousand dollars for rest homes, three thousand four hundred and fifty-eight dollars for psychologists and one hundred twenty-five thousand dollars for miscellaneous non-medical services; provided further, that all payments from this item shall be post-audited by the comptroller and a detailed report of said audit filed with the house and senate committees on ways and means; and provided further, that the department shall on or before the tenth day of each month file a report of expenditures made from the allocations specified in this item for the preceding month with the house and senate committees on ways and means **$5,625,550**

4407-2003 Said chapter one thousand one hundred and one is hereby further amended by striking out item 4407-2003 and inserting in place thereof the following item:—

4407-2003 For expenses of prior fiscal years 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; provided further, that all payments from this item shall be post-audited by the comptroller and a detailed report of said audit filed with the house and senate committees on ways and means; and provided further, that the department shall on or before the tenth day of each month file a report of expenditures from this item for the preceding month with the house and senate committees on ways and means **$47,706**

Department of Public Health.

Bureau of Consumer Products Protection.

4517-0100 Item 4517-0100 of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by adding the following words:— ; provided, that overtime compensation in the amount of nineteen thousand seven hundred and forty-five dollars earned but not paid for the fiscal year nineteen hundred and seventy-two shall be allowed and paid herefrom **$19,745**

Department of Mental Health.

Region Two.

5281-0000)
)
5292-0100) From the unexpended balance remaining in item 5281-0000 of section two of chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three the sum of three hundred thousand dollars is hereby transferred and made available for the purposes of item 5292-0100 of

section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three as amended by chapter one thousand one hundred and eighty-one of the acts of nineteen hundred and seventy-three.

Executive Office of Educational Affairs.

New England Board of Higher Education.

7000-0801 For expenses of the board and for compensation and expenses of the members; provided that a certain obligation incurred and not paid for fiscal year nineteen hundred and seventy-three shall be allowed and paid herefrom **$37,359**

Department of Public Safety.

Division of State Police.

8312-0100 For the administration of the division, including the compensation of the state police officers formerly in the service of the commonwealth now retired; including not more than one thousand one hundred and twenty-two permanent positions. **$200,000**

General Fund	15.0%
Highway Fund	85.0%

SECTION 2A. Section 2A of chapter 363 of the acts of 1974 is hereby amended by inserting after item number "1599-3100" the item number:— 2200-1000- , and by inserting after item number "7117-9101" the following item numbers:—

7118-8691
7118-8692
7118-8702

SECTION 3. Chapter 466 of the acts of 1973 is hereby amended by striking out section 3, as amended by section 3 of chapter 363 of the acts of 1974, and inserting in place thereof the following section:—

Section 3. In order to meet the estimated costs of utilities to be furnished projects constructed by the building authorities established by chapter five hundred and fifty-seven of the acts of nineteen hundred and sixty-one, and chapter seven hundred and three of the acts of nineteen hundred and sixty-three, the comptroller shall transfer to the General Fund on or after July first, nineteen hundred and seventy-three, the following amounts:

from 7109-0100	$31,000
from 7110-0100	30,000
from 7111-0100	25,000
from 7113-0100	20,988
from 7114-0100	42,000
from 7115-0100	34,000
from 7116-0100	32,436
from 7118-0100	33,072
from 7210-0000	40,000

provided, that said amounts shall be credited to said items upon payment by said building authorities and may be expended without further appropriation.

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

Approved June 27, 1974.

Chap. 424. AN ACT CLARIFYING THE ESTABLISHMENT BY CITIES AND TOWNS OF TICKETING PROCEDURES FOR BICYCLE LAW VIOLATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify immediately the establishment by cities and towns of ticketing procedures for bicycle law violations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Clause (16B) of section 21 of chapter 40 of the General Laws, as appearing in section 1 of chapter 806 of the acts of 1973, is hereby amended by adding after the word "lanes", in line 2, the words:— and for establishing a noncriminal ticketing procedure against violations of bicycle laws, and a schedule of fines for breaches thereof, not to exceed twenty dollars for each offense.

SECTION 2. Section 11C of chapter 85 of the General Laws, as appearing in chapter 596 of the acts of 1973, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Every city and town shall, pursuant to clause (16B) of section twenty-one of chapter forty, provide a noncriminal ticketing procedure against violators of the provisions of sections eleven A and eleven B and of any rule, regulation, ordinance or by-law of the city or town regulating the registration, equipment and operation of bicycles. Cities and towns shall print notices of such violations in tag form in the same manner as notices pursuant to section twenty A or twenty C of chapter ninety are printed for such cities and towns.

SECTION 3. The first paragraph of section 4A of chapter 90C of the General Laws, as appearing in chapter 331 of the acts of 1973, is hereby amended by inserting after the word "vehicles", in line 6, the words:— or bicycles —, and by inserting after the word "parking", in line 15, the words:— or bicycle.

SECTION 4. The fourth paragraph of said section 4A of said chapter 90C, as so appearing, is hereby amended by inserting after the word "parking", in line 4, the words:— or bicycles.

SECTION 5. This act shall take effect as of November seventh, nineteen hundred and seventy-three.

Approved June 27, 1974.

Chap. 425. AN ACT FURTHER REGULATING THE TAKING OF BLOOD FOR CHEMICAL TESTS AND ANALYSES DESIGNED TO MEASURE WHETHER PERSONS WERE OPERATING MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR.

Be it enacted, etc., as follows:

Paragraph (*e*) of subdivision 1 of section 24 of chapter 90 of the General Laws is hereby amended by striking out the third sentence,

as appearing in chapter 773 of the acts of 1967, and inserting in place thereof the following sentence:— Blood shall not be withdrawn from any such defendant for the purposes of any such test or analysis except by a physician or a registered nurse.

Approved June 27, 1974.

Chap. 426. AN ACT FURTHER REGULATING THE METHOD OF APPOINTING A REPRESENTATIVE OF ORGANIZED LABOR ON HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

The sixth paragraph of section 5 of chapter 121B of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 565 of the acts of 1971, and inserting in place thereof the following sentence:— In a city, one of the four members of a housing authority appointed by the mayor shall be a resident of that city and shall be a representative of organized labor who shall be appointed by the mayor from a list of names submitted by labor unions in the city; each of these unions may submit a list which contains not less than two nor more than five names to the mayor who shall make his selection from the lists of names submitted by the respective unions.

Approved June 27, 1974.

Chap. 427. AN ACT INCREASING THE AMOUNT OF MONEY THE AMHERST POLICE RELIEF ASSOCIATION MAY PAY TO MEMBERS UPON THE DEATH OF THEIR WIVES.

Be it enacted, etc., as follows:

Chapter 137 of the acts of 1960 is hereby amended by striking out, in line 4, the word "one" and inserting in place thereof the word:— five.

Approved June 27, 1974.

Chap. 428. AN ACT ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND A PARKS AND RECREATION COMMISSION IN THE TOWN OF LENOX.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the town of Lenox a board of public works, hereinafter called the board, consisting of five members appointed by the selectmen of said town. Of the members first appointed, two shall serve for four years, two shall serve for three years and one shall serve for two years and thereafter when the term of any member expires his successor shall be appointed to serve for three years. In all cases the members of the board shall

serve until their successors are qualified. Any vacancy in such board shall be filled in like manner for the unexpired portion of the term. The board of selectmen shall designate one of the members as chairman. No person shall serve on the board who holds an elective office in the town or who is an employee of the town. The board shall elect from its members a vice chairman and a clerk.

SECTION 2. Upon the qualification of the initial members of the board, the board shall have all the powers and duties now and from time to time vested by the General Laws or town by-law or special act in the following boards, departments and offices or in boards, departments and offices having corresponding powers and duties in the town of Lenox to wit: combined highway and sewer departments also known as the public works department, tree warden, water commission and cemetery commission and shall maintain and care for all facilities and property under the control of the playground commission and shall assume, as soon as may be feasible, the operation, care and maintenance of the town's solid waste facility and such boards, offices and departments, namely, combined highway and sewer departments, tree warden, water commission, cemetery commission, and playground commission are hereby abolished. No contracts or liabilities then in force shall be affected by such abolition, but the board of public works shall in all respects be the lawful successor of the boards, departments and offices so abolished.

The board shall have such added powers with respect to public works as the town may from time to time by by-law provide, any other provisions of the law to the contrary notwithstanding. All employees of these departments shall immediately upon the effective date of this act be transferred to the board without loss of pay and without any loss of rights and shall not lose under this change or transfer any rating, seniority, retirement or pension rights, or any other rights or privileges under any provisions of law whatsoever and may be required to work, when assigned, within any division of the board. The board shall develop and present the department's budgetary requirements, hire employees and select a superintendent of public works who shall hold a degree in civil engineering or possess equivalent training and experience. Said superintendent shall in addition to his regular duties assume supervision of water supply and transmission services.

SECTION 3. There shall be established in said town of Lenox a parks and recreation commission, hereinafter called the commission, consisting of seven members appointed by the selectmen of said town. Of the members first appointed, two shall serve for three years, two shall serve for two years and three shall serve for one year and thereafter when the term of any member expires, his successor shall be appointed for three years. In all cases, the members of the commission shall serve until their successors are qualified. Any vacancy in such commission shall be filled in like manner for the unexpired portion of the term. The board of selectmen shall

designate one of the members as chairman. The commission shall elect from its members a vice chairman and a clerk.

SECTION 4. Upon the qualification of the initial members of the commission, the commission shall have all the powers and duties now and from time to time vested by the General Laws or town by-law or special act in the following boards, offices and commissions to wit: playground commission, beach committee, board of directors of the community center and the trustees of the Lenox Academy and shall, in the case of the playground commission assume control but not the maintenance of all facilities under the control of the playground commission and shall assume the powers and duties of the beach committee, the board of directors of the community center and the trustees of the Lenox Academy and shall operate and maintain any facilities under their control and such boards, offices and commissions are hereby abolished. No contracts or liabilities then in force shall be affected by such abolition, but the commission shall in all respects be the lawful successor of the boards, offices and commissions so abolished.

All employees of these boards, offices and commissions shall immediately upon the effective date of this act be transferred to the commission without loss of pay and shall not lose under this change or transfer any rating, seniority, retirement or pension rights, or any other rights or privileges under any provisions of law whatsoever. The commission shall develop and operate a comprehensive recreational program, present its budgets and recommendations for town meeting action, hire employees and appoint a recreation director to administer its programs who shall perform such duties as may be from time to time prescribed by the commission.

SECTION 5. Notwithstanding any contrary provisions of section two, Andrew Piretti, incumbent of the office of superintendent of public works, so called, may until his attainment of age sixty-five continue to serve at the pleasure of said board.

SECTION 6. This act shall take effect upon its acceptance by the town of Lenox.

Approved June 27, 1974.

Chap. 429. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CHANGE THE NAME OF TRUMAN HIGHWAY IN THE TOWN OF MILTON AND THE HYDE PARK DISTRICT OF THE CITY OF BOSTON TO TRUMAN PARKWAY AND PROVIDING FOR THE NAMING OF CERTAIN WOODLAND AREAS.

Be it enacted, etc., as follows:

SECTION 1. The Truman highway located in the town of Milton and the Hyde Park district of the city of Boston shall be designated and known as Truman parkway.

SECTION 2. The wooded area bounded by Smith road, Turtle

Pond parkway and Enneking parkway in the Stony Brook reservation in the Hyde Park district of the city of Boston shall be designated and known as the Enneking woodland, in memory of John J. Enneking, noted landscape painter whose foresight led to the establishment of Stony Brook reservation as a public domain.

SECTION 3. The metropolitan district commission pond area located off River street in the Hyde Park district of the city of Boston shall be designated and known as the Greenough Mill pond, in memory of Charles W. Greenough, a former commissioner of said commission.

SECTION 4. The raised area located between Kelly and Gelewitz fields in the Hyde Park district of the city of Boston shall be designated and known as Clem Norton park, in honor of Clement A. Norton, a member of the city council and school committee of the city of Boston.

SECTION 5. The hiking and bicycle trails of Stony Brook reservation in the Roslindale and Hyde Park districts of the city of Boston shall be designated and known as the Edward U. Howley trails, in memory of Edward U. Howley, a life-long resident of Hyde Park, who was prominent in local and civic affairs.

SECTION 6. The metropolitan district commission shall erect a suitable marker or markers bearing each such designation at each such location specified in this act.

Approved June 27, 1974.

Chap. 430. AN ACT PROVIDING FOR THE REGULATION OF OBSCENITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out section 28, as most recently amended by section 1 of chapter 418 of the acts of 1966, and inserting in place thereof the following section:—

Section 28. Whoever disseminates to a minor any matter harmful to minors, knowing it to be harmful to minors, or has in his possession any such matter with the intent to disseminate the same to minors, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or by a fine of not less than one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment in a jail or house of correction. It shall be an affirmative defense in any prosecution under this section that the defendant was in a parental or guardianship relationship with the minor. It shall be an affirmative defense under this section if the evidence proves that the defendant was a bona fide school, museum or library, or was acting in the course of his employment as an employee of such organization or of a retail outlet affiliated with and serving the educational purpose of such organization.

SECTION 2. Sections twenty-eight A and twenty-eight B of said chapter two hundred and seventy-two are hereby repealed.

SECTION 3. Said chapter 272 is hereby further amended by striking out section 28C, as appearing in section 1 of chapter 278 of the acts of 1945, and inserting in place thereof the following section:—

Section 28C. Whenever there is reasonable cause to believe that a book which is being disseminated, or is in the possession of any person who intends to disseminate the same, is obscene, the attorney general, or any district attorney within his district, shall bring an information or petition in equity in the superior court directed against said book by name. Upon the filing of such information or petition in equity, a justice of the superior court shall, if, upon a summary examination of the book, he is of opinion that there is reasonable cause to believe that such book is obscene, issue an order of notice, returnable in or within thirty days, directed against such book by name and addressed to all persons interested in the dissemination thereof, to show cause why said book should not be judicially determined to be obscene. Notice of such order shall be given by publication once each week for two successive weeks in a daily newspaper published in the city of Boston and, if such information or petition be filed in any county other than Suffolk county, then by publication also in a daily newspaper published in such other county. A copy of such order of notice shall be sent by registered mail to the publisher of said book, to the person holding the copyrights, and to the author, in case the names of any such persons appear upon said book, fourteen days at least before the return day of such order of notice. After the issuance of an order of notice under the provisions of this section, the court shall, on motion of the attorney general or district attorney, make an interlocutory finding and adjudication that said book is obscene, which finding and adjudication shall be of the same force and effect as the final finding and adjudication provided in section twenty-eight E or section twenty-eight F, but only until such final finding and adjudication is made or until further order of the court. It shall be an affirmative defense under this section if the evidence proves that the defendant was a bona fide school, museum or library, or was acting in the course of his employment as an employee of such organization or of a retail outlet affiliated with and serving the educational purpose of such organization.

SECTION 4. Said chapter 272 is hereby further amended by striking out section 28D, as so appearing, and inserting in place thereof the following section:—

Section 28D. Any person interested in the dissemination of said book may appear and file an answer on or before the return day named in said notice or within such further time as the court may allow, and may claim a right to trial by jury on the issue whether said book is obscene.

SECTION 5. Said chapter 272 is hereby further amended by striking out section 28E, as so appearing, and inserting in place thereof the following section:—

Section 28E. If no person appears and answers within the time allowed, the court may at once upon motion of the petitioner, or of its own motion, no reason to the contrary appearing, order a general default and if the court finds that the book is obscene, may make an adjudication against the book that the same is obscene.

SECTION 6. Said chapter 272 is hereby further amended by striking out section 28F, as so appearing, and inserting in place thereof the following section:—

Section 28F. If an appearance is entered and answer filed, the case shall be set down for speedy hearing, but a default and order shall first be entered against all persons who have not appeared and answered, in the manner provided in section twenty-eight E. Such hearing shall be conducted in accordance with the usual course of proceedings in equity including all rights of exception and appeal. At such hearing the court may receive the testimony of experts and may receive evidence as to the literary, artistic, political or scientific character of said book and as to the manner and form of its dissemination. Upon such hearing, the court may make an adjudication in the manner provided in said section twenty-eight E.

SECTION 7. Said chapter 272 is hereby further amended by striking out section 28G, as so appearing, and inserting in place thereof the following section:

Section 28G. An information or petition in equity under the provisions of section twenty-eight C shall not be open to objection on the ground that a mere judgment, order or decree is sought thereby and that no relief is or could be claimed thereunder on the issue of the defendant's knowledge as to the obscenity.

SECTION 8. Said chapter 272 is hereby further amended by striking out section 28H, as so appearing, and inserting in place thereof the following two sections:—

Section 28H. In any trial under section twenty-nine on an indictment found or a complaint made for any offence committed after the filing of a proceeding under section twenty-eight C, the fact of such filing and the action of the court or jury thereon, if any, shall be admissible in evidence. If prior to the said offence a final decree had been entered against the book, the defendant, if the book be obscene, shall be conclusively presumed to have known said book to be obscene, or if said decree had been in favor of the book he shall be conclusively presumed not to have known said book to be obscene, or if no final decree had been entered but a proceeding had been filed prior to said offence, the defendant shall be conclusively presumed to have had knowledge of the contents of said book.

Section 28I. The procedures set forth in sections twenty-eight C, twenty-eight D, twenty-eight E, twenty-eight G and twenty-eight H shall be a condition precedent to the institution of any proceedings pursuant to section twenty-nine or thirty for dissemination of obscene books.

SECTION 9. Said chapter 272 is hereby further amended by striking out section 29, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 29. Whoever disseminates any matter which is obscene, knowing it to be obscene, or whoever has in his possession any matter which is obscene, knowing it to be obscene, with the intent to disseminate the same, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or by a fine of not less than one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment in a jail or house of correction. It shall be an affirmative defense under this section if the evidence proves that the defendant was a bona fide school, museum or library, or was acting in the course of his employment as an employee of such organization or of a retail outlet affiliated with and serving the educational purpose of such organization.

SECTION 10. Said chapter 272 is hereby further amended by striking out section 30, as appearing in section 1 of chapter 724 of the acts of 1956, and inserting in place thereof the following section:—

Section 30. The superior court shall have jurisdiction to enjoin the dissemination of any matter which is obscene. The attorney general or a district attorney within his district may request an injunction against any person, firm, or corporation which disseminates or is about to disseminate any matter which is obscene.

The person, firm, or corporation sought to be enjoined shall be entitled to a trial on the merits within one day after filing of responsive pleadings and a decision shall be rendered by the court within two days of the conclusion of the trial.

A justice of the superior court may issue a preliminary injunction pending the trial on the merits against such person, firm, or corporation which disseminates or is about to disseminate any matter which is obscene.

No preliminary injunction shall be issued without notice to the adverse party.

In any action brought as herein provided the attorney general or a district attorney shall not be required to furnish security before the issuance of any injunction provided for in this section and neither the commonwealth nor any county, shall be liable for costs or for damages sustained by reason of the injunction in cases where judgment is rendered in favor of the person, firm, or corporation sought to be enjoined.

If the court finds that the person, firm, or corporation is disseminating or is about to disseminate any obscene matter, it shall issue a permanent injunction prohibiting the dissemination of that matter. The court's order shall direct the person, firm or corporation to surrender to a sheriff or a police officer the matter found obscene and a sheriff or police officer shall be directed to seize and destroy the same.

Appeals shall be as otherwise provided by law in civil proceedings, but any party or intervenor shall have the right to an expedited appeal to the appeals court.

The procedures set forth in this section are in addition to criminal proceedings initiated under any provisions of the General Laws, and not a condition precedent thereto.

SECTION 11. Sections thirty A, thirty B, and thirty C of said chapter two hundred and seventy-two are hereby repealed.

SECTION 12. Said chapter 272 is hereby further amended by striking out section 31, as most recently amended by section 62 of chapter 802 of the acts of 1972, and inserting in place thereof the following section:—

Section 31. As used in sections twenty-eight, twenty-eight C, twenty-eight D, twenty-eight E, twenty-nine and thirty, the following words shall, unless the context requires otherwise, have the following meanings:—

"Disseminate", to import, publish, produce, print, manufacture, distribute, sell, lease, exhibit or display.

"Harmful to minors", matter is harmful to minors if it is obscene or, if taken as a whole, it (1) describes or represents nudity, sexual conduct or sexual excitement, so as to appeal predominantly to the prurient interest of minors; (2) is patently contrary to prevailing standards of adults in the commonwealth as to suitable material for such minors; and (3) lacks serious literary, artistic, political or scientific value for minors.

"Knowing", a general awareness of the character of the matter.

"Minor", an unmarried person under eighteen years of age.

"Nudity", uncovered or less than opaquely covered post-pubertal human genitals, pubic areas, the post-pubertal human female breast below a point immediately above the top of the areola, or the covered male genitals in a discernibly turgid state. For purposes of this definition a female breast is considered uncovered if the nipple only or the nipple or areola only are covered.

"Matter", any printed material, visual representation, live performance or sound recording including but not limited to, books, magazines, motion picture films, pamphlets, phonographic records, pictures, photographs, figures, statues, plays, dances.

"Obscene", matter is obscene if taken as a whole it

(1) appeals to prurient interest of the average person, applying the contemporary standards of the commonwealth;

(2) depicts or describes sexual conduct in a patently offensive way; and

(3) lacks serious literary, artistic, political or scientific value.

"Sexual conduct", human masturbation, sexual intercourse actual or simulated, normal or perverted, or any touching of the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals, any depiction or representation of excretory functions, any lewd exhibitions of the genitals, flagellation or torture in the context of a sexual relationship. Sexual intercourse is simulated when it depicts explicit sexual intercourse which gives the appearance of the consummation of sexual intercourse, normal or perverted.

"Sexual excitement", the condition of human male or female genitals or the breasts of the female while in a state of sexual stimulation or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity.

SECTION 13. Said chapter 272 is further amended by striking out section 32, as most recently amended by section 63 of chapter 802 of the acts of 1972, and inserting in place thereof the following section:—

Section 32. The provisions of sections twenty-eight and twenty-nine shall not apply to a manager or a motion picture operator or assistant operator licensed under sections seventy-five and seventy-six, respectively, of chapter one hundred and forty-three, who is employed in a motion picture theatre licensed under section one hundred and eighty-one of chapter one hundred and forty and the provisions of the state building code, in connection with a motion picture show exhibited in said theatre; provided that such manager, operator or assistant operator has no financial interest in the motion picture theatre wherein he is so employed; and provided, further, that such manager has no authority in determining which motion picture films are to be presented in said theatre.

Approved June 28, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
June 28, 1974

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 of the Acts of 1974, entitled "AN ACT PROVIDING FOR THE REGULATION OF OBSCENITY." and the enactment of which received my approval on June 28, 1974, should take effect forthwith.

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

It is in the public interest that the provisions of this Act take effect immediately in order that the citizens of the Commonwealth will, without delay, have the benefit of a statute providing for the regulation of obscenity.

Sincerely,
FRANCIS W. SARGENT
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, Boston, June 28, 1974.

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 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 four hundred and thirty of the acts of nineteen hundred and seventy-four.

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

Chap. 431. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE, FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two, are hereby appropriated from the General Fund unless specifically designated otherwise in the item, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and seventy-five, in this act referred to as the year nineteen hundred and seventy-five, or for such period as may be specified.

SECTION 2. **Legislature.**

Item		
	Senate	
0111-0000	For the compensation of senators, prior appropriation continued	**$659,476**
0111-8000	For expenses of senators, including travel, prior appropriation continued	**85,000**
0112-0000	For the office of the senate clerk, prior appropriation continued, including not more than nine permanent positions	**197,000**
0113-0000	For the salary of the chaplain of the senate	**8,397**
0114-0000	For the office of the senate counsel, prior appropriation continued, including not more than five permanent positions	**228,000**
0115-0000	For administrative and legislative aides to the senators, prior appropriation continued	**980,000**
0116-0000	For secretarial and clerical assistance to the senators, prior appropriation continued	**336,000**

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 **344,000**

0118-0000 For the office supplies and other expenses of the senators, prior appropriation continued **152,000**

House of Representatives.

0121-0000 For the compensation of representatives, prior appropriation continued **$3,222,767**

0121-8000 For expenses of representatives, including travel, prior appropriation continued **735,000**

0122-0000 For the office of the clerk of the house of representatives, prior appropriation continued, including not more than nine permanent positions **227,854**

0123-0000 For the salary of the chaplain of the house of representatives **8,397**

0124-0000 For the office of the house counsel, prior appropriation continued, including not more than eight permanent positions **365,800**

0125-0000 For the office of the house committee on rules, prior appropriation continued, including not more than fourteen permanent positions **600,000**

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 **496,484**

0127-0000 For clerical and other expenses of the members of the house of representatives, including not more than one permanent position, prior appropriation continued **1,000,000**

0127-0020 For legislative aides to the members of the house of representatives, prior appropriation continued **430,000**

0127-0030 For a legislative intern program **88,000**

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.

Sergeant-at-Arms.

0131-0000 For the office of the sergeant-at-arms, including not more than eleven permanent positions **$191,619**

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 **1,692,817**

0132-1000 For the salaries of clerks employed in the legislative document room, including not more than thirteen permanent positions **157,062**

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 **$176,000**

0134-0000 For the payment of witness fees to persons summoned to appear before committees of the general court and for expenses incidental to such summoning, with the approval of the sergeant-at-arms **300**

0135-0000 For the rental and maintenance of an electric roll call system **12,500**

Other Expenses.

0141-0000 For the expenses of the legislative research council **$8,500**

0142-0000 For the legislative research bureau **246,985**

0143-0000 For the legislative service bureau **550,000**

0143-0001 For the administration of the office of legislative data processing **160,302**

0143-0002 For the office of the recodification counsel, including not more than two permanent positions **30,000**

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 three permanent positions **350,000**

0147-0000 For the administration of the legislative engrossing division, including not more than four permanent positions, prior appropriation continued **85,000**

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 **510,000**

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 **25,000**

0163-0000 For clerical and other assistance to the joint committees **50,000**

0163-2000 For the expenses for research and analysis of the executive reorganization **100,000**

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, prior appropriation continued **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**

0165-0000 For the annual membership fees of the commonwealth in the

national conference of state legislative leaders and the national society of state legislators $3,500

0169-7102 For the office of legislative post audit and oversight bureau, prior appropriation continued 350,000

Special Investigations.

0185-1000 For an investigation and study relative to the marine boundaries and resources of the commonwealth as authorized by chapter seventy-seven of the resolves of nineteen hundred and sixty-nine, prior appropriation continued $15,000

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, prior appropriation continued. 25,000

0185-7302 For an investigation and study relative to the needs of the handicapped as authorized by chapter eighty-six of the resolves of ninteen hundred and seventy-two, prior appropriation continued 40,000

0185-7502 For an investigation and study relative to the unequal educational opportunities as authorized by chapter one hundred and fifty-seven of the resolves of nineteen hundred and seventy-three 75,000

0185-7503 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended 12,000

Total, Legislature $16,010,760

Judiciary.

Supreme Judicial Court.

0301-0001 For the salaries, travelling allowances and expenses of the chief justice and of the six associate justices $279,712

0301-0002 For law clerks and clerical assistance for the justices 292,665

0301-0006 For office supplies, services and equipment 25,500

0301-0101 For the salary of the clerk and the assistant clerk for the commonwealth 55,481

0301-0102 For clerical assistance to the clerk 25,314

0301-0200 For the salaries of the officers and messengers 15,943

0301-0300 For the commonwealth's share 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 82,500

0301-0500 For the service of the executive secretary 149,225

0301-0551 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended 57,668

0301-0601 For expenses of the Massachusetts defenders committee, including not more than thirty-nine permanent positions 2,096,500

0301-0700 For the office of the reporter of decisions, including not more than six permanent positions 105,960

0301-0800	For expenses of the mental health legal advisors committee, and for certain programs for the indigent mentally ill, as provided in section thirty-four E of chapter two hundred and twenty-one of the General Laws; provided, that no expenditure or commitment made pursuant thereto shall be incurred in excess of funds appropriated herein	**$88,000**
	Appeals Court.	
0301-3001	For the salaries, travelling allowances and expenses of the chief justice and of the five associate justices	**$224,460**
0301-3003	For clerical assistance for the justices	**229,233**
0301-3005	For court expenses	**49,445**
0301-3101	For the salary of the clerk and assistant clerks	**99,318**
0301-3102	For clerical assistance to the clerk	**29,384**
0301-3201	For the salaries of court officers and messengers	**144,713**
	Superior Court.	
0302-0001	For the salaries, travelling allowances and expenses of the chief justice and of the forty-five justices	**$1,734,571**
0302-0003	For court expenses	**437,146**
0302-0100	For the commonwealth's share of the salaries and expenses of the clerk and assistant clerks for the county of Suffolk	**7,602**
0302-0301	For the compensation of justices of district courts while sitting in the superior court, prior appropriation continued	**175,000**
0302-0302	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued	**38,000**
0302-0303	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in the place of district court justices sitting in the superior court	**65,000**
0302-0401	For the compensation of probation officers, including not more than one hundred and eight permanent positions	**1,608,255**
0302-0402	For personal services and expenses of the office of the supervisor of probation	**38,791**
0302-1001	For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended	**19,000**
	Judicial Council.	
0303-0001	For the service of the council	**$26,405**
	Administration of District Courts.	
0304-0001	For compensation and expenses in connection with the administration of district courts	**$126,205**
0304-0002	For compensation and expenses of the Justices while sitting in the appeals court	**44,290**
	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	**74,806**

Probate and Insolvency Courts.
For the salaries of judges of probate, registers of probate, assistant registers and clerical assistants to registers of the several counties:

0305-6011	Barnstable, including not more than thirteen permanent positions	**$164,041**
0305-6021	Berkshire, including not more than ten permanent positions	**119,214**
0305-6031	Bristol, including not more than twenty-four permanent positions	**262,169**
0305-6041	Dukes, including not more than three permanent positions	**26,185**
0305-6051	Essex, including not more than thirty-four permanent positions	**359,569**
0305-6061	Franklin, including not more than seven permanent positions	**96,365**
0305-6071	Hampden, including not more than thirty-three permanent positions	**353,624**
0305-6081	Hampshire, including not more than nine permanent positions	**118,409**
0305-6091	Middlesex, including not more than sixty-six permanent positions	**764,201**
0305-6101	Nantucket, including not more than three permanent positions	**46,152**
0305-6111	Norfolk, including not more than forty permanent positions	**432,233**
0305-6121	Plymouth, including not more than twenty-one permanent positions	**260,034**
0305-6131	Suffolk, including not more than seventy-four permanent positions	**745,000**
0305-6141	Worcester, including not more than thirty-two permanent positions	**364,313**

Land Court.

0306-0001	For the office of the land court, including not more than sixty-two permanent positions	**$937,672**

Pensions for Certain Retired Justices.

0307-0001	For pensions of retired judges or their widows	**$920,000**

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	**$463,000**
0308-0002	Northern, including not more than seventeen permanent positions	**205,900**
0308-0003	Eastern, including not more than ten permanent positions	**106,500**
0308-0004	Southern, including not more than nine permanent positions	**48,500**
0308-0005	Middle, including not more than thirteen permanent positions	**139,500**
0308-0006	Western, including not more than nine permanent positions	**96,500**
0308-0007	Northwestern, including not more than six permanent positions	**63,500**
0308-0008	Norfolk, including not more than fourteen permanent positions	**137,000**

0308-0009 Plymouth, including not more than eight permanent positions **$86,000**

0308-0010 For the travelling expenses necessarily incurred by the district attorneys except in the Suffolk district, including expenses incurred in previous years **40,000**

0308-0011 Bristol, including not more than five permanent positions **27,000**

0308-0012 Cape and Islands, including not more than five permanent positions **27,000**

Committee on Probation.

0309-0001 For the office of the commissioner of probation, including not more than sixty-three permanent positions **$898,444**

0309-0002 For compensation and expenses of the members of the committee on probation **2,800**

0309-0010 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended **102,167**

Board of Bar Examiners.

0310-0001 For the service of the board, including not more than six permanent positions **$155,010**

Suffolk County Court House.

0312-0001 For reimbursing the city of Boston for thirty per cent of the cost of maintenance of the Suffolk county court house, as provided by and subject to the conditions of section six of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five; provided, that this appropriation shall not be construed as fixing the specific amount for which the commonwealth shall be liable on account of said maintenance **$1,034,000**

Total, Judiciary **$18,323,833**

Executive.

Governor.

0411-1000 For the salaries of the governor and officers and employees in the governor's office **$921,100**

0411-1901 For postage, printing, office and other contingent expenses, including travel of the governor **230,050**

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 federal Economic Development Act of nineteen hundred and sixty-five **65,800**

0411-4000 For the administration of the public safety committee **444,000**

0411-4011 For local government matching funds under the federal Crime Control Act **692,332**

0411-6000 For the office of intergroup affairs **67,500**

0411-7000 For the commission on the status of women **32,000**

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 **$95,450**

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 **$132,485**

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 **$466,872**

0431-0100 For officers' uniform allowances **65,000**

0431-0200 For compensation for special and miscellaneous duty, for transportation of officers to and from military meetings and drills and for expenses of camps of instruction, including not more than eight permanent positions **180,984**

0431-0300 For allowances to companies and other administrative units, to be expended under the direction of the adjutant general **187,600**

0431-0400 For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property **16,000**

0431-0500 For the operation of the war records project, so called, including not more than ten permanent positions **82,525**

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 ten permanent positions **1,613,814**

0431-1300 For the Camp Curtis Guild rifle range, including not more than seven permanent positions **64,050**

0431-1410 For certain storage and maintenance facilities, including not more than thirty-three permanent positions **250,450**

0431-1510 For certain national guard aviation facilities, including not more than ten permanent positions **79,505**

Other Military.

0431-9001 For the military reservation in Barnstable county, including compensation of the commissioner **$1,760**

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 541

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 one permanent positions $544,820

0432-0002 For the service of the civil defense agency nonmatching fund program 10,810

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 10,300

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 8,500

Total, Executive $6,424,544

Secretary of the Commonwealth.

0511-0000 For the office of the secretary, including not more than one hundred and seven permanent positions; provided, that the positions of director of administrative services, counsel II, and assistant supervisor of public records, director, bilingual information center, assistant director, bilingual information center shall not be subject to the provisions of chapter thirty-one of the General Laws $1,327,675

0511-1510 For guided tours of the state house; 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 31,557

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 73,711

0513-0000 For the expense of processing certain statistical data 9,500

0514-0000 For the administration of the bureau of corporate organization and registration, including not more than sixteen permanent positions 270,383

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 12,600

0517-0000 For the expense of printing various public documents, prior appropriation continued 155,000

0518-0000 For the purchase and distribution of certain journals of the house of representatives 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 twelve permanent positions 1,312,056

0522-0000 For expenses of publications of lists of candidates and of questions before state elections **$31,000**

0524-0000 For expenses of compiling and publishing information to voters **305,600**

Securities Division.

0525-0000 For the administration of the division, including not more than twelve permanent positions **$136,147**

Massachusetts Historical Commission.

0526-0100 For the administration of the commission, including not more than one permanent position **$96,258**

0526-0110 For the Old King's Highway regional historic district, established by chapter six hundred and thirty-eight of the acts of nineteen hundred and seventy-three, prior appropriation continued.

Ballot Law Commission.

0527-0100 For compensation and expenses of the commissioners, including certain prior-year salaries, including not more than three permanent positions **$6,625**

Records Conservation Board.

0528-0100 For the expenses of the board **$11,200**

Commission on Interstate Co-operation.

0530-0100 For the administration of the commission; provided, that the positions of director, assistant director and executive secretary shall not be subject to the provisions of chapter thirty-one of the General Laws; including not more than three permanent positions **$68,745**

Office of Campaign and Political Finance.

0531-0100 For the expenses and administration of the office of campaign and political finance, including not more than eight permanent positions **$113,000**

Total, Secretary of the Commonwealth **$3,965,557**

Treasurer and Receiver-General.

0610-0000 For the office of the treasurer and receiver-general, including not more than one hundred and twelve permanent positions **$2,096,333**

Highway Fund	30.0%
General Fund	70.0%

0611-2000 For payments to soldiers in recognition of service in World War II **2,500**

0611-3000 For payments to soldiers in recognition of service in the Korean conflict **4,000**

0611-4000 For the administration of the Vietnam bonus payments **60,767**

0611-5000 For compensation to victims of violent crimes **500,000**

0611-5100 For compensation to medical examiners who perform autopsies pursuant to section six C of chapter thirty-eight of the General Laws, including prior years expenses **2,500**

State Board of Retirement.

0612-0100 For the administration of the board provided, that the position of executive secretary of retirement board shall not be subject to the provisions of chapter thirty-one of the General

Laws, including not more than forty-three permanent positions **$426,890**

0612-1000 For the payment of the commonwealth's share in financing the state employees' retirement system, prior appropriation continued; provided, that the amounts of all reimbursements received on account of retirement allowances paid and all contributions received from the federal government and authorities and 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 **50,430,000**

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 **8,302,000**

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 **7,130**

0612-5000 For retirement allowances of certain employees formerly in the service of the administrative division of the metropolitan district commission; provided, that said commission's share of this item shall be assessed by methods fixed by law **26,100**

MDC Sewerage District Fund	25.0%
MDC Water District Fund	25.0%
Highway Fund	25.0%
MDC Parks District Fund	25.0%

0612-6000 For retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission; provided, that said commission's share of this item shall be assessed by methods fixed by law **809,750**

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 **197,650**

MDC Sewerage District Fund	100.0%

0612-8000 For retirement of certain veterans formerly in the service of the metropolitan water system **425,250**

MDC Water District Fund	100.0%

0612-9000 For annuities for widows of certain former members of the uniformed branch of the state police **81,000**

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 **$17,125**

Emergency Finance Board.

0630-0000 For administration of the board, including not more than one permanent position **$35,825**

State Lottery Commission.

0640-0000 For the expenses of the operation and administration of the state lottery, provided, that twenty-five per cent of this

appropriation shall be transferred from the State Lottery Fund to the General Fund quarterly in advance; provided further, that all the positions in this item shall not be subject to chapters thirty and 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; any such employee so promoted from a position in which at the time of promotion he has tenure by reason of section nine A of chapter thirty shall, upon termination of his service in such unclassified supervisory position, be restored upon his request to the classified position from which he was 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 is 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 sixty-two permanent positions **$9,655,866**

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 **$2,068,451**

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 **5,175,000**

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 **78,700**

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 **4,983,675**

MDC Water District Fund 100.0%

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 **6,493,000**

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 **$3,258,947**

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 **4,504,000**

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 **1,956,389**

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 **4,011,000**

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 **14,627,339**

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 **47,686,000**

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 **41,748,339**

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 **64,993,000**

Total, Treasurer and Receiver-General **$274,914,526**

Auditor of the Commonwealth.

0710-0000 For the office of the auditor, including not more than one hundred and thirty permanent positions **$2,868,187**

Highway Fund 30.0%
General Fund 70.0%

Total, Auditor of the Commonwealth **$2,868,187**

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 **$2,828,279**

0810-0100 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended **25,000**

0821-0100 For the settlement of certain claims on account of damages by cars owned by the commonwealth and operated by state employees and for the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws; provided, that the comptroller shall transfer to

the General Fund from the appropriate funds sums equal to the payments made under this item for claims against agencies whose appropriations are derived from other funds **$200,000**

Commission on Uniform State Laws.

0830-0100 For the expenses of the commission **$14,130**

Total, Department of the Attorney General **$3,061,179**

Executive Office of Administration and Finance.

Office of the Commissioner.

1100-1100 For the office of the commissioner, including not more than thirty-four permanent positions **$717,245**
Highway Fund 30.0%
General Fund 70.0%

1100-1200 For the personal expenses of the governor while living in the vicinity of Boston, with approval of the commissioner of administration **10,000**

1100-1701 For the administration of the bureau of developmental disabilities, including not more than five permanent positions **79,834**

1100-2301 For the office of data processing and telecommunications, including not more than eight permanent positions **128,000**

Fiscal Affairs Division.

1101-2100 For the administration of the division, including not more than one hundred and fifty permanent positions **$2,226,082**
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 **69,823**
Highway Fund 100.0%

1101-2500 For other in-service training programs **66,000**

1101-2510 For a portion of the state share of training programs under the federal Intergovernmental Act of nineteen hundred and seventy, to be in addition to any other state and federal funds available for the purpose **52,500**

1101-9002 For a forecasting and policy analysis model of the state economy **200,000**

Central Services Division.

1102-3110 For the administration of the division, including not more than six permanent positions **$101,500**

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 **2,329,092**

1102-3410 For the maintenance of the Leverett Saltonstall building, including not more than seventy-three permanent positions **1,882,027**

1102-3501 For the maintenance of the Lindemann building, including not more than fifty-four permanent positions **1,066,090**

1102-3610 For the maintenance of the John W. McCormack building **819,300**

1102-3710 For the operation, maintenance and security of the Charles F. Hurley Employment Security building; provided, that ex-

penditures 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, 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 **$1,247,700**

1102-3810 For the maintenance of the Springfield state office building, including not more than two permanent positions **56,710**

1102-4010 For the operation of certain central services and the telephone system, including not more than twenty-eight permanent positions **578,037**

1102-5010 For the cost of moving property under the jurisdiction of other state agencies, including not more than forty-eight permanent positions **1,024,930**

1102-5201 For the expenses and administration of a motor vehicles management bureau; including not more than ten permanent positions **92,948**

General Fund	48.0%
Highway Fund	41.0%
Recreation Areas Fund	7.0%
Marine Fisheries Fund	1.0%
Fisheries and Game Fund	2.0%
MDC Water District Fund	1.0%

1102-5211 For fuel and repairs of certain motor vehicles **193,120**

General Fund	48.0%
Highway Fund	41.0%
Recreation Areas Fund	7.0%
Marine Fisheries Fund	1.0%
Fisheries and Game Fund	2.0%
MDC Water District Fund	1.0%

1102-5221 For the replacement of state-owned motor vehicles to be used in the operation of a state motor pool **551,450**

General Fund	48.0%
Highway Fund	41.0%
Recreation Areas Fund	7.0%
Marine Fisheries Fund	1.0%
Fisheries and Game Fund	2.0%
MDC Water District Fund	1.0%

Comptroller's Division.

1103-1000 For the administration of the division, including not more than one hundred and sixty-eight permanent positions **$1,748,523**

Highway Fund	30.0%
General Fund	70.0%

1103-1010 For the expenses of the computer service center, including not more than sixty-nine permanent positions **1,740,617**

1103-5010 For administration of the fraudulent claims commission, including not more than fifty-nine permanent positions **695,017**

Purchasing Agent's Division.

1104-1000 For the administration of the division, including not more than ninety-two permanent positions **$977,574**

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 **28,927**

1104-3000 For the purchase of paper used in the execution of contracts for printing, other than legislative **$155,000**

1104-4000 For the administration of the collective purchasing bureau, including not more than three permanent positions **44,461**

Other Administration and Finance.

1105-1000 For the administration of the division of employee relations, including not more than eleven permanent positions **$218,795**

1110-1000 For the administration of the division of hearing officers established by section four H of chapter seven of the General Laws, including not more than eight permanent positions **132,324**

1110-2200 For the compensation and expenses of the personnel appeals board; provided, that, notwithstanding the limitations of section fifty-five of chapter thirty of the General Laws, compensation and expenses may be allowed each member for forty additional days; including not more than three permanent positions **14,160**

Group Insurance Commission.

1120-1000 For administration of the group insurance program, including not more than forty-six permanent positions **$1,004,364**

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, provided further, that the present level of health insurance coverage shall be maintained but shall not constitute payments in full of charges for health care services; prior appropriation continued **30,841,379**

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 **301,269**

1120-4000 For the group insurance premium for certain retired municipal teachers and their dependents, prior appropriation continued **540,279**

Board of Economic Advisors.

1130-1000 For the expenses of the board **$32,025**

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 sixty permanent positions **$890,150**

1150-5110 For administration of the Springfield office **$39,414**
1150-5120 For administration of the New Bedford office **24,947**
1150-5130 For administration of the Worcester office **23,251**

Contributory Retirement Appeal Board.

1160-1000 For the expenses of the board **$3,000**

Finance Advisory Board.

1170-1000 For the expenses of the board **$90**

Retirement Law Commission.

1180-1000 For the administration of the commission, including not more than two permanent positions **$38,775**

Department of Corporations and Taxation.

1201-0100 For personal services of the department except as otherwise provided; provided, that new supervisory positions created in item 1201-0100 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three shall be filled by persons currently employed in the department; including not more than eighty permanent intermittent positions and not more than one thousand four hundred and fifteen permanent positions **$12,500,000**
Highway Fund 6.0%
General Fund 94.0%

1201-1100 For the expenses of the department except as otherwise provided in other items; 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 **2,738,350**
Highway Fund 2.5%
General Fund 97.5%

1201-2000 For certain tax audits of foreign corporations **298,756**

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; including not more than one hundred and twenty-six permanent positions **$1,618,200**

1231-1000 For the administration of the county personnel board, including not more than six permanent positions **38,095**

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 **$2,000,000**

1233-1500 For reimbursing cities and towns for loss of taxes on land taken for flood control purposes **265,000**

1233-2000 For reimbursing cities and towns for abatements granted **3,500,000**

1233-3000 For reimbursing the city of Boston for loss of taxes on land for the government center **357,575**

1233-3100 For reimbursing certain cities and towns for career incentive

salary increases for police officers as authorized by section one hundred and eight L of chapter forty-one of the General Laws **$1,000,000**

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 expense to the commonwealth and expend, in addition to the sum appropriated herein and without further appropriation, income derived from the sale of such transcripts; including not more than thirty-three permanent positions **$462,505**

Division of Civil Service.

1400-0100 For the administration of the division, including the compensation of the members of the commission and 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; including not more than three hundred and forty-seven permanent positions **$4,173,499**

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 payment shall be made unless the subsidiary account item to which the deficiency is to be charged contains a balance sufficient to meet the required payment; and provided further, that the comptroller is hereby authorized to allocate the cost of such payments to the several or other state funds to which the items of appropriation are charged **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 **25,000**

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

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 contains a balance sufficient to meet the required payments **10,000**

Highway Fund	100.0%

1599-0058 For the payment of a certain court judgment entered in the Suffolk superior court docket No. 659397 **9,131**

Unassigned Accounts.

Unforeseen Emergencies.

1599-2022 For a reserve to meet the cost of salary adjustments as authorized by the acts of the current year; provided, that the governor, upon recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated to other items of appropriation for the fiscal year nineteen hundred and seventy-five, 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-five, 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 **$24,750,000**

1599-2024 For a reserve to meet the cost of a certain completed management study; provided, that the governor, upon recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated herein to other items of appropriation where the amounts otherwise available are insufficient, such amounts as are necessary to meet the cost of said study; and provided further, that the governor, upon recommendation of the commissioner of administration, is further authorized to allocate the cost of such study to the several state or other funds to which such items of appropriation are charged **8,000,000**

1599-2025 For a reserve to meet unforeseen emergencies; provided, that 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 further, 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 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 said transfers to the several state or other funds to which such items of appropriation are charged **2,500,000**

1599-3100 For the payment of certain employment security benefits **1,285,591**

Total, Administration and Finance **$118,559,931**

Executive Office of Environmental Affairs.

Office of the Secretary.

2000-0100 For the office of the secretary, including not more than five permanent positions **$228,160**

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%	
2000-0140	For the coastal zone management program		**$45,850**
2000-0200	For the administration and review of environmental impact reports published pursuant to section sixty-two of chapter thirty of the General Laws, including not more than four permanent positions		**130,000**
	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 administration of the division, including not more than eleven permanent positions	**$118,785**

World War II Memorial Commission.

2200-1000	For the administration and maintenance of the Massachusetts World War II Memorial	**$5,600**

Metropolitan District Commission.

Notwithstanding any other provision of any general or special law to the contrary, the salaries of all officers and employees of the commission shall be charged in full to appropriations authorized under this heading:

Administration.

2410-1000	For general administration, including not more than sixty-two permanent positions		**$841,400**
	Highway Fund	25.0%	
	MDC Parks District Fund	25.0%	
	MDC Sewerage District Fund	25.0%	
	MDC Water District Fund	25.0%	
2410-9051	For a microfilming program including equipment		**40,000**
	Highway Fund	25.0%	
	MDC Parks District Fund	25.0%	
	MDC Sewerage District Fund	25.0%	
	MDC Water District Fund	25.0%	

Metropolitan Water System.

2420-0100	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 thirteen permanent positions		**$7,713,500**
	MDC Water District Fund	100.0%	

2422-9022 For the resurfacing of access roads in the town of Belchertown **$13,750**
MDC Water District Fund 100.0%

2423-3004 For gunite and stone work on dams **35,000**
MDC Water District Fund 100.0%

2423-3005 For the repairing, reconditioning, and modifying of dow valves **75,000**
MDC Water District Fund 100.0%

2425-9001 For emergency repairs to water mains, prior appropriation continued **15,000**
MDC Water District Fund 100.0%

2425-9003 For the purchase of certain pipe and valve stock, prior appropriation continued **5,000**
MDC Water District Fund 100.0%

2425-9015 For a new shingle roof, Mystic shops building **15,000**
MDC Water District Fund 100.0%

2426-9012 For the replacement of a diesel engine at Newton pumping station **17,000**
MDC Water District Fund 100.0%

2426-9013 For the replacement of a diesel engine at Waltham pumping station **13,000**
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 fifty-three permanent positions **$7,894,500**
MDC Sewerage District Fund 100.0%

2430-9003 For the connection of the Hingham pumping station to the town water supply **11,000**
MDC Sewerage District Fund 100.0%

2430-9004 For a sludge line cleaning system and digester modification at Deer Island treatment plant **45,000**
MDC Sewerage District Fund 100.0%

2430-9005 For a screening ejector at Deer Island treatment plant **40,000**
MDC Sewerage District Fund 100.0%

2430-9006 For modifying existing grease burner at Nut Island treatment plant **10,000**
MDC Sewerage District Fund 100.0%

Metropolitan Parks District.

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 committee on ways and means, a copy of which is on file with the director of personnel and standardization; including not more than one thousand four hundred and eleven permanent positions **$25,097,000**

Highway Fund 60.0%
MDC Parks District Fund 39.0%
General Fund 1.0%

2441-0090 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended. **$6,740**
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, such federal or other funds to be in addition to the amount appropriated, prior appropriation continued.
MDC Parks District Fund 100.0%

2442-9033 For maintenance and care of trees, planting and the clearing and cleaning of forests and reservations and the development of bicycle paths on reservations; provided, that federal funds may be expended in addition to amount appropriated; prior appropriation continued **50,000**
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 the installation of traffic lights thereof; 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; prior appropriation continued **750,000**
Highway Fund 100.0%

2444-9002 For the purchase of certain highway maintenance equipment **369,000**
Highway Fund 100.0%

2444-9004 For certain payments for the maintenance and use of the Trailside museum **98,500**
MDC Parks District Fund 100.0%

2444-9006 For the expenses of holding band concerts **35,000**
MDC Parks District Fund 100.0%

2444-9013 For the construction of a recreational facility, including the cost of equipment, as authorized by chapter five hundred and fifty-eight of the acts of nineteen hundred and fifty-five, to be in addition to any other federal or state funds or assistance which may be available for the purposes of said act, prior appropriation continued **650,000**
MDC Parks District Fund 100.0%

2444-9017 For certain payments to the children's museum **60,000**
MDC Parks District Fund 100.0%

2444-9052 For purchase of certain equipment for ice resurfacing **75,000**
MDC Parks District Fund 100.0%

2450-1000 For the personal services and expenses related to employees previously paid from highway bond funds **580,000**
Highway Fund 100.0%

Construction Division.

2460-1000 For the maintenance of the construction division, including the personal services and expenses relating to employees previously paid from metropolitan water district bond funds and including payments to the state retirement system; provided, that, notwithstanding any provisions of any general or special law to the contrary, all officers and positions shall be subject to classification under section forty-five to fifty, inclusive, of chapter thirty of the General Laws **$3,820,000**

MDC Sewerage District Fund	49.0%
MDC Water District Fund	49.0%
General Fund	2.0%

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 **$277,936**

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 **13,370**

Division of Poultry and Poultry Products.

2513-1000 For the administration of the division, including not more than six permanent positions **$96,137**

Division of Dairying and Animal Husbandry.

2514-1000 For the office of the division, including not more than twenty permanent positions **$218,850**

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 said program **13,000**

Division of Animal Health.

2515-1000 For the administration of the division, including not more than twenty-nine permanent positions **$286,844**

Agricultural Purposes Fund	100.0%

2515-3000 For the reimbursement of owners of diseased cattle slaughtered, prior appropriation continued **25,000**

2515-3500 For the 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.

2516-1000 For the administration of the division, including not more than fourteen permanent positions **$185,065**

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 said program **2,464**

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 said program **11,000**

Division of Plant Pest Control.

2517-1000 For the administration of the division, including not more than four permanent positions **$57,085**

2517-1100 For control of European chafer **1,550**

Division of Fairs.

2518-1000 For the administration 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 **$295,200**

Agricultural Purposes Fund 100.0%

2518-1010 For the display of exhibits at certain fairs, prior appropriation continued **150,000**

Agricultural Purposes Fund 100.0%

2518-1020 For the administration of the thoroughbred breeders fund **14,575**

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 standard-bred 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 administration of the board, including not more than three permanent positions **$46,695**

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 **$266,400**

Mosquito and Greenhead Fly Control Fund 100.0%

2520-0900 Suffolk county **109,000**

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1000 Central Massachusetts **169,040**

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1100 Berkshire county **192,050**

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1200 Norfolk county **212,680**

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1300 Bristol county **177,925**

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1400 Plymouth county **183,950**

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1500 Essex county, city of Revere and town of Winthrop **196,080**

Mosquito and Greenhead Fly Control Fund 100.0%

Department of Natural Resources.

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 **$696,185**

General Fund 77.8%

Public Access Fund 2.3%

State Recreation Areas Fund 16.5%

Marine Fisheries Fund 3.0%
Inland Fisheries and Game Fund 0.4%

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 **$38,300**
Public Access Fund 100.0%

Division of Forests and Parks.

2610-1000 For the administration of the division, including not more than fourteen permanent positions **$197,275**
General Fund 50.0%
State Recreation Areas Fund 50.0%

2611-0100 For the administration of the bureau of recreation, including not more than one hundred and sixty-five permanent positions **3,737,950**
State Recreation Areas Fund 100.0%

2611-0200 For the purchase of certain equipment **58,000**
Public Access Fund 100.0%

2611-1000 For the administration of public beaches, including not more than five permanent positions **56,890**
State Recreation Areas Fund 100.0%

2611-1100 For the maintenance of Fort Phoenix beach **55,105**
State Recreation Areas Fund 100.0%

2611-1200 For the maintenance of Horseneck beach, including not more than one permanent position **294,381**
State Recreation Areas Fund 100.0%

2611-1300 For the maintenance of Salisbury beach, including not more than three permanent positions **325,965**
State Recreation Areas Fund 100.0%

2611-1400 For the maintenance of Scusset beach, including not more than one permanent position **121,820**
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 **4,400,860**
State Recreation Areas Fund 100.0%

2611-9006 For the improvement of roads in state forests, state parks and state reservations
State Recreation Areas Fund 100.0%

2612-1000 For the development of forests, including not more than eight permanent positions **151,580**

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 in the state treasury an amount equal to twenty-five per cent of the expenses of such projects, as determined by the commissioner of natural resources; including not more than fifteen permanent positions **208,900**

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 fifteen thousand dollars may be expended for the purpose of this item, said federal funds to be in addition to the amount herein appropriated; including not more than sixty-one permanent positions **800,955**

2613-0002 For the administration of the forest fire patrol, including not more than seventeen permanent positions **$161,300**

2614-1000 For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles, and including not more than thirty-four permanent positions **308,805**

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 expenditure from this item shall be contingent upon the prior approval of the proper federal authorities for full reimbursement of the amounts so expended **17,229**

Division of Law Enforcement.

2620-0100 For the administration of the division, including not more than seventy-eight permanent positions **$1,127,950**

Inland Fisheries and Game Fund	25.0%
Marine Fisheries Fund	15.0%
State Recreation Area Fund	10.0%
General Fund	35.0%
Public Access Fund	10.0%
Recreational Vehicles Fund	5.0%

2620-0300 For the hunter safety training program **41,130**

Inland Fisheries and Game Fund	100.0%

Division of Conservation Services.

2630-1000 For the administration of the division, including the expenses for the committee for conservation, and including not more than fifteen permanent positions **$300,491**

2630-1241 For the administration of a land and water conservation program, including not more than eight permanent positions **352,492**

State Recreation Areas Fund	100.0%

Division of Marine Fisheries.

2640-0001 For the administration of the division, and for the administration of the activities provided for under item 2640-1361, including not more than thirty permanent positions **$363,305**

Marine Fisheries Fund	100.0%

2640-0004 For the expenses of the marine fisheries advisory commission **2,000**

Marine Fisheries Fund	100.0%

2640-0100 For expenses of the Cat cove marine research station, including not more than six permanent positions **76,983**

Marine Fisheries Fund	100.0%

2640-1311 For a program of estuarine research **126,745**

Marine Fisheries Fund	100.0%

2640-1341 For the operation of the shellfish treatment plant at Newburyport **78,121**

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%

2640-1363 For a research program to develop means of preventing paralytic shellfish poisoning; provided, that any federal funds received under the program shall be credited to the General Fund **$49,408**
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 so expended:

2640-1372 For the collection, compilation, evaluation and dissemination of commercial fisheries statistics **$28,351**
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 **32,401**
Marine Fisheries Fund 100.0%

2640-1374 Coordination of commercial fisheries research and development work **46,248**
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 **26,344**
Marine Fisheries Fund 100.0%

2640-1377 For the improvement of the program for the protection of shellfish **16,486**
Marine Fisheries Fund 100.0%

2640-1383 For the commercial fisheries extension service **41,884**
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 administration of the division **$130,300**

Division of Fisheries and Game.

Federal funds received as reimbursements for expenditures from the following items shall be credited as income to the Inland Fisheries and Game Fund:

2670-0001 For the administration of the division, including expenses of the fish and game board; including not more than twenty permanent positions **$304,354**
Inland Fisheries and Game Fund 100.0%

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 **797,409**
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 so expended **22,500**
Inland Fisheries and Game Fund 100.0%

2670-2341 For the contribution of the department of natural resources towards a cooperative fisheries research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts **$13,750**
Inland Fisheries and Game Fund 100.0%

2670-2342 For fish restoration projects, including not more than five permanent positions **77,725**
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 **651,650**
Inland Fisheries and Game Fund 100.0%

2670-2441 For the contribution of the department of natural resources towards a cooperative wildlife research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts **13,500**
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 **9,150**
Inland Fisheries and Game Fund 100.0%

2670-2461 For the administration of a program for wildlife restoration projects, including not more than twenty-three permanent positions **265,850**
Inland Fisheries and Game Fund 100.0%

2670-2464 For the construction of a storage building at the central wildlife district headquarters in the town of West Boylston **14,000**
Inland Fisheries and Game Fund 100.0%

2670-2465 For the Montague hatchery building **36,000**
Inland Fisheries and Game Fund 100.0%

Division of Water Resources.

2681-0100 For the administration of the division, including not more than twenty permanent positions **$242,600**

2681-0102 For property surveys for establishment of flood plain limits in Assabet and Chicopee river valleys **25,000**

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 **117,545**

2681-0501 For the administration of the Thames river valley flood control commission **600**

2681-0502 For the administration of the Connecticut river valley flood control commission and for reimbursement for loss of taxes **37,150**

2681-0503 For the administration of the Merrimack river valley flood control commission **102,750**

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 such expenditures, 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 **54,500**

2681-0801 For the expenses of a certain flood control project in the town of New Marlborough **150**

2681-0802 For the expenses of the flood control reservoirs on the Clam river watershed **$8,000**

2681-0803 For the expenses of the flood control reservoirs on the Quaboag river watershed **10,000**

2681-0804 For the expenses of the flood control reservoirs on the SuAsCo watershed **15,000**

2681-0805 For the commonwealth's share of the cost of a federal-state cooperative water favorability study **110,000**

2681-0806 For the commonwealth's share of the cost of a federal-state cooperative water reservoir site study **70,000**

2681-0807 For the commonwealth's share of the New England river basin commission **47,390**

Division of Water Pollution Control.

2685-0010 For the administration of the division; provided, that any federal funds available for this purpose shall, when received, be credited to the General Fund, including not more than forty-nine permanent positions **$1,349,950**

2685-8000 For the compensation and expenses of the New England interstate water pollution control commission; provided, that the limitation contained in Article VIII of chapter four hundred and twenty-one of the acts of nineteen hundred and forty-seven shall be increased to eighteen thousand six hundred dollars **24,025**

2685-9000 For reimbursement to the metropolitan district commission and any city or town or other political subdivision for the commonwealth's share of water pollution abatement projects **1,137,320**

Total, Environmental Affairs **$72,771,775**

Executive Office of Communities and Development.

Office of the Secretary.

3000-0100 For the office of the secretary, including not more than four permanent positions **$114,263**

General Fund 60.0%
Tourism and Industrial Promotion Fund 40.0%

3000-0116 For the expenses of the state office of minority business assistance **50,000**

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 Community Affairs.

Administration.

3700-0100 For the general administration of the department, including not more than eighty-four permanent positions **$1,709,700**

Division of Community Development.

3722-9001 For certain financial assistance for housing projects for the elderly **$14,533,640**

3722-9002 For certain financial assistance for housing projects for veterans **8,514,032**

3722-9003 For a program of financial assistance for certain low income housing, prior appropriation continued.

3722-9004 For a program of rental assistance for families of low income; provided, 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 amount appropriated herein may be used for the administration of said program, prior appropriation continued **$6,000,000**

3722-9005 For reimbursement to housing authorities for deficiencies caused by certain reduced rentals in housing for the elderly and the handicapped pursuant to section forty of chapter one hundred and twenty-one B of the General Laws; provided, that no payment shall be made from this item until the said deficiencies have been certified by the state comptroller **1,396,790**

3722-9006 For reimbursement to housing authorities for deficiencies caused by certain reduced rentals in housing for veterans and relocated persons pursuant to section thirty-two of chapter one hundred and twenty-one B of the General Laws; provided, that no payment shall be made from this item until said deficiencies have been certified by the state comptroller **3,870,000**

3722-9007 For a reserve to meet the cost of extraordinary maintenance of a housing authority; provided, that any expenditure from this item which exceeds six thousand dollars shall be subject to the prior approval of the commissioner of administration and the house and senate committees on ways and means; prior appropriation continued.

3722-9101 For reimbursement of cities and towns for the commonwealth's share of federally aided urban renewal **3,500,000**

3722-9102 For reimbursement of cities and towns for the commonwealth's share of certain nonfederally aided urban renewal projects; provided, that, notwithstanding the provisions of any general or special law to the contrary, an amount not exceeding three hundred thousand dollars may be reimbursed for surveys, plans, and administration, and an amount not exceeding nine hundred thousand dollars may be expended for urban renewal assistance grants **1,000,000**

3722-9201 For an interest subsidy program; provided, that, notwithstanding any other provisions of law to the contrary, expenditures made hereunder shall be subject to the approval of the commissioner of community affairs **3,275,000**

Division of Community Services.

3731-2003 For expenses of community development and housing program services **$300,000**

3732-0010 For the expenses of a community development training program **160,000**

3735-9001 For the commonwealth's share of the cost of certain federally aided 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 such districts **100,000**

3735-9011 For the administration of the state building code commission **220,485**

3735-9012 For the expenses of the housing appeals committee; provided, that, notwithstanding the provisions of any special or general law to the contrary, members of the committee, except the

departmental member, shall be reimbursed from the amount appropriated herein for attendance at appeals hearings at a rate of fifty dollars per session **$100,000**

3735-9013 For reimbursements to public agencies for the commonwealth's share of relocation costs for persons displaced pursuant to the enforcement of the state sanitary code, as authorized by section thirteen of chapter seventy-nine A of the General Laws **40,000**

Division of Social and Economic Opportunity.

3743-2010 For the commonwealth's share of community action programs in certain cities and towns; provided, that the commonwealth's share shall not exceed seventy per cent of the total grant, the remainder being provided by other sources in accordance with regulations promulgated by the commissioner; and provided further, that the commonwealth's share shall be reduced by the amount that is available from federal funds for such projects; and, further provided, that no expenditures or commitment made pursuant to this item shall be incurred in excess of funds which have been appropriated herein

3744-4010 For payment of stipends to corpsmen of the commonwealth service corps **305,000**

3746-0012 For the administration of the urban job incentive bureau as authorized by section twelve of chapter twenty-three B of the General Laws **38,860**

Total, Communities and Development **$50,240,170**

Executive Office of Human Services.

Office of the Secretary.

4000-0100 For the office of the secretary, including not more than eight permanent positions **$707,300**

4000-0200 For a program to assist the state hospitals and clinics in the collection of revenues and fees and the preparation of necessary documents to effectuate certain rate increases **444,786**

4000-1502 For the comprehensive health planning project **45,000**

4000-1505 For the administration of the health facilities appeals board, established under the provisions of section one hundred and sixty-six of chapter six of the General Laws **38,000**

Rate Setting Commission.

4100-0010 For the administration of the commission; provided that the executive secretary shall be removed only for cause and that the position of director of the bureau of special service rates shall not be subject to the provisions of chapter thirty-one of the General Laws; including not more than seventy-one permanent positions **$1,094,751**

Massachusetts Commission for the Blind.

4110-0001 For the office of the commissioner, including not more than fifteen permanent positions **$147,745**

Bureau of Medical Care.

4110-1000 For administration of the bureau, including not more than fifty-four permanent positions **$162,570**

4110-1010 For aiding the adult blind, prior appropriation continued **4,929,388**

4110-1020 For administration of a program of medical assistance, including not more than five permanent positions **$247,224**

4110-1030 For the commonwealth's share of certain medical assistance programs, including medical supplies and equipment, and including previous fiscal years **3,600,000**

Bureau of Individual Services.

4110-2000 For administration of a program of individual services, including not more than two permanent positions **$7,523**

4110-2010 For administration of a talking book program, including not more than three permanent positions **63,105**

4110-2020 For administration of a home teaching program, including not more than nineteen permanent positions **79,700**

4110-2030 For administration of a children's services program, including not more than seven permanent positions **32,135**

Bureau of Rehabilitation.

4110-3000 For administration of the bureau, including not more than two permanent positions **$17,599**

4110-3010 For a program of vocational rehabilitation of the blind in cooperation with the federal government, prior appropriation continued **534,000**

Bureau of Industrial Aid and Workshops.

4110-4000 For the administration of the bureau, including not more than three permanent positions **$32,616**

4110-4010 For operation of local shops, including not more than fourteen permanent positions **409,560**

4110-4020 For operation of the salesroom and other expenses in connection with the sale of items made by blind persons; provided, that any funds herein made available for space rental may be applied to a five-year lease; including not more than four permanent positions **50,153**

4110-4030 For operation of the Cambridge industries for the blind; provided, that any funds herein made available for space rental may be applied to a five-year lease; including not more than eleven permanent positions **845,663**

4110-4040 For the administration and operation of the service of piano tuning **48,000**

4110-4050 For certain payments to blind persons **103,100**

Bureau of Research.

4110-5000 For the administration of the bureau, including not more than four permanent positions **$41,291**

Massachusetts Rehabilitation Commission.

4120-0010 For the administration of the commission, including not more than one permanent position, prior appropriation continued **$3,192,435**

Office for Children.

4130-0001 For the office of the director, including not more than sixty permanent positions **$930,300**

Region One.

4131-1000 For the administration of the regional office, including services to children, including not more than twelve permanent positions **$500,900**

4131-1020 For the administration of the Berkshire Area Council office **600**

4131-1030	For the administration of the Franklin-Hampshire Area Council office	$600
4131-1040	For the administration of the Westfield Area Council office	600
4131-1050	For the administration of the Holyoke-Chicopee Area Council office	600
4131-1060	For the administration of the Springfield Area Council office	600

For certain services to children with special needs in the following council areas; provided, that any federal reimbursement for such services under Title IV-A of the Social Security Act of nineteen hundred and sixty-seven shall revert to the General Fund:

4131-2020	Berkshire	$70,000
4131-2030	Franklin-Hampshire	70,000
4131-2040	Westfield	70,000
4131-2050	Holyoke-Chicopee	70,000
4131-2060	Springfield	70,000

Region Two.

4132-1000	For the administration of the regional office, including services to children, including not more than twelve permanent positions	$499,000
4132-1020	For the administration of the Fitchburg Area Council office	600
4132-1030	For the administration of the Gardner-Athol Area Council office	600
4132-1040	For the administration of the Grafton Area Council office	600
4132-1050	For the administration of the Southbridge Area Council office	600
4132-1060	For the administration of the Worcester Area Council office	600

For certain services to children with special needs in the following council areas; provided, that any federal reimbursement for such services under Title IV-A of the Social Security Act of nineteen hundred and sixty-seven shall revert to the General Fund:

4132-2020	Fitchburg	$70,000
4132-2030	Gardner-Athol	70,000
4132-2040	Grafton	70,000
4132-2050	Southbridge	70,000
4132-2060	Worcester	70,000

Region Three.

4133-1000	For the administration of the regional office, including services to children, including not more than twelve permanent positions	$483,450
4133-1020	For the administration of the Cambridge-Somerville Area Council office	600
4133-1030	For the administration of the Concord Area Council office	600
4133-1040	For the administration of the Metropolitan Beaver Brook Area Council office	600
4133-1050	For the administration of the Mystic Valley Area Council office	600
4133-1060	For the administration of the Lowell Area Council office	600

For certain services to children with special needs in the following council areas; provided, that any federal reimbursement for such services under Title IV-A of the Social Security Act of nineteen hundred and sixty-seven shall revert to the General Fund:

4133-2020	Cambridge-Somerville	**$70,000**
4133-2030	Concord	**70,000**
4133-2040	Metropolitan Beaver Brook	**70,000**
4133-2050	Mystic Valley	**70,000**
4133-2060	Lowell	**70,000**

Region Four.

4134-1000	For the administration of the regional office, including services to children, including not more than twelve permanent positions	**$601,400**
4134-1020	For the administration of the Haverhill Area Council office	**600**
4134-1030	For the administration of the Danvers-Salem Area Council office	**600**
4134-1040	For the administration of the Cape Ann Area Council office	**600**
4134-1050	For the administration of the Lynn Area Council office	**600**
4134-1060	For the administration of the Tri-City Area Council office	**600**
4134-1070	For the administration of the Eastern Middlesex Area Council office	**600**
4134-1080	For the administration of the Lawrence Area Council office	**600**

For certain services to children with special needs in the following council areas; provided, that any federal reimbursement for such services under Title IV-A of the Social Security Act of nineteen hundred and sixty-seven shall revert to the General Fund:

4134-2020	Haverhill	**$70,000**
4134-2030	Danvers-Salem	**70,000**
4134-2040	Cape Ann	**70,000**
4134-2050	Lynn	**70,000**
4134-2060	Tri-City	**70,000**
4134-2070	Eastern Middlesex	**70,000**
4134-2080	Lawrence	**70,000**

Region Five.

4135-1000	For the administration of the regional office, including services to children, including not more than twelve permanent positions	**$491,800**
4135-1020	For the administration of the Medfield-Norwood Area Council office	**600**
4135-1030	For the administration of the Newton-Wellesley Area Council office	**600**
4135-1040	For the administration of the Quincy Area Council office	**600**
4135-1050	For the administration of the Framingham Area Council office	**600**
4135-1060	For the administration of the Marlborough Area Council office	**600**

For certain services to children with special needs in the following council areas; provided, that any federal reimbursement for such services under Title IV-A of the Social Security Act of nineteen hundred and sixty-seven shall revert to the General Fund:

4135-2020	Medfield-Norwood	**$70,000**
4135-2030	Newton-Wellesley	**70,000**
4135-2040	Quincy	**70,000**
4135-2050	Framingham	**70,000**
4135-2060	Marlborough	**70,000**

Region Six.

4136-1000	For the administration of the regional office, including services to children, including not more than twelve permanent positions	**$470,400**
4136-1020	For the administration of the Boston State College Area Council office	**600**
4136-1030	For the administration of the Boston University Area Council office	**600**
4136-1040	For the administration of the Harbor University Area Council office	**600**
4136-1050	For the administration of the Massachusetts Mental Health Area Council office	**600**
4136-1060	For the administration of the Tufts Area Council office	**600**

For certain services to children with special needs in the following council areas; provided, that any federal reimbursement for such services under Title IV-A of the Social Security Act of nineteen hundred and sixty-seven shall revert to the General Fund:

4136-2020	Boston State College	**$70,000**
4136-2030	Boston University	**70,000**
4136-2040	Harbor University	**70,000**
4136-2050	Massachusetts Mental Health	**70,000**
4136-2060	Tufts	**70,000**

Region Seven.

4137-1000	For the administration of the regional office, including not more than twelve permanent positions	**$156,300**
4137-1020	For the administration of the Barnstable Area Council office, including services to children	**79,500**
4137-1030	For the administration of the Brockton Area Council office, including services to children	**79,500**
4137-1040	For the administration of the Fall River Area Council office, including services to children	**79,500**
4137-1050	For the administration of the Foxborough Area Council office, including services to children	**79,500**
4137-1060	For the administration of the New Bedford Area Council office, including services to children	**79,500**
4137-1070	For the administration of the Plymouth Area Council office, including services to children	**79,500**
4137-1080	For the administration of the Taunton Area Council office, including services to children	**79,500**

For certain services to children with special needs in the following council areas; provided, that any federal reimbursement for such services under Title IV-A of the Social Security Act of nineteen hundred and sixty-seven shall revert to the General Fund:

4137-2020	Barnstable	$70,000
4137-2030	Brockton	70,000
4137-2040	Fall River	70,000
4137-2050	Foxborough	70,000
4137-2060	New Bedford	70,000
4137-2070	Plymouth	70,000
4137-2080	Taunton	70,000

Other.

Advisory Council on Home and Family.

4150-0100	For expenses of the council	$11,000

Commissioner of Veterans' Services.

4170-0010	For the office of the commissioner, including not more than ninety permanent positions	$822,538
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	80,000

Soldiers' Home in Massachusetts.

4180-0100	For the maintenance of the home, including not more than six hundred and fifty-eight permanent positions	$7,203,736
4180-9044	For certain federally reimbursed renovation projects	124,000

Soldiers' Home in Holyoke.

4190-0100	For the maintenance of the home, including not more than three hundred and twelve permanent positions	$3,563,182
4190-9024	For conversion of a dormitory to an extended care facility	12,517

Department of Youth Services.

All vacancies occurring within the department shall be filled by employees whose positions the department has sought to eliminate, if such employees are qualified by their education, training and experience or combination thereof to perform the duties and satisfy the usual terms and conditions of the offered position. All positions to be eliminated shall terminate on December thirty-first, nineteen hundred and seventy-four, and employees of such positions who have not been placed within the department as aforesaid shall be placed in a centralized personnel pool to be maintained by the bureau of personnel, which shall take all steps necessary to place such employees in other state positions.

4200-0010	For the administration of the department, including not more than one hundred and thirteen permanent positions	$1,648,403
4200-1110	For certain public social services to be performed by the department of youth services pursuant to a contract entered into between the department and 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 not be less than seventy-five per cent of such expenditure **$1,175,000**

4202-0021 For the purchase of service for certain residential care programs in accordance with the provisions of chapter twenty-eight A of the General Laws, and for certain nonresidential care programs from a list of vendors approved by and on file with the central office of the department; provided, 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, and, immediately upon approval of said rates, shall have filed a schedule of the approved rates with the comptroller and the house and senate committees on ways and means; and provided further, that, notwithstanding the provisions of section twenty-three of chapter twenty-nine of the General Laws, no monies shall be advanced to the department from this account **6,700,000**

4202-0023 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended **100,000**

Bureau of Clinical Services.

For the administration and 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 sixty-five permanent positions **$881,350**

4223-1010 Detention center in Hampden county, including not more than twenty-four permanent positions **312,415**

4224-1010 Detention center in Worcester county, including not more than twenty-seven permanent positions **313,317**

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 **$218,801**

4234-1010 For a multi-function program center for girls at the Lancaster facility, including not more than twenty-eight permanent positions **262,638**

4237-1010 For supervision, counseling, and other services by the department incidental to certain residential or nonresidential care programs; provided, that no expenditure shall be made hereunder for residential care which is not provided by departmental personnel; provided, that, notwithstanding the provisions of section twenty-three of chapter twenty-nine of the General Laws, no monies shall be advanced to the department from this account except for payroll and for necessary travel for department personnel; including not more than three hundred and fifty-six permanent positions **3,960,258**

Bureau of After-care, Delinquency Prevention and Community Services.

4250-1100 For the commonwealth's share of delinquency prevention programs through grants-in-aid to cities and towns and to other public agencies, and through purchases of services from private nonprofit agencies; provided, that expenditures from this item shall be contingent upon the prior approval of such programs by the commissioner of administration and shall be expended with at least an equivalent amount of city, town, county, federal or private funds; and provided further, that no expenditure or commitment made pursuant to this item shall be incurred in excess of funds which have been appropriated herein **$1,135,000**

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 salaries of such officers for the official training period shall be paid from this item; including not more than seventy-four permanent positions **$1,551,661**

4311-0002 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended **172,245**

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 **$9,903,225**

4313-0001 Correctional institution at Walpole, including not more than three hundred and fifty-two permanent positions **5,156,200**

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; including not more than thirty-five permanent positions **1,996,465**

4313-9001 For flame resistant mattresses **20,000**

4313-9002 For certain wall tower search lights **6,000**

4314-0001 Correctional institution at Concord, including not more than two hundred and ninety-four permanent positions **4,373,630**

4314-2001 Correctional institution at Concord, industries, including not more than fifteen permanent positions **409,110**

4315-0001 Correctional institution at Framingham, including not more than one hundred and thirty-four permanent positions **1,799,309**

4315-2001 Correctional institution at Framingham, industries, including not more than ten permanent positions **193,850**

4315-9005 For certain repairs to power plants **23,500**

4316-0001 Correctional institution at Norfolk, including not more than three hundred and nine permanent positions **4,983,484**

4316-2001 Correctional institution at Norfolk, industries, including not more than thirty-one permanent positions **729,330**

4316-9001 For certain repairs and renovation to the water tank — oval area **$18,000**

4316-9002 For certain repairs and renovation to the water tank — farm area **18,000**

4317-0001 Correctional institution camps, including not more than forty-three permanent positions **884,210**

4341-0001 For a receptions diagnostic center **499,180**

4342-0001 For a pre-release guidance center **242,479**

4343-0001 For a pre-release center at Shirley, including not more than twenty-seven permanent positions **818,277**

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 one hundred and three permanent positions **$1,503,840**

4380-0002 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended **52,381**

Department of Public Welfare.

4400-1000 For the office of the commissioner; provided that the appropriations for the food commodity distribution program shall not be expended for certain rentals of space; provided further, that the commissioner shall report in writing to the governor the total expenditures of his department for each month within thirty days after the end of each month, and said report shall be available to the public; provided further, that the consolidation of welfare service offices shall be subject to prior approval of the house and senate committees on ways and means; 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 and seventy-nine permanent positions **$56,131,000**

4400-1003 For the administration of a central automated vendor payment system; provided, that any federal funds received for this purpose shall be credited to the General Fund **5,272,354**

4400-1004 For the administration of the child support enforcement unit; provided, that any federal funds received for this purpose shall be credited to the General Fund; including not more than one hundred and thirty permanent positions **1,090,000**

4400-1005 For the administration of a protective services unit; provided, that any expenditure from this item shall be contingent upon prior approval of 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 expenditures **935,000**

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 such programs shall be charged in full to this item; provided further, 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 the receipt by the department, and the 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 shall be further contingent upon prior approval of and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under Title IV-A and Title VI of the Social Security Act of nineteen hundred and sixty-seven, as amended by Public Law 92-603, shall be 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 **$417,000**

4400-1061 For the administration of the social services administrative unit; including not more than seventy-seven permanent positions **795,850**

4400-1200 For the expenses of operating a food stamp program for eligible persons in the commonwealth; provided, that all federal funds received for the purposes of this item shall be credited to the General Fund; and provided further, that banking institutions within the commonwealth, the United States postal service, and other agencies shall process the food stamps; including not more than two hundred and thirty-nine permanent positions **3,893,939**

Grove Hall Project.

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 **$600,000**

4401-1000 For care and maintenance of children under the jurisdiction of the division of children and family services; 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 by the commissioner of administration after certification by the budget director that funds are available for such increase; and, provided further, that said commissioner shall notify in writing the house and senate committees on ways and means within thirty days of his decision **31,273,000**

4401-2000 For tuition in the public schools, including transportation to and from school, of children boarded by the department for the twelve months 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 **23,000**

4402-2000 For payments on account of medical assistance and old age assistance for recipients at Tewksbury hospital **79,200**

4402-3000 For payments on account of the programs of medical assistance-mental health and old age assistance-mental health **9,788,500**

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; and provided further, that no expenditure 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 **$400,000,000**

4402-5101 For a hospital admissions surveillance system in connection with the state medicaid program; provided, that any federal funds received for this program shall be credited to the General Fund **1,750,000**

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 **315,546,420**

4403-2010 For a program of protective services for children; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further 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; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department that no federal grants or reimbursements available for present or future programs other than those herein authorized will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item; prior appropriation continued **1,350,000**

4403-2020 For a program of emergency care of children; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to fifty per cent of such expenditures, and shall be further 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 fifty 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 that no federal grants or reimbursements available for present or future programs other than those herein authorized will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item; prior appropriation continued

4403-2030 For a program of day care services; provided, that, notwithstanding any provision of section seventeen B of chapter ten

or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further 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; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department that no federal grants or reimbursements available for present or future programs other than those herein authorized will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item; prior appropriation continued **$3,700,000**

4403-2040 For a homemakers' services program; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further 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; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department that no federal grants or reimbursements available for present or future programs other than those herein authorized will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item; prior appropriation continued **200,000**

4403-2050 For a program of services for unwed mothers; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further 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; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department that no federal grants or reimbursements available for present or future programs other than those herein authorized will be

reduced or eliminated by the use of such grants or reimbursements for the purposes of this item; prior appropriation continued

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 or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further contingent upon prior approval and assurance by the proper federal authorities that the federal allocation for the purposes 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; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department that no federal grants or reimbursements available for present or future programs other than those herein authorized will be reduced or eliminated by the use of such grants or reimbursements for the purpose of this item; prior appropriation continued **$305,000**

4403-2080 For a program of counseling and protective services to the elderly and disabled to help enrich the social relationships and functioning of the aged and disabled; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further 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 VI of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, shall be not less than seventy-five per cent of such expenditure **500,000**

4403-2081 For a program of services designed to prevent family disruption by assisting in maintenance of normal household functioning; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further 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 VI of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, shall be not less than seventy-five per cent of such expenditures **400,000**

4403-2082 For a program of services to tenants of publicly assisted housing to strengthen the quality of community life; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further contingent upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under Titles IV-A and VI of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, shall be not less than seventy-five per cent of such expenditure **$500,000**

4403-2083 For a program to provide services including referral, counseling, aftercare and rehabilitation to the alcoholic and his family; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further contingent upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under Titles IV-A and VI of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, shall be not less than seventy-five per cent of such expenditure **400,000**

4403-2084 For a program to provide services to the mentally retarded and their families directed toward making them capable of self-support and independent living; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further contingent upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under Titles IV-A and VI of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, shall be not less than seventy-five per cent of such expenditure **700,000**

4403-2085 For a program to provide services to the drug addict and his family with respect to referral, counseling, aftercare and rehabilitation; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth, equal to twenty-five per cent of such expenditures, and shall be further contingent upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized

under Titles IV-A and VI of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, shall be not less than seventy-five per cent of such expenditure **$400,000**

4403-2100 For a program of day care services; 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 expenditures and further provided, that a sum of eight hundred and seventy-five thousand dollars may be expended from this item to provide certain public social services for residents of state-aided housing authorities pursuant to contracts entered into between the department of community affairs and the department of public welfare **14,800,000**

4403-2101 For a demonstration project of day care services for a parent employed or in work training under a fee schedule to be established by the department; provided, that the commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of such fee schedule; and, provided further, that all federal funds received for the purpose of this item shall be credited to the General Fund **500,000**

4405-2000 For an old age assistance program, including state supplement to the federal program as authorized by Public Law 92-603; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund **64,100,000**

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 such 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 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 **66,000,000**

4407-2000 For a totally and permanently disabled persons program, including state supplement to the federal program authorized by Public Law 92-603; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund **30,051,500**

4408-1000 For a program to provide services to the elderly and disabled, including certain social services to be provided by the department of elder affairs pursuant to contracts to be entered into between the department of public welfare and the department of elder affairs; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of expenditures **3,000,000**

4408-2000 For a program to provide emergency needs such as those resulting from fire, flood or other disaster, and burials **1,000,000**

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 shall bill the federal government for the amount expended for this purpose; and provided further, that funds received from the federal government for said purpose shall be in addition to the amount appropriated herein; prior appropriation continued

Department of Public Health.

Bureau of Administration.

4510-0100 For the administration of the bureau, including not more than sixty-two permanent positions **$826,050**

4510-0150 For a program on paralytic shellfish poisoning; provided, that any federal funds received under this program shall be credited to the General Fund; prior appropriation continued

4510-0700 For the administration of the medical assistance unit **1,262,970**

4510-0750 For the cost of providing certificates of need, so called, as required by section twenty-five C of chapter one hundred and eleven of the General Laws **125,061**

4510-0770 For the registration of practitioners, health facilities and researchers pursuant to section seven of chapter ninety-four C of the General Laws **27,412**

4510-0780 For inspection of ambulance services, as authorized by section two of chapter one hundred and eleven C of the General Laws **109,000**

Bureau of Environmental Sanitation.

4511-0100 For the administration of the bureau, including not more than seventy-seven permanent positions **$1,446,203**

4511-0200 For the administration of the Lawrence experimental station, including not more than thirty-one permanent positions **408,485**

4511-0300 For the administration of the metropolitan Boston air pollution control district, to be in addition to any federal funds available for the purpose; provided, that the commissioner shall certify the amounts to be assessed by the state treasurer upon the several cities and towns in the district; including not more than nine permanent positions **214,928**

4511-0500 For the administration of the Pioneer valley air pollution control district, to be in addition to any federal funds available for the purpose; provided, that the commissioner shall certify the amounts to be assessed by the state treasurer upon the several cities and towns in the district; including not more than three permanent positions **81,533**

4511-1200 For the administration of the Berkshire air pollution control district, to be in addition to any federal funds available for the purpose **9,015**

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 **31,805**

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 **31,385**

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 **31,720**

4511-9006 For the control of algae, weeds, and other aquatic nuisances in

lakes, ponds, streams and other waters within the commonwealth, to be in addition to any private or public funds available for the purpose **$100,000**
Recreational Vehicle Fund 100.0%

Bureau of Chronic Disease Control.

4512-0011 For a long term care information system in connection with the state medicaid program; provided, that any federal funds received for this program shall be credited to the General Fund **$750,000**
4512-0100 For the administration of the division of communicable and venereal diseases, including not more than twenty-four permanent positions **1,132,424**
4512-0110 For a poliomyelitis vaccine program **125,000**
4512-0120 For a measles vaccine program **75,000**
4512-0150 For a mumps vaccine program **200,000**
4512-0160 For a rubella vaccine program **100,000**
4512-0165 For a triviral vaccine program **300,000**
4512-0166 For a biviral vaccine program **300,000**
4512-0170 For a yellow fever vaccine program **1,000**
4512-0200 For the administration of the division of alcoholism, including not more than ten permanent positions **7,192,775**
4512-0300 For the administration of the division of adult health, including not more than fourteen permanent positions **343,735**
4512-0400 For the administration of the division of nursing home facilities, including not more than fourteen permanent positions **486,778**
4512-0500 For the administration of the division of dental health, including not more than eight permanent positions **83,117**
4512-0600 For a study of equine encephalitis **67,875**
4512-0700 For epilepsy control program, including not more than two permanent positions **147,000**
4532-9003 For a chronic renal disease program, including not more than two permanent positions **254,470**

Bureau of Health Services.

4513-1000 For the administration of the bureau, including not more than seventy-seven permanent positions **$6,215,647**
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 year, sixty per cent in the second year, forty per cent in the third year and twenty-five per cent in the fourth year; prior appropriation continued **60,000**
4513-2400 For the high risk for deafness program **45,000**
4513-3500 For a preschool nursery program for crippled children, to be in addition to any federal funds available for the purpose **500,000**

Bureau of Hospital Facilities.

4514-0100 For the administration of the bureau, including not more than twenty permanent positions **$400,947**

Bureau of Tuberculosis and Institutions.

4515-0100 For the administration of the bureau, including such payments

for hospital care of tubercular patients as may be contracted for by the commissioner, and for the commonwealth's share of the operation of certain tuberculosis clinics; including not more than thirty-eight permanent positions **$4,139,551**

Institute of Laboratories.

4516-0100 For the administration of the institute, including not more than one hundred and seventy-three permanent positions **$2,404,497**

4516-0201 For a program of prevention of lead poisoning, including not more than three permanent positions **280,168**

Bureau of Consumer Products Protection.

4517-0100 For the administration 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 so expended; including not more than ninety-seven permanent positions **$1,699,404**

4517-0150 For a program of fish inspection at the port of New Bedford, or in the immediate vicinity in accordance with the provisions of chapter ninety-four of the General Laws **85,500**

4517-0200 For the administration of the pesticide board **27,840**

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-six permanent positions **$4,462,024**

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 but shall not exceed thirty-five thousand dollars; and, provided further, that no such salary shall be established without prior recommendation of the director of personnel and approved by the commissioner of administration; including not more than eight hundred and thirty-four permanent positions **8,897,129**

4532-0002 For a treatment center for emphysema **125,000**

4532-9002 For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available **87,330**

4533-0001 Massachusetts hospital school, including not more than three hundred and thirty-eight permanent positions **3,484,000**

4534-0001 Pondville hospital, including not more than three hundred and ten permanent positions **3,734,053**

4534-9001 For the administration of a cancer research project **65,005**

4535-0001 Rutland Heights hospital, including not more than three hundred and eighty-three permanent positions **3,370,115**

4536-0001 Tewksbury hospital, including not more than one thousand and four permanent positions **9,931,810**

4537-0001 Western Massachusetts hospital, including not more than two hundred and ninety-six permanent positions **3,125,500**

Department of Mental Health.

5011-0000 For administration of the boarding out of children with the consent of the parents or guardians, and for the transportation and medical examination of patients and certain

mentally retarded persons; 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 three hundred and seventy permanent positions **$6,808,343**

5011-0001 For medical examinations for the mentally retarded **250,000**

5011-0702 For a program to plan the upgrading of medical, dental, nutritional, and habilitative services for the mentally retarded, including not more than six permanent positions **134,292**

5013-0100 For the office of the division of drug rehabilitation, including not more than eighteen permanent positions **3,413,975**

5014-0100 For certain community programs for the mentally retarded **4,253,074**

5016-0100 For the expansion and upgrading of service to the retarded; provided, that any expenditure from this item shall be contingent upon prior approval and assurance by the commissioner of administration that not less than seventy-five per cent of such expenditures are eligible for federal reimbursement under Titles VI and XIX of the Social Security Act of nineteen hundred and sixty-seven, as amended by Public Law 92-603; and provided further, that the secretary of human services shall designate the proportion of said sum to be expended at the following facilities for the mentally retarded: Belchertown state school, Paul A. Dever state school, Walter E. Fernald state school, Charles V. Hogan regional center, Monson state hospital and Wrentham state school **6,750,000**

Region One.

5111-0000 For administration, including not more than thirteen permanent positions **$244,500**

5121-0000 For mental health and retardation services, including not more than one hundred and thirty-one permanent positions **2,178,213**

5161-0000 For the administration of the Northampton center for children and families, including not more than thirty-four permanent positions **500,000**

5181-0000 For the maintenance of the Belchertown state school, including not more than seven hundred and sixty-three permanent positions **8,654,061**

5191-0000 For the maintenance of the Northampton state hospital, including not more than nine hundred and eleven permanent positions **8,876,733**

Region Two.

5211-0000 For administration, including not more than eleven permanent positions **$239,373**

5221-0000 For mental health and retardation services, including not more than one hundred and seventeen permanent positions **1,752,565**

5261-0000 For the maintenance of the Gardner-Athol mental health center; provided, that federal funds not exceeding three hundred seventy thousand two hundred and forty dollars may be expended for the purpose of this item; said federal funds to be in addition to amount appropriated, including not more than nine permanent positions **200,000**

5262-0100 For the maintenance of the Blackstone Valley mental health center, including not more than forty-seven permanent positions **$800,000**

5271-0000 For the maintenance of the Rutland Heights mental health rehabilitation center, including not more than thirty-seven permanent positions **392,770**

5281-0000 For the maintenance of the Worcester regional center at Shrewsbury, including not more than two hundred and seventy-nine permanent positions **1,899,251**

5291-0000 For the maintenance of the Gardner state hospital, including not more than five hundred and fifty-one permanent positions **4,562,795**

5293-0100 For the maintenance of the Worcester state hospital, including not more than one thousand one hundred and one permanent positions **9,401,324**

5294-0100 For the maintenance of the Monson state hospital, including not more than eight hundred and fifty-three permanent positions **8,804,018**

Region Three.

5311-0000 For administration, including not more than twelve permanent positions **$242,605**

5321-0000 For mental health and retardation services, including not more than one hundred and twenty-five permanent positions **2,072,863**

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 **1,471,486**

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 seven hundred and sixty-five thousand 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 thirty-three permanent positions **810,000**

5363-0100 For the purchase of psychiatric services at the Waltham hospital, prior appropriation continued **170,400**

5381-0000 For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred and forty-one permanent positions **13,375,106**

5381-0001 For a research project of the Tay Sachs disease **75,000**

5391-0000 For the maintenance of the Metropolitan state hospital, including not more than eight hundred and twenty-eight permanent positions **8,311,820**

Region Four.

5411-0000 For administration, including not more than fifteen permanent positions **$282,074**

5421-0000 For mental health and retardation services, including not more than one hundred and fifty-two permanent positions **2,556,434**

5471-0000 For the maintenance of the John T. Berry rehabilitation center, including not more than seventy-seven permanent positions **908,601**

5481-0000 For the maintenance of the Charles V. Hogan Regional Center, including not more than four hundred and forty-five permanent positions **3,739,386**

5491-0000 For the maintenance of the Danvers state hospital, including not more than nine hundred and thirty-two permanent positions **$8,081,100**

Region Five.

5511-0000 For administration, including not more than thirteen permanent positions **$256,231**

5521-0000 For mental health and retardation services, including not more than one hundred and thirty-four permanent positions **2,427,625**

5581-0000 For the maintenance of the Wrentham state school, including not more than six hundred and sixty-nine permanent positions **9,240,076**

5591-0000 For the maintenance of the Medfield state hospital, including not more than seven hundred and twenty-eight permanent positions **6,701,562**

5592-0100 For the maintenance of the Westborough state hospital, including not more than nine hundred and seventy permanent positions **8,553,474**

5593-0100 For the maintenance of the Cushing hospital, including not more than six hundred and ninety-three permanent positions **6,082,409**

Region Six.

5611-0000 For administration, including not more than thirteen permanent positions **$249,871**

5621-0000 For mental health and retardation services, including not more than one hundred and eighty-three permanent positions **2,573,237**

5661-0000 For the maintenance of the Massachusetts mental health center, including not more than three hundred and thirty-five permanent positions **3,739,685**

5662-0100 For certain expenses of the mental health training, treatment and research center; provided, that federal funds not exceeding nine hundred ninety-eight thousand five hundred and ninety dollars may be expended for the purpose of this item, said federal funds to be in addition to the amount herein appropriated, including not more than nine permanent positions **835,253**

5663-0100 For the maintenance of the Erich Lindemann mental health center, including not more than one hundred and ninety-three permanent positions **2,268,500**

5691-0000 For the maintenance of the Boston state hospital, including not more than one thousand two hundred and sixty-three permanent positions

Region Seven.

5711-0000 For administration, including not more than fifteen permanent positions **$279,375**

5721-0000 For mental health and retardation services, including not more than one hundred and seven permanent positions **1,654,035**

5740-0010 For the maintenance of the Brockton multi-service center, including not more than seven permanent positions **611,893**

5761-0000 For the maintenance of the Dr. John C. Corrigan mental health center, including not more than one hundred and twelve permanent positions **1,236,745**

5781-0000 For the maintenance of the Paul A. Dever school, including not more than nine hundred and fourteen permanent positions **9,710,043**

5791-0000 For the maintenance of the Foxborough state hospital, including not more than five hundred and ninety-seven permanent positions **$4,543,775**

5792-0100 For the maintenance of the Taunton state hospital, including not more than seven hundred and thirty-seven permanent positions **7,890,203**

Total, Human Services **$1,386,274,093**

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 **$267,801**

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 **$1,531,648**

Massachusetts Bay Transportation Authority.

6005-0010 For additional contract assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of section sixteen of chapter eleven hundred and forty of the acts of nineteen hundred and seventy-three; provided, that, notwithstanding the provisions of subsection (*b*) of section twenty-eight of chapter sixty-four C of the General Laws, twenty million dollars of the amount appropriated herein shall be charged to the funds received and credited in accordance with said subsection (*b*) of said section twenty-eight **$35,000,000**

Massachusetts Aeronautics Commission.

6006-0001 For the personal services and expenses of the commissioners, including not more than five permanent positions **$4,200**

6006-0003 For the administration of the commission, including not more than ten permanent positions **160,000**

6006-0051 For the expenses of air navigation facilities **50,000**

Government Center Commission.

6008-0001 For the office of the commission **$268,600**

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, except for services provided for in item 6020-1900, be charged in full to this item; provided, that, notwithstanding the provisions of section four of chapter sixteen of the General Laws, the commissioner may appoint four additional assistants who shall serve at the pleasure of the commissioner and shall not be subject to chapter thirty-one of the General Laws and may also appoint a deputy chief counsel (counsel III) who shall not

be subject to chapter thirty-one of the General Laws; including not more than four thousand six hundred and eighty-one permanent positions **$50,500,000**
Highway Fund 100.0%

Administrative and Engineering Expenses.

6020-1509 For telephone service in the public works building **$150,000**
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 **900,350**
Highway Fund 96.8%
General Fund 3.2%

6020-2401 For the purchase of all administrative and engineering equipment **250,000**
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 **2,777,000**
General Fund .8%
Highway Fund 99.2%

6020-2503 For certain transportation studies; 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 shall be not less than eighty per cent **100,000**

6020-2801 For the compensation of certain retired employees, as provided by chapter four hundred and three of the acts of nineteen hundred and forty-eight **4,038**
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 **6,500**
Highway Fund 100.0%

Maintenance and Operation of State Highways and Bridges.
Appropriation 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 **$7,401,000**
Highway Fund 100.0%

6030-7293 For construction of chemical storage sheds **300,000**
Highway Fund 100.0%

6030-7301 For expenses in connection with traffic line painting, including the cost of materials **1,150,000**
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 **3,203,000**
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 **1,625,000**
Highway Fund 100.0%

6030-7601 For the maintenance and operation of state highways and bridges **$3,530,000**
Highway Fund 100.0%

6030-7603 For the maintenance, repair, reconstruction, replacement and removal of vehicular bridges over railroads pursuant to chapter six hundred and thirty-four of the acts of nineteen hundred and seventy-one **1,600,000**
Highway Fund 100.0%

6031-0131 For a property management program **236,500**
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 hereunder.

Division of Waterways.

6032-0100 For the administration of the division, including not more than seventy-four permanent positions **$897,200**
Public Access Fund 2.6%
General Fund 97.4%

6032-3001 For the maintenance of property in the town of Plymouth, including not more than two permanent positions **22,360**

6032-3002 For the operation and maintenance of the New Bedford state pier, including not more than two permanent positions **37,435**

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; provided, that an amount not exceeding three hundred thousand dollars shall be used for the dredging of the Belle Isle inlet; and provided further, that an additional amount not exceeding three hundred thousand dollars shall be used for the dredging of the Malden River in the city of Malden; and, provided further, that no less than three hundred thousand dollars shall be used for other dredging and cleaning of inland waters and great ponds; prior appropriation continued.

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; prior appropriation continued **750,000**
Highway Fund 100.0%

6033-1010 For the cost of improvements on state highways, prior appropriation continued **150,000**
Highway Fund 100.0%

Bureau of Solid Waste Disposal.

6050-0010 For the administration of the bureau. including the necessary maintenance and operation of solid waste disposal facilities constructed, purchased, leased or otherwise acquired; provided, that the comptroller shall transfer to the General Fund from the Solid Waste Disposal Fund an amount equal to the expenditures made herefrom; prior appropriation continued; including not more than fifteen permanent positions **$160,000**

Total, Transportation and Construction **$113,183,232**

Executive Office of Educational Affairs.

Office of the Secretary.

7000-0100 For the office of the secretary, including not more than five permanent positions **$280,470**

7000-0111 For the administration of the intern program **51,669**

7000-0112 For intern program stipends **58,000**

7000-0123 For intern program payments **36,167**

7000-0131 For certain public social services to be performed by state departments and agencies limited to the executive office of education 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 expenditures **500,000**

George Fingold Library.

7000-0601 For the administration of the library, including not more than thirty-four permanent positions **$512,262**

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 **$188,810**

7000-0811 For payments to medical or dental schools on acceptance of certain Massachusetts students **500,000**

7000-0812 For payments to certain universities on acceptance of certain Massachusetts students into physical and occupational therapy programs; provided, that the contracts relative thereto are approved by the Massachusetts chancellor of higher education; and provided further, that a detailed explanation of such contracts and verification of need for such contracts are submitted to the house and senate committees on ways and means on or before January first, nineteen hundred and seventy-five **275,000**

7000-0813 For the commonwealth's share of the cost of the preparation of a certain plan for the initiation of a regional program of veterinary medicine; provided, that not less than six thousand dollars of this appropriation shall be allocated to the Land Grant Universities' Task Force on Veterinary Medicine **$8,000**

Department of Education.

Advisory Council on Education.

7001-0010 For the office of the council, including not more than eight permanent positions **$387,000**

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 twenty-seven permanent positions **$421,097**

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 last two prior fiscal years **175,000**

7010-0007 For certain payments for the use of the facilities of the Massachusetts World War II Memorial; provided, that children sixteen years of age or under shall be admitted without charge **50,000**

7010-0009 For the administration of the program for the elimination of racial imbalance, including expenses of the prior fiscal year **134,773**

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 in 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 the program 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 in said program **4,000,000**

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 **781,875**

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 **62,400**

Division of Administration and Personnel.

7021-0010 For the administration of the division, including not more than forty permanent positions **$459,560**

7021-9003 For the rental and maintenance of the Tremont street property, including not more than seven permanent positions **$492,925**

7025-0001 For the administration of the bureau of teachers' retirement, including not more than thirty-six permanent positions **369,525**

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 **8,800,000**

7025-9004 For the payment of the commonwealth's share in financing the teachers' retirement system **80,300,000**

Division of Occupational Education.

7027-0001 For the administration 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, so called, as amended, including Public Law 90-576; provided, that such courses may be furnished free of charge to veterans; including not more than thirty-four permanent positions **$382,116**

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 **37,000,000**

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 **2,647,000**

7027-0012 For reimbursement to certain municipalities or regional school districts for two thirds of the salaries of certain agricultural instructors, as defined in section twelve of chapter seventy of the General Laws **203,000**

7027-0013 For the reimbursement of certain counties for county vocational schools **1,655,000**

7027-0014 For the reimbursement of certain towns for the transportation of pupils **546,000**

7027-1001 For the administration of a fire fighting academy and training program, to be in addition to any federal funds available for the purposes; including not more than four permanent positions **498,548**

Division of Special Education.

7028-0001 For the administration of the division of special education, to be in addition to any federal funds available for the purpose; including not more than eighty-six permanent positions **$1,091,410**

7028-0021 For the expenses of operating regional diagnostic centers to assist local school committees in complying with section three of chapter seventy-one B of the General Laws **200,000**

7028-0031 For the expenses of school age children in institutional school departments as required under section twelve of chapter seventy-one B of the General Laws; provided, that expenditures from this item may exceed four million seven hundred ninety thousand dollars only by the amount that the commissioner of administration certifies that the commonwealth will be eligible to receive in federal reimbursements for the expenses of said institutional school departments; including not more than one hundred and sixty-five permanent positions **9,725,226**

7028-0302 For the educational expenses of school age children with special needs attending schools under the provisions of section ten of chapter seventy-one B of the General Laws **$21,500,000**

7028-0304 For special education grants to the cities and towns in accordance with the schedule of payments in section twenty-four of this act providing funds for the implementation of the provisions of chapter seven hundred and sixty-six of the acts of nineteen hundred and seventy-two; provided, that amounts so distributed to each city and town shall be deducted from the amount due such city or town during the subsequent fiscal year or years under the provisions of paragraph (3) of subsection *(b)* of section eighteen A of chapter fifty-eight of the General Laws **26,000,000**

7028-1401 For the reimbursement of certain cities and towns for day classes of the deaf and of the blind, including the prior fiscal year **976,700**

Division of Curriculum and Instruction.

7030-0100 For the administration of the division, to be in addition to any federal funds available for the purpose, including not more than sixty-one permanent positions **$974,383**

7030-0110 For the administration of bilingual programs, including not more than ten permanent positions **151,970**

7032-0202 For the expenses and the services of an educational television program **435,000**

7032-1001 For printing guides for school curricula **5,000**

7035-0001 For the adult education and extended services program; provided, that the division may, with the approval of the board of education, expend in addition to the sums herein appropriated, and without further appropriation, income derived from such courses as may be conducted at no expense to the commonwealth to an amount not exceeding four hundred thousand dollars; including not more than forty-seven permanent positions **447,900**

7035-0004 For the reimbursement of certain towns and regional school districts for the transportation of pupils **34,800,000**

7036-0101 For the administration of the library bureau, including not more than twenty-six permanent positions **296,445**

7036-1401 For state aid to regional public libraries **2,566,982**

7036-1501 For state aid to public libraries **2,160,031**

Division of Research and Development.

7040-1011 For the administration of the division, including not more than six permanent positions **$140,000**

7044-1801 For certain payments for the use of facilities of the museum of science **300,000**

State Recreation Areas Fund 100.0%

Division of School Facilities and Related Services.

7051-0001 For the administration of the division, including not more than three permanent positions **$47,360**

7051-1908 For printing school registers and other school blanks for cities and towns **11,000**

7052-0001 For the administration of the school building assistance bureau, including not more than nine permanent positions **295,010**

7052-0002 For reimbursement of certain cities and towns for part of the cost of construction of school projects **74,000,000**

7052-0003 For the reimbursement of certain cities and towns for part of the cost of reconstruction, remodeling, rehabilitation and modernization of schoolhouses; provided, that the limitation appearing in chapter seven hundred and fifty-four of the acts of nineteen hundred and sixty-eight for the expenditure for new construction shall not apply to funds appropriated herein **$3,000,000**

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 thirty-nine permanent positions **444,065**

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 shall not exceed fifty per cent of the total reimbursement authorized by the National School Lunch Act; and provided further, that, notwithstanding said fifty per cent limitation, said 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 **500,000**

7053-1909 For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children and for supplementing funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, reimbursements so authorized shall not exceed fifty per cent of the total reimbursement authorized by the National School Lunch Act; and provided further, that, notwithstanding said fifty per cent limitation, said 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 **8,200,000**

7053-1910 For the reimbursement to cities and towns and partial assistance to private schools for a lunch program for needy elderly persons; provided, that no expenditures shall be made herefrom unless there is allocated for the purposes of said program at least seven thousand five hundred dollars by the federal government **435,000**

Division of State and Federal Assistance.

7061-0001 For the administration of the division, including not more than eight permanent positions **$110,380**

7061-0002 For personal services of the surplus property agency; provided, that a sum equivalent to the expenditures made hereunder shall be transferred to the General Fund from the receipts of the surplus property agency; 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; including not more than two permanent positions $25,380

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 24,000,000

7065-0001 For the commonwealth's share of a certain assistance program, to be expended with the approval of the commissioner of administration, as authorized and allocated to the commonwealth under the provisions of public laws to supplement existing educational programs or initiating new programs requiring matching effort; 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 553,400

Board of Higher Education.

Notwithstanding any provision of law to the contrary, no monies shall be allotted to any institution of higher education in the commonwealth, except the University of Massachusetts medical school until the following provision has been complied with and notification of compliance filed with the house and senate ways and means committees: The boards of trustees of all institutions of higher education shall authorize the scheduling of full-time faculty members so as to assure that each faculty member spends weekly in direct, instructional contact with students in a classroom, laboratory or clinical setting, an average, unless otherwise established by the respective boards of trustees and where applicable certified bargaining agents, of twelve hours at the community and state colleges; and nine hours in the undergraduate, and six hours in state colleges; and nine hours in the undergraduate, and six hours in the graduate programs at the University of Massachusetts, the Southeastern Massachusetts University and the Lowell Technological Institute.

Notwithstanding any provision of law to the contrary, the total expenditures authorized by the boards of trustees of all segments of higher education during the nineteen hundred and seventy-five fiscal year for salaries of existing professional positions funded from state appropriations shall not include expenditures for merit increases for such positions.

7070-0001 For the administration of the board, including the salary of the chancellor and including not more than twenty-two permanent positions $618,007

7070-0005 For medical, dental and nursing scholarships, as authorized by section one D of chapter fifteen of the General Laws 500,000

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 10,500,000

7070-0007 For special educational scholarships, as authorized by section seven D of chapter sixty-nine of the General Laws 15,000

7070-0008 For the administration of the bureau of immigration and Americanization, including not more than seventeen permanent positions 200,000

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

7070-0014 For merit scholarships **$192,000**

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 and 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 administration of the board, including not more than forty-eight permanent positions **934,250**

7102-0001 For the purchase of scientific, technological and other educational reference material for the libraries **250,000**

7102-9604 For a program of assistance for students from various racial backgrounds in disadvantaged environments, including but not limited to Negro students; provided, that expenditures may be made for, but not limited to, scholarships, loans, matching federal and private grants, tutorial assistance and programs of cultural enrichment; and, provided further, that the board of trustees of state colleges shall allocate not less than two hundred thousand dollars of this appropriation to the state college at Boston **600,000**

7105-0001 For the operation of a data processing system **1,051,441**

7108-0100 State college at Boston, including maintenance of the evening undergraduate college and including not more than five hundred and seventy-seven permanent positions **8,922,897**

7108-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **90,584**

7109-0100 State college at Bridgewater, including not more than four hundred and ninety-two permanent positions **7,042,485**

7109-1011 State college at Bridgewater, boarding hall, including not more than twenty-two permanent positions **240,660**

7109-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **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; including not more than four hundred and thirty-five permanent positions **6,136,981**

7110-1011 State college at Fitchburg, boarding hall, including not more than twelve permanent positions **173,100**

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 **35,000**

7111-0100 State college at Framingham, including not more than three hundred and fifty-nine permanent positions **4,724,076**

7111-1011 State college at Framingham, boarding hall, including not more than twenty-one permanent positions **203,850**

7111-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **$30,000**

7112-0100 State college at Lowell, including not more than three hundred and one permanent positions **4,255,189**

7112-1011 State college at Lowell, boarding hall, including not more than four permanent positions **78,890**

7112-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **23,000**

7113-0100 State college at North Adams, including not more than two hundred and thirty permanent positions **3,269,243**

7113-1011 State college at North Adams, boarding hall, including not more than six permanent positions **52,300**

7113-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **49,882**

7114-0100 State college at Salem, including not more than five hundred and fifty-eight permanent positions **7,629,938**

7114-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **90,000**

7115-0100 State college at Westfield, including not more than three hundred and forty-three permanent positions **4,390,820**

7115-1011 State college at Westfield, boarding hall, including not more than eleven permanent positions **123,850**

7115-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **33,000**

7116-0100 State college at Worcester, including not more than three hundred and seventy-four permanent positions **5,430,886**

7116-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **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 committees on ways and means by February fifteenth, nineteen hundred and seventy-five **150,000**

7117-0100 Massachusetts college of art, including not more than one hundred and twenty-nine permanent positions **2,199,582**

7117-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **15,000**

7118-0100 Massachusetts Maritime academy and ship, including not more than one hundred and fifty-eight permanent positions **2,417,313**

7118-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **25,000**

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; including not more than five hundred and eighty-eight permanent positions **$10,324,368**

7210-9002 For an environmental and economic impact study for an oil refinery site in the Lowell-Dracut area; provided, that no contracts shall be awarded as part of this study to firms who themselves or whose parent companies or partially or wholly owned subsidiaries design or construct oil refineries or any portion thereof or any related facilities thereto **350,000**

Highway Fund 100.0%

7210-9604 For a program of assistance for students attending the institute 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**

7210-9704 For the commonwealth's contribution toward the federal student loan programs and federal work-study programs and for not more than eighty scholarships **150,000**

7210-9705 For the purchase of scientific, technological and other educational reference material for the library **50,000**

7210-9706 For the expenses of the merger planning board established by section eight of chapter one thousand one hundred and seventy-five of the acts of nineteen hundred and seventy-three **40,000**

7211-0101 For the expenses of the nuclear center, to be in addition to any federal funds made available therefor, and including not more than forty-four permanent positions **736,878**

7211-0103 For a program to encourage students in the field of science **3,000**

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 expense to the commonwealth, and for said purpose the university may receive and expend income derived therefrom; including not more than six hundred and sixty-three permanent positions **$9,892,219**

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 **150,000**

7310-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs and for not more than forty scholarships **169,608**

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 **$783,380**

7400-0014 For a general court staff fellowship program, prior appropriation continued **11,000**

7400-0100 For the institute for governmental service, including not more than three permanent positions **88,659**

7400-0110 For the commonwealth's contribution, to be expended in conjunction with federal funds so 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 herein appropriated **200,000**

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 herein appropriated 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 **1,050,000**

General Fund	50.0%
Agricultural Purposes 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 expense to the commonwealth, without appropriation, funds received from the operation of the boarding halls and from university health services; 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 and rental of facilities at present available for the purpose and the estimated cost of certain employee fringe benefits to be furnished by the commonwealth; 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 seven hundred and thirty-two permanent positions **66,428,417**

7411-1005 For the personal services and expenses of the medical school, including the affiliated teaching hospital and not more than four hundred and eighty-two permanent positions; provided, that not less than one hundred and eighteen permanent positions and six hundred and eighteen thousand dollars shall be used for the operation of the hospital; provided further, that notwithstanding any provision of law to the contrary, income derived from charges made by the hospital during the fiscal year shall be deposited in a trust fund or any fund so designated for this purpose and shall be applied at a subsequent date to repay the general fund expenditures authorized hereunder for the hospital, any surplus to be retained in a trust fund and expended in accordance with any applicable provision of law **6,965,620**

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 one thousand permanent positions **$17,914,980**

Massachusetts Board of Regional Community Colleges.

For the administration and maintenance of and for certain improvements of community colleges with the approval of the board of regional community colleges:

7501-1001 For the administration of the board, including not more than thirty-two permanent positions **$507,900**

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 **600,000**

7502-0100 Berkshire community college, including not more than one hundred and seventy-one permanent positions **2,336,175**

7502-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **15,542**

7503-0100 Bristol community college, including not more than one hundred and eighty-nine permanent positions **2,558,883**

7503-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **38,516**

7504-0100 Cape Cod community college, including not more than one hundred and sixty-four permanent positions **2,354,852**

7504-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **19,344**

7505-0100 Greenfield community college, including not more than one hundred and fifty permanent positions **2,148,198**

7505-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **16,000**

7506-0100 Holyoke community college, including not more than two hundred and sixty-nine permanent positions **3,695,384**

7506-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **15,221**

7507-0100 Massachusetts Bay community college, including not more than one hundred and sixty-four permanent positions **2,708,741**

7507-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **12,742**

7508-0100 Massasoit community college, including not more than one hundred and seventy permanent positions **2,490,695**

7508-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **20,000**

7509-0100 Mount Wachusett community college, including not more than one hundred and forty-six permanent positions **2,010,813**

7509-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **8,878**

7510-0100 Northern Essex community college, including not more than two hundred and thirty-two permanent positions **3,114,551**

7510-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **47,000**

7511-0100 North Shore community college, including not more than one hundred and ninety-four permanent positions **2,962,506**

7511-9001 For certain repairs to the Essex street building **39,000**

7511-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **$34,330**

7512-0100 Quinsigamond community college, including not more than two hundred and three permanent positions **2,694,383**

7512-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **11,463**

7514-0100 Springfield technical community college, including not more than three hundred and thirty-four permanent positions **4,108,260**

7514-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **20,000**

7515-0100 Roxbury community college, including not more than eighty-five permanent positions **1,300,977**

7515-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **20,000**

7516-0100 Middlesex community college, including not more than one hundred and eight permanent positions **1,550,052**

7516-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **15,000**

7518-0100 Bunker Hill community college, including not more than one hundred and seventy-five permanent positions **2,532,363**

7518-9704 For the commonwealth's contribution toward federal student loan programs and federal work-study programs **77,000**

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 **$1,600,000**

Total, Educational Affairs **$587,359,571**

Executive Office of Public Safety.

Office of the Secretary.

8000-0100 For the office of the secretary, including not more than four permanent positions **$247,333**

Highway Fund	85.0%
General Fund	13.0%
Recreational Vehicles Fund	2.0%

Department of Public Safety.

8311-1000 For the administration of the department, including not more than one hundred and fourteen permanent positions **$1,635,440**

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 one hundred and forty-seven permanent positions **$17,377,313**

General Fund	15.0%
Highway Fund	85.0%

8312-5000 For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended **141,000**

General Fund	15.0%
Highway Fund	85.0%

8312-9004	For repairs to state police barracks		$75,000
	General Fund	15.0%	
	Highway Fund	85.0%	
8312-9005	For teleprocessing repairs at computer center		12,000
	General Fund	15.0%	
	Highway Fund	85.0%	
8312-9006	For radio equipment for cruisers and stations		8,000
	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 $459,300

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-five permanent positions $1,230,400

Board of Boiler Rules.

8316-1000 For the administration of the board, including not more than four permanent positions $3,500

State Boxing Commission.

8317-1000 For the administration of the commission, including not more than six permanent positions $43,880

Board of Elevator Regulations.

8318-1000 For the administration of the board, including not more than seven permanent positions $6,500

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 $1,300

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 $20,561

Recreational Tramway Board.

8322-1000 For the expenses of the board, including not more than four permanent positions $5,100

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 administration of the registry; provided, that the positions of administrative assistant to the registrar, legislative assistants, executive secretary, assistant supervisor of public relations and executive assistant to the registrar shall not be subject to the civil service law and rules; including not more than one thousand three hundred and thirty-three permanent positions **$17,781,289**
General Fund 1.2%
Highway Fund 98.8%

8400-0002 For the administration of the certificate of title law, prior appropriation continued, including not more than two hundred and twenty-nine permanent positions **2,094,620**
Highway Fund 100.0%

8400-0010 For a motor vehicle safety compact with other states **2,000**
Highway Fund 100.0%

Division of Marine and Recreational Vehicles.

8420-0001 For the administration of the division, including not more than sixty-six permanent positions **$820,488**

8500-0400 For the life safety code inspection unit under Title XIX of the Social Security Act **372,174**

Total, Public Safety **$42,347,355**

Executive Office of Manpower Affairs.

Office of the Secretary.

9000-0100 For the office of the secretary, including not more than six permanent positions **$217,448**

Commission on Employment of the Handicapped.

9010-0100 For the expenses of the commission **$14,564**

Department of Labor and Industries.

9020-1001 For general administration of the department, including not more than fourteen permanent positions **$201,985**

For the personal services and expenses of the following agencies of the department:

9020-2001 Division of industrial safety, including not more than one hundred and nine permanent positions **$1,328,077**

9020-3001 Division of occupational hygiene, including not more than twenty-four permanent positions **413,836**

9020-4001 Division of statistics, including not more than thirty permanent positions **302,450**

9020-6001 Commission on minimum wage and for expenses of wage boards, including not more than twenty-seven permanent positions **264,100**

9020-7001 Board of conciliation and arbitration, including not more than seventeen permanent positions **242,150**

9020-8001 Division of employment agencies, including not more than three permanent positions **46,125**

Division of Apprentice Training.

9020-9001 For the administration of the division; provided, that all of the positions of this division shall not be subject to chapter thirty-one of the General Laws; including not more than thirty-six permanent positions **$294,000**

Labor Relations Commission.

9030-1001 For the administration of the commission, including not more than twenty-four permanent positions **$449,326**

Division of Industrial Accidents.

9050-1001 For the administration of the division and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and ninety-one permanent positions **$1,997,610**

9050-1901 For expenses of impartial examinations, including previous fiscal years **145,000**

9050-3000 For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years **3,750,000**

Highway Fund 35.0%
General Fund 65.0%

Office of Self-Insurance.

9050-4000 For the service of the office, including not more than six permanent positions **$68,216**

Industrial Accident Rehabilitation Board.

9050-5000 For the service of the board, including not more than six permanent positions **$24,669**

Division of Employment Security.

9081-0682 For the administrative expenses of the welfare general relief assistance check payment program **$225,000**

9083-2031 For a program of technical assistance to business to aid in hiring, training and retention of a skilled qualified work force, including not more than ten permanent positions **200,000**

Department of Commerce and Development.

9091-0100 For the administration of the department, including not more than ninety-four permanent positions **$1,147,000**

Tourism and Industrial Promotion Fund 100.0%

Division of Tourism.

9091-0200 For the operation of tourist information booths; provided, that all positions in this item shall not be subject to chapter thirty-one of the General Laws; and including not more than six permanent positions **$42,680**

Tourism and Industrial Promotion Fund 100.0%

9091-0211 For financial assistance for local tourist councils **500,000**

Tourism and Industrial Promotion Fund 100.0%

9091-0300 For the promotion of vacation travel within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item **832,500**

Tourism and Industrial Promotion Fund 100.0%

9091-0305 For expenses of the Anna Maria College Chorus in representing the commonwealth at the 1974 Expo festival in Spokane, Washington **10,000**

Tourism and Industrial Promotion Fund 100.0%

Division of Economic Development.

9091-0400 For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item **$550,000**

Tourism and Industrial Promotion Fund 100.0%

9091-0601 For the division of small business assistance and a program of technical assistance to small business, including not more than seven permanent positions **85,720**

Massachusetts Science and Technology Foundation.

9091-2000 For the expenses of the Massachusetts Science and Technology Foundation; provided, that the foundation shall reimburse the commonwealth for appropriation made herein **$287,610**

Total, Manpower Affairs **$13,640,066**

Executive Office of Elder Affairs.

Office of the Secretary.

9100-0100 For the office of the secretary of elder affairs, including not more than six permanent positions **$128,967**

9105-0100 For the office of administration, including not more than thirteen permanent positions **390,576**

9110-0100 For the office of program planning and management, including not more than twenty-one permanent positions **383,464**

9110-1610 For certain public social services to be performed by the department of elder affairs pursuant to contracts entered into between the department and 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 not be less than seventy-five per cent of such expenditures; 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 **1,500,000**

9110-1620 For an elder service corps; provided, that all funds appropriated under this item shall be for corpsmen stipends and for corpsmen participation in group insurance programs, as set forth in chapter one thousand one hundred and sixty-eight of the acts of nineteen hundred and seventy-three; and, provided further, that the stipend for full-time corpsmen shall not exceed the maximum allowable under the earnings limitations sections of the Social Security Act and the stipend for part-time corpsmen shall not exceed one hundred dollars per month **175,000**

9110-1630 For a home care service program for the elderly, of which no more than ten per cent of the funds appropriated hereunder may be used as the commonwealth's assistance to grantees to meet the matching requirements of Title III of the Older Americans Act, and that to qualify for such assistance, the grantee shall provide at least twenty-five per cent of the total grant; provided, that all other funds appropriated under this item shall be used for purpose of home care services for the elderly; 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; prior appropriation continued $700,000

9110-9002 For a demonstration grant program for the elderly 100,000

Total, Elder Affairs $3,378,007

Executive Office of Consumer Affairs.

Office of the Secretary.

9200-0100 For the office of the secretary, including not more than four permanent positions $153,009

State Racing Commission.

9210-0001 For the administration 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 twenty-four permanent positions $398,818

Agricultural Purposes Fund	7.5%
General Fund	92.5%

Alcoholic Beverages Control Commission.

9212-0001 For the administration of the commission, including not more than sixty-five permanent positions $800,898

Consumers' Council.

9214-0001 For the administration of the council, including not more than nine permanent positions $233,855

Community Antenna Television Commission.

9215-0001 For the administration of the community antenna television commission, including not more than seventeen permanent positions $199,446

Division of Milk Control.

9216-0100 For the administration of the division, including not more than thirty-one permanent positions $284,310

Division of Standards.

9218-0100 For the personal services and expenses of the division of standards, including not more than thirty-seven permanent positions $494,377

Health, Welfare and Retirement Trust Funds Board.

9219-0001 For the administration of the board; provided, that the positions of assistant to the director and counsel II shall not be subject to chapter thirty-one of the General Laws; including not more than forty-five permanent positions $562,568

Department of Banking and Insurance.

Division of Banks.

9221-1000 For the office of the commissioner, including not more than two hundred and sixty-three permanent positions $3,195,517

Division of Insurance.

9222-0100 For the administration 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 counsel I and counsel II shall not be subject to the provisions of chapter thirty-one of the General Laws; and, provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and provided further, that the personnel on the fraudulent claims board, so called, shall be afforded such training at the state police academy and the state fire fighting academy as may be necessary for the investigation of insurance claims which may involve arson; including not more than three hundred and forty-one permanent positions **$3,637,750**

General Fund	70.0%
Highway Fund	30.0%

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; including not more than eighty-four permanent positions **$1,045,880**

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 **12,125**

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**

9230-0400 Board of registration in pharmacy, including not more than ten permanent positions **85,830**

9230-0500 Board of registration of nurses, including not more than twelve permanent positions **10,000**

9230-0600 Board of registration in embalming and funeral directing, including not more than five permanent positions **25,113**

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 **5,625**

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 **24,060**

9230-1100 Board of registration of professional engineers and land surveyors **35,830**

9230-1200 Board of public accountancy, including not more than ten permanent positions **109,200**

9230-1300 State examiners of electricians, including not more than two permanent positions **13,500**

9230-1400	State examiners of plumbers, including not more than four permanent positions	$24,750
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	394,043
9230-1600	Board of registration of electrologists, including not more than three permanent positions	4,225
9230-1700	Board of registration of barbers, including not more than ten permanent positions	92,717
9230-1800	Board of registration of hairdressers, including not more than eighteen permanent positions	171,890
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	1,850
9230-2100	Board of registration of radio and television technicians, including not more than seven permanent positions	15,000
9230-2200	Board of registration of landscape architects	1,600
9230-2300	Board of registration of health officers	2,650
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 supply facilities	900
9230-2700	Board of registration of psychologists	1,100
	Department of Public Utilities.	
9270-0001	For general administration, including not more than eighty-nine permanent positions	$1,117,915
9271-9001	For hearings and special investigations; provided that no salaries or expenses of permanent employees shall be chargeable to this item	26,500
	Commercial Motor Vehicle Division.	
9272-0001	For the administration of the division, including not more than thirty-two permanent positions	$488,850
	Gas Fitting Regulations Board.	
9275-0001	For administration of the program of regulating the installation of gas fittings in buildings, including not more than one permanent position	$37,032
	Total, Consumer Affairs	$13,742,634

SECTION 3. In order to meet the estimated cost of heat, light, power and other services and the estimated cost of employee fringe benefits to be furnished by the commonwealth to projects of the Massachusetts State College Building Authority, the board of trustees of state colleges shall transfer to the General Fund from the funds receive from the operation of said projects the sum of three hundred and forty-nine thousand dollars for the current fiscal year.

SECTION 3A. In order to meet the estimated cost of utilities to be furnished projects constructed, by the Lowell Technological Institute Building Authority, the comptroller shall transfer to the General Fund on or after July first of each fiscal year beginning July first, nineteen hundred and seventy-four, from item 7210-0000 the sum of seventy-nine thousand five hundred dollars.

SECTION 4. 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 section, 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 5. 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 6. 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 twelve cents a mile.

SECTION 7. 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 house and senate committees on ways and means of the general court, and, except as otherwise shown by the files of said committees, 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 law 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.

SECTION 8. 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. 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. 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.

SECTION 9. Notwithstanding the provisions of any general or special law or sections of this act to the contrary, no funds shall be expended for excess quota positions without prior approval of the house and senate committees on ways and means.

SECTION 10. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and seventy-five shall be available for the payment of such other forms of compensation as may be due under existing statutes or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 11. 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-five to incur liabilities and incidental expenses for the purchase of supplies, as provided by said section fifty-one, including material to be disposed of as surplus, so called, by the federal government through agencies of the federal government in an amount not exceeding five hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose, and the comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding five hundred and fifty thousand dollars, in addition to any amount heretofore provided for said purpose.

SECTION 12. 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. Each such 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, every original manuscript of annual reports of state agencies, whether printed in full or in summarized or consolidated form or not printed, shall be filed with the state secretary. 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 13. 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 14. The surplus property agency in the department of education is hereby authorized to expend during the fiscal year nineteen hundred and seventy-five for the purposes of the surplus property agency fund, in addition to amounts available in said fund, an amount not exceeding fifty thousand dollars; provided, however, that no expenditure or commitment shall be incurred from the amount of the aforesaid fifty thousand dollar authorization in excess of amounts approved therefrom by the commissioner of administration, at the written request of the surplus property agency; and, provided further, that any amounts expended or commitments incurred under this authorization shall be paid or provided for from receipts of said surplus property agency fund prior to the close of the fiscal year.

SECTION 15. 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; provided further, 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 provided further, 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 16. No department of the commonwealth shall occupy,

or make any expenditure for the maintenance of, any land, buildings or other state-owned or state-occupied facilities or other property other than that under its control or jurisdiction; and no department of the commonwealth shall authorize or otherwise allow the use by any private agency of such land, buildings or facilities under its control or jurisdiction unless such use or expenditure shall have been approved by the house and senate committees on ways and means after recommendation by the commissioner of administration.

SECTION 17. 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-five, submit for approval by a board consisting of the commissioner of administration, or his designated representative, the commissioner of corporations and taxation, or his designated representative, and the state treasurer, or his designated representative, the proposed date of payment or distribution of such funds if the combined total thereof, as prepared by any such single agency, exceeds one million dollars on any one day, notwithstanding any special or general law regulating the disbursement of public funds by the commonwealth. Said board may require any agency to notify it of the anticipated receipt of revenue from any source, including federal subventions and grants.

SECTION 18. 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 General Laws and related programs conducted by the departments of mental health, public health, public welfare and youth services unless the rate setting commission, in accordance with the procedures established by section thirty L of chapter seven of the General Laws, shall have approved the rate of compensation for such training, instruction, treatment and support. The rate setting commission shall immediately upon approval of such rates file a schedule of the approved rates with the comptroller, the house and senate committees on ways and means, and with each agency making such expenditure.

SECTION 19. 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 of the General Laws, 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 thirty dollars, the recipient shall be paid monthly in advance the difference between the income and thirty dollars a month.

SECTION 20. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and seventy-five, for the payment of classified personal services the fiscal year shall be from July the first, nineteen hundred and seventy-four through June the twenty-eighth, nineteen hundred and seventy-five. Classified personal services for June the twenty-ninth and thirtieth, nineteen hundred and seventy-five, shall be charged to the next fiscal year.

SECTION 21. Cash disbursements from amounts appropriated from the General Fund in section two of this act shall be charged to federal funds received under the provisions of Public Law 92-512 to the extent that such funds are available, subject to the restrictions contained in said Public Law for applications of federal funds received from this source, and shall first be used for such amount as is required to prevent a deficit in the general fund debt service reserve and then for such other items in section two of this act in accordance with the requirement of said Public Law.

SECTION 22. The provisions of section twelve 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 and the institutions 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 seven of this act which are inconsistent with any provision of the General Laws specifically regulating the expenditure of public funds at each of said institutions apply to such expenditures; provided, however, that on or before October first, nineteen hundred and seventy-four, each said institution of higher education shall file with the board of higher education: (1) a certified list of the professional positions and the salaries to be paid therefor; (2) a certified statement of the salary ranges for all professional positions; (3) a certified copy of vacant positions; and (4) a list of the last merit increases granted; and, provided further, 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 23. 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 24. In order to meet the costs to be incurred by the cities and towns in the implementation of chapter seven hundred and sixty-six of the acts of nineteen hundred and seventy-two and in addition to all other amounts appropriated under this act, each city and town shall receive from the amount appropriated in item 7028-0304 of section two of this act a special education grant. The amount

of such grant to each city or town is its proportion of the total amount certified for all cities and towns as school aid under the provisions of section nine of chapter seventy of the General Laws for the calendar year nineteen hundred and seventy-four, applied to the amount appropriated in said item 7028-0304 of said section two.

On or before November twentieth, nineteen hundred and seventy-four, the state treasurer shall pay to each city or town the amount indicated in the following schedule:

Abington	$100,410	Canton	$37,754
Acton	100,427	Carlisle	13,909
Acushnet	38,755	Carver	10,204
Adams	47,705	Charlemont	7,266
Agawam	58,102	Charlton	37,538
Alford	417	Chatham	9,745
Amesbury	56,402	Chelmsford	165,414
Amherst	34,358	Chelsea	160,623
Andover	67,828	Cheshire	19,467
Arlington	90,377	Chester	8,423
Ashburnham	25,554	Chesterfield	3,268
Ashby	19,972	Chicopee	338,598
Ashfield	2,948	Chilmark	452
Ashland	58,711	Clarksburg	13,188
Athol	59,471	Clinton	57,004
Attleboro	207,777	Cohasset	18,280
Auburn	43,103	Colrain	7,646
Avon	34,298	Concord	44,395
Ayer	51,652	Conway	5,918
Barnstable	49,300	Cummington	1,316
Barre	24,731	Dalton	58,373
Becket	2,281	Danvers	85,926
Bedford	46,989	Dartmouth	32,499
Belchertown	40,607	Dedham	48,189
Bellingham	95,765	Deerfield	21,132
Belmont	51,116	Dennis	13,884
Berkley	15,915	Dighton	25,031
Berlin	18,399	Douglas	17,721
Bernardston	12,919	Dover	10,056
Beverly	142,414	Dracut	157,802
Billerica	311,131	Dudley	46,070
Blackstone	45,349	Dunstable	10,590
Blandford	4,907	Duxbury	24,450
Bolton	5,568	East Bridgewater	58,873
Boston	3,436,229	East Brookfield	11,434
Bourne	45,241	East Longmeadow	71,316
Boxborough	7,021	Eastham	5,656
Boxford	34,090	Easthampton	55,789
Boylston	16,142	Easton	89,897
Braintree	171,649	Edgartown	3,436
Brewster	5,073	Egremont	2,347
Bridgewater	105,528	Erving	2,639
Brimfield	15,899	Essex	4,422
Brockton	634,022	Everett	67,421
Brookfield	12,283	Fairhaven	77,749
Brookline	61,554	Fall River	477,452
Buckland	17,937	Falmouth	38,299
Burlington	97,956	Fitchburg	129,446
Cambridge	95,350	Florida	5,797

Foxborough	$109,294
Framingham	168,891
Franklin	152,204
Freetown	27,142
Gardner	52,601
Gay Head	171
Georgetown	49,132
Gill	5,363
Gloucester	106,981
Goshen	2,807
Gosnold	91
Grafton	60,390
Granby	49,016
Granville	2,929
Great Barrington	15,317
Greenfield	48,619
Groton	30,913
Groveland	55,883
Hadley	6,774
Halifax	18,504
Hamilton	31,164
Hampden	37,110
Hancock	4,543
Hanover	98,701
Hanson	56,389
Hardwick	15,120
Harvard	7,848
Harwich	12,955
Hatfield	8,449
Haverhill	225,238
Hawley	1,196
Heath	959
Hingham	105,906
Hinsdale	12,466
Holbrook	94,203
Holden	55,386
Holland	3,794
Holliston	66,670
Holyoke	204,414
Hopedale	14,492
Hopkinton	25,214
Hubbardston	9,458
Hudson	105,730
Hull	107,152
Huntington	18,120
Ipswich	51,864
Kingston	44,416
Lakeville	30,697
Lancaster	21,857
Lanesborough	23,479
Lawrence	256,828
Lee	21,533
Leicester	56,963
Lenox	21,708
Leominster	145,715
Leverett	7,615
Lexington	134,786
Leyden	4,214
Lincoln	12,970
Littleton	$43,084
Longmeadow	41,974
Lowell	477,592
Ludlow	115,990
Lunenburg	48,337
Lynn	306,966
Lynnfield	32,467
Malden	242,995
Manchester	12,628
Mansfield	93,189
Marblehead	42,474
Marion	7,385
Marlborough	167,153
Marshfield	137,752
Mashpee	3,498
Mattapoisett	15,582
Maynard	36,152
Medfield	73,341
Medford	253,372
Medway	72,154
Melrose	76,071
Mendon	15,145
Merrimac	42,132
Methuen	160,059
Middleborough	93,373
Middlefield	579
Middleton	28,351
Milford	76,928
Millbury	68,815
Millis	31,075
Millville	15,460
Milton	43,883
Monroe	248
Monson	38,619
Montague	49,140
Monterey	1,129
Montgomery	4,376
Mount Washington	70
Nahant	8,778
Nantucket	8,296
Natick	92,969
Needham	73,991
New Ashford	392
New Bedford	478,465
New Braintree	3,851
New Marlborough	1,966
New Salem	5,471
Newbury	36,143
Newburyport	87,134
Newton	162,118
Norfolk	28,362
North Adams	87,989
North Andover	56,596
North Attleborough	105,359
North Brookfield	30,851
North Reading	88,888
Northampton	72,463
Northborough	81,520
Northbridge	53,249

Northfield	$5,756
Norton	58,668
Norwell	58,270
Norwood	158,244
Oak Bluffs	3,617
Oakham	4,630
Orange	51,239
Orleans	7,816
Otis	1,708
Oxford	105,475
Palmer	32,991
Paxton	13,565
Peabody	259,621
Pelham	2,332
Pembroke	104,643
Pepperell	49,219
Peru	653
Petersham	4,587
Phillipston	9,965
Pittsfield	251,847
Plainfield	1,019
Plainville	42,865
Plymouth	35,922
Plympton	5,509
Princeton	10,182
Provincetown	6,329
Quincy	323,748
Randolph	238,138
Raynham	55,910
Reading	117,262
Rehoboth	48,128
Revere	170,154
Richmond	7,108
Rochester	8,139
Rockland	141,330
Rockport	9,681
Rowe	764
Rowley	17,042
Royalston	4,946
Russell	7,796
Rutland	16,972
Salem	97,086
Salisbury	9,367
Sandsfield	986
Sandwich	9,272
Saugus	59,903
Savoy	1,059
Scituate	133,050
Seekonk	74,466
Sharon	34,559
Sheffield	5,045
Shelburne	11,871
Sherborn	10,428
Shirley	21,978
Shrewsbury	110,214
Shutesbury	1,399
Somerset	36,568
Somerville	345,070
South Hadley	87,184
Southampton	$23,434
Southborough	35,334
Southbridge	67,576
Southwick	50,149
Spencer	49,244
Springfield	926,593
Sterling	19,524
Stockbridge	4,682
Stoneham	76,839
Stoughton	131,013
Stow	29,444
Sturbridge	24,742
Sudbury	76,525
Sunderland	2,455
Sutton	32,021
Swampscott	29,587
Swansea	53,678
Taunton	208,097
Templeton	53,930
Tewksbury	192,014
Tisbury	5,726
Tolland	291
Topsfield	48,301
Townsend	34,334
Truro	2,893
Tyngsborough	24,221
Tyringham	523
Upton	25,866
Uxbridge	46,477
Wakefield	48,926
Wales	1,446
Walpole	108,717
Waltham	108,073
Ware	34,776
Wareham	23,001
Warren	27,573
Warwick	878
Washington	2,917
Watertown	62,117
Wayland	54,159
Webster	43,165
Wellesley	60,409
Wellfleet	3,677
Wendell	2,806
Wenham	7,419
Westborough	27,023
West Boylston	36,464
West Bridgewater	38,401
West Brookfield	12,798
Westfield	183,329
Westford	90,670
Westhampton	2,679
Westminster	22,786
West Newbury	23,140
Weston	27,698
Westport	52,656
West Springfield	48,659
West Stockbridge	7,379
West Tisbury	872

Westwood	$36,297	Winchester	$54,341
Weymouth	261,672	Windsor	3,640
Whately	3,346	Winthrop	91,351
Whitman	107,050	Woburn	179,694
Wilbraham	94,074	Worcester	983,322
Williamsburg	20,243	Worthington	4,164
Williamstown	14,680	Wrentham	39,300
Wilmington	98,549	Yarmouth	26,554
Winchendon	39,833	Total	$26,000,000

The amount granted herein to each city or town shall be held as a separate account by the treasurer of such city or town and shall be expended by the school committee of such city or town for special education programs pursuant to chapter seventy-one B of the General Laws without further appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws; provided, that where appropriations have been made in cities and towns to implement the provisions of said chapter seven hundred and sixty-six, the amount by which the grant to each city or town as set forth in this section exceeds the amount appropriated shall be available as hereby authorized without further appropriation. In such instances, that portion of the grant that represents the amount appropriated shall be applied without further authorization by the board of assessors to reduce the current tax rate of such city or town or, if such tax rate has already been established, shall be reserved for appropriation by the town meeting or city council for educational purposes.

SECTION 25. The state tax commission shall send a supplemental notice to each city or town indicating the amount to be paid such city or town in the same manner as provided in section twenty-five A of chapter fifty-eight of the General Laws; said commission shall send such notice as soon as possible after the effective date of this section and shall state in such notice that the amount indicated shall be substituted for the amount estimated for the same purpose on the original notice required by said section twenty-five A of said chapter fifty-eight. The amount indicated in such supplemental notice shall be used by each city or town in determining its tax rate for the fiscal year nineteen hundred and seventy-five, unless said rate has already been determined, in which case such amount shall be used in determining the tax rate for the succeeding fiscal year.

SECTION 26. The effective date of the appropriation accounts, subsidiary accounts and authorizations in section two of this act shall be July first, nineteen hundred and seventy-four. However, beginning June first, nineteen hundred and seventy-four, obligations may be incurred against these appropriation accounts or subsidiary accounts for items to be delivered or for services to be rendered on and after July first, nineteen hundred and seventy-four; provided, that said obligations 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-four, the comptroller may prepare warrants and the state treasurer may advance funds appropriated in section two of this act to the department of public welfare for the purpose of making payments on and after July first, nineteen hundred and seventy-four, as authorized by chapter six hundred and fifty-eight of the acts of nineteen hundred and sixty-seven; provided, said payments 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 provided for in section twenty-seven of chapter twenty-nine of the General Laws shall be filed with the comptroller and the budget director on June first, nineteen hundred and seventy-four. Where the allotment of an appropriation account or subsidiary account is required by law, such allotments shall be made on June first, nineteen hundred and seventy-four.

Notwithstanding any law to the contrary not later than September first, nineteen hundred and seventy-four, each secretariat shall submit to the committee on ways and means (both houses) schedules of their expected allotments to be approved by the secretary of administration and finance for each account for each allotment periods of fiscal nineteen hundred and seventy-five. Thereafter, at the end of each allotment period the secretary shall notify the secretary of administration and finance and the committees on ways and means of any accounts in which the total expended funds, encumbered funds, and other liabilities incurred but not yet encumbered, exceeds fund allotted to that account for the period covered for the year to date. Said total shall be called the total commitments. Starting January first, nineteen hundred and seventy-five, each secretary shall certify at the beginning of each allotment period that the current rate of the said total commitments can be continued without an additional appropriation. Any secretary failing to submit such schedules, notifications, certification and reports as required above or the incurring of a total commitment in any account in excess of available funds will be deemed guilty of neglect and subject to a fine of not more than one thousand dollars or the removal from office. Any officer or employee of the commonwealth or the members of any departments, board, commission, institution or agency making an expenditure which exceeds an appropriation or an allotment made therefor without the approval of the secretariat, or fails to submit the necessary reports, schedules, notifications, certifications required in this section shall be deemed guilty of neglect and subject to a fine of not more than one thousand dollars or removal from office.

SECTION 27. 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-four, shall file with the group insurance commission a true copy of all existing contracts or agreements of every nature and description with the commonwealth or a political subdivision of federal, trust and any other nonstate funds.

For contracts or agreements entered into on and after July first, nineteen hundred and seventy-four, true copies shall be filed with the group insurance commission no later than sixty calendar days from the effective date thereof.

SECTION 28. The budget director is hereby directed to send a copy of sections three to twenty-seven, inclusive, of this act to each departmental, divisional and institutional head immediately following passage of this act.

SECTION 29. Sections one to twenty-four, inclusive, of this act shall take effect as of July the first, nineteen hundred and seventy-four, and sections twenty-five to twenty-eight, inclusive, shall take effect upon the passage of this act.

SECTION 30. 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, 1974.

Chap. 432. AN ACT AUTHORIZING THE OLD COLONY WATER POLLUTION CONTROL DISTRICT TO PURCHASE WATER POLLUTION CONTROL FACILITIES OF THE TOWN OF BRIDGEWATER.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 51 of the acts of 1973 is hereby amended by striking out the third and fourth paragraphs and inserting in place thereof the following paragraph:—

At the time when the regional water pollution control facilities are placed in operation, the board acting for the district, shall purchase the existing water pollution control facilities of the town of Bridgewater; provided, however, that said town is a member of the district. The purchase price shall be the original cost including the cost of improvements or additions, less accrued depreciation. A straight line basis shall be used in determining depreciation. A useful life of forty years and fifteen years shall be used respectively on structures and equipment. The purchase price may be paid in installments, which shall not exceed fifteen annual payments, and in any event shall be treated as a maintenance and operating cost of the district.

SECTION 2. Section 15 of said chapter 51 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The provisions of this act shall not take effect until acceptance has been voted by at least three towns. Additional towns or sewer districts representing a portion of a town or towns may by the acceptance of the provisions of this act join as members of the district as provided in section one.

SECTION 3. This act shall take effect upon its passage; provided, however, that this act shall be null and void if any town which had

joined the Old Colony Water Pollution Control District prior to the effective date of this act disapproves of this act by vote of a town meeting within ninety days of said effective date.

Approved June 28, 1974.

Chap. 433. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN RESTAURANTS AND FUNCTION ROOMS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to enable the placement on certain ballots at the biennial state election of the current year of a question relative to the granting of certain licenses for sale of alcoholic beverages, 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 11 of chapter 138 of the General Laws is hereby amended by striking out the paragraph added by chapter 339 of the acts of 1971.

SECTION 2. Said section 11 of said chapter 138 is hereby further amended by striking out the paragraph added by chapter 705 of the acts of 1971 and inserting in place thereof the following three paragraphs:—

Except as hereinafter provided, upon receipt of a petition signed by the registered voters of any city or town equal in number to at least ten per cent of the number of voters registered therein at the last preceding city or town election, requesting the insertion on the ballot at a biennial state election of the following subdivision, the state secretary shall cause to be placed on the ballot at the next succeeding biennial state election held not less than sixty days subsequent to the filing of such petition and at each biennial state election thereafter, the following subdivision:—

E. Shall licenses be granted in this city (or town) for the sale therein of alcoholic beverages by restaurants and function rooms having a seating capacity of not less than one hundred persons?

YES	
NO	

In any city or town which has been authorized to vote on a subdivision designated as E or F, the subdivision authorized by this paragraph shall be designated subdivision F or G, as the case may be. The petition authorized herein shall be subject to the provisions of section seven of chapter fifty-three.

The state secretary shall not cause any subdivision of the foregoing question, including a subdivision required by the provisions of any special act, to be placed on the ballot at any biennial state election in any city or town in which the voters in response to such subdivision have voted in the affirmative three consecutive times or in the negative three consecutive times, beginning with the biennial state election in the year nineteen hundred and sixty-six, unless there has

been filed with said secretary, not later than the sixtieth day before the election at which such subdivision is to be submitted, a petition, the forms for which may be obtained from said secretary, signed by a number of voters of the city or town at least equal to ten per cent of the total number of voters registered at the last preceding city or town election. Such petitions shall be subject to the provisions of section seven of chapter fifty-three relative to the identification and certification of signatures and the time of submission to registrars.

SECTION 3. The provisions of said section eleven of chapter one hundred and thirty-eight of the General Laws, as amended by section two of this act, shall apply to those cities and towns which had placed on the ballot at the biennial state election in the year nineteen hundred and seventy-two said subdivision E.

Approved June 28, 1974.

Chap. 434. AN ACT PROVIDING FOR CRIMINAL PENALTIES FOR THE ALTERATION OR OBLITERATION OF THE IDENTIFYING NUMBERS OF CERTAIN MACHINES OR ELECTRICAL OR MECHANICAL DEVICES OR FOR THE SALE OR ATTEMPTED SALE OF ANY MACHINES OR DEVICES SO ALTERED.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 139 the following section:—

Section 139A. Whoever removes, defaces, alters, changes, destroys, obliterates or mutilates or causes to be removed or destroyed or in any way defaced, altered, changed, obliterated or mutilated, the identifying number or numbers of any machine or any electrical or mechanical device, with intent thereby to conceal its identity, to defraud the manufacturer, seller, or purchaser, to hinder competition in the areas of sales and servicing, or to prevent the detection of a crime shall be punished by a fine of not more than five hundred dollars or by imprisonment in a jail or house of correction for not more than one year or by both such fine and imprisonment. Possession of any machine or electrical or mechanical device the identifying number or numbers of which have been so removed, defaced, altered, changed, destroyed, obliterated or mutilated shall be prima facie evidence of a violation of the foregoing provision.

Whoever sells or otherwise disposes of or attempts to sell or otherwise dispose of a machine or an electrical or a mechanical device, knowing or having reason to believe that the identifying number or numbers of the same have been so removed, defaced, altered, changed, destroyed, obliterated or mutilated, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year in a jail or house of correction or by both such fine and imprisonment.

Approved June 28, 1974.

Chap. 435. AN ACT PROVIDING FOR THE APPOINTMENT OF A SECOND ASSISTANT REGISTER OF PROBATE FOR THE COUNTY OF BERKSHIRE.

Be it enacted, etc., as follows:

Section 24 of chapter 217 of the General Laws, as most recently amended by section 1 of chapter 435 of the acts of 1971, is hereby further amended by inserting after the word "Barnstable", in line 1, the word:— Berkshire.

Approved June 28, 1974.

Chap. 436. AN ACT ASCERTAINING THE WILL OF THE VOTERS OF THE CITY OF NEWBURYPORT RELATIVE TO THE LOCATION OF AN OIL REFINERY IN SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding any special or general law to the contrary, in order to ascertain the will of the voters of the city of Newburyport, the state secretary shall cause to be placed on the official ballot to be used in the city of Newburyport by the registered voters of said city at the biennial state election to be held in the year nineteen hundred and seventy-four the following question:— "Shall the city of Newburyport allow an oil refinery to be located within the confines of said city?" The result of such vote shall not be binding upon the mayor and city council or other officers of said city.

Approved June 28, 1974.

Chap. 437. AN ACT FURTHER REGULATING THE TRANSFER OF CERTAIN CASES FROM THE SUPERIOR COURT TO THE MUNICIPAL COURT OF THE CITY OF BOSTON OR OTHER DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 102C of chapter 231 of the General Laws, as most recently amended by section 194 of chapter 1114 of the acts of 1973, is hereby further amended by striking out, in line 4, the word "two" and inserting in place thereof the word:— four.

SECTION 2. The second sentence of section 104 of said chapter 231, as appearing in chapter 377 of the acts of 1965, is hereby amended by striking out, in line 4, thereof the word "two" and inserting in place thereof the word:— four.

Approved June 28, 1974.

Chap. 438. AN ACT INCREASING THE BENEFITS PAYABLE TO DEPENDENTS UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 31 of chapter 152 of the General Laws, as most recently amended by chapter 860 of the acts of 1970, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— To the widow or widower, so long as she or he remains unmarried, fifty-five dollars a week if and so long as there is no child of the employee, who is under the age of eighteen, or over said age and physically or mentally incapacitated from earning, or over said age and a full-time student qualified for exemption as a dependent under section one hundred and fifty-one (*e*) of the Internal Revenue Code; to or for the use of the widow or widower and for the benefit of all children of the employee, sixty-one dollars a week if and so long as there is one such child, and six dollars more a week for each additional child; provided, that in case any such child is a child by a former wife or husband, the death benefit shall be divided between the surviving wife or husband and all living children of the deceased employee in equal shares, the surviving wife or husband taking the same share as a child.

SECTION 2. Paragraph (*c*) of section 35A of said chapter 152, as appearing in chapter 641 of the acts of 1957, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Children under the age of eighteen years, or over said age but physically or mentally incapacitated from earning, if living with the employee at the time of his injury, or, if the employee is bound or ordered by law, decree or order of court, or by any other lawful requirement, to support such children, although living apart from them, or over said age and a full-time student qualified for exemption as a dependent under section one hundred and fifty-one (*e*) of the Internal Revenue Code.

SECTION 3. This act shall take effect on November first, nineteen hundred and seventy-four, and shall apply only to injuries occurring after said date.

Approved June 28, 1974.

Chap. 439. AN ACT REPEALING 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 four of chapter eight hundred of the acts of nineteen hundred and sixty-nine, as most recently amended by chapter eight hundred and forty-two of the acts of nineteen hundred and seventy-three, is hereby repealed.

Approved June 28, 1974.

Chap. 440. AN ACT INCREASING THE PENALTY FOR CONVICTION OF A SECOND OR SUBSEQUENT OFFENSE OF POSSESSION OF HEROIN.

Be it enacted, etc., as follows:

The first paragraph of section 34 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 the third sentence and inserting in place thereof the following sentence:— Any person who violates this section by possessing heroin shall for the first offense be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than two thousand dollars, or both, and for a second or subsequent offense shall be punished by imprisonment in the state prison for not less than two and one-half years nor more than five years or by a fine of not more than five thousand dollars and imprisonment in a jail or house of correction for not more than two and one-half years.

Approved June 28, 1974.

Chap. 441. AN ACT REMOVING A CERTAIN CERTIFICATION REQUIREMENT ON PAYROLLS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ten of the acts of nineteen hundred and eight is hereby repealed.

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

SECTION 3. Section 41 of chapter 41 of the General Laws, as amended by chapter 168 of the acts of 1968, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— No treasurer or other fiscal officer of any town or city shall pay any salary or compensation to any person in the service or employment of the town or city unless the payroll, bill or account for such salary or compensation shall be sworn to by the head of the department or the person immediately responsible for the appointment, employment, promotion, or transfer of the persons named therein, or, in the case of the absence or disability of the head of the department or of such person, then by a person designated by the head of the department and approved by the board of selectmen in towns, and by the mayor in cities, or by the city manager in cities operating under a Plan D or Plan E charter.

Approved June 28, 1974.

Chap. 442. AN ACT AUTHORIZING THE ADMISSIBILITY IN EVIDENCE OF CERTAIN MEDICAL BILLS IN CONTRACT ACTIONS.

Be it enacted, etc., as follows:

Section 79G of chapter 233 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 323 of the

acts of 1958, and inserting in place thereof the following sentence:— In an action of tort or contract, or for consequential damages arising therefrom, an itemized bill for medical, dental or hospital services rendered to a person injured, subscribed and sworn to under the penalties of perjury, by the physician, dentist, or authorized agent of the hospital rendering such services, shall be admissible as evidence of the necessary, fair and reasonable charge for such services; provided, that said bill shall include only the date and place of each service rendered because of said injury and the charge therefor without reference to the injury itself or the history thereof; and provided, further, that written notice of the intention to offer such a bill as such evidence, together with a copy thereof, has been given to the opposing party or parties, or to his or their attorneys, by mailing the same by certified mail, return receipt requested, not less than ten days before the trial, and that an affidavit of such notice and the return receipt is filed with the clerk of the court forthwith after said receipt has been returned.

Approved June 28, 1974.

Chap. 443. AN ACT PROVIDING THAT MONIES RECEIVED FROM CERTAIN BONDS AND NOTES BE PLACED IN THE WATER SURPLUS REVENUE ACCOUNT OF THE TOWN OF ABINGTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, monies received from investments made by the treasurer of the town of Abington of the proceeds of bonds and notes issued for projects of the water department of said town and invested under the provisions of section fifty-five of chapter forty-four of the General Laws shall be placed in the water revenue account of said town. Such monies as have been received from said investments for the period from January first, nineteen hundred and seventy-three to the effective date of this act, shall be transferred from the general surplus revenue account of said town to the water revenue account of said town in such amount and upon such date as is determined by the director of accounts. Such amount shall be used for operating expenses in the fiscal year commencing July first, nineteen hundred and seventy-four.

Approved June 28, 1974.

Chap. 444. AN ACT AUTHORIZING THE MASSACHUSETTS HIGHER EDUCATION ASSISTANCE CORPORATION TO ESTABLISH A CERTAIN PLAN TO AID STUDENTS ENROLLED IN ACCREDITED MEDICAL SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 298 of the acts of 1956 is hereby amended by inserting after the word "education", in lines 2

and 3, the words:— , medical education and to improve the distribution of physicians in the commonwealth.

SECTION 2. The second paragraph of said section 4 of said chapter 298 is hereby amended by striking out clause (*g*) and inserting in place thereof the following two clauses:—

(*g*) To repay loans for educational purposes made to students enrolled in a degree program in an accredited medical school in the commonwealth, or to a resident of the commonwealth enrolled in a degree program in an accredited medical school outside of the commonwealth in the following manner:—

The commonwealth is authorized to pay to the lending institution a yearly sum consisting of the annual interest plus twenty-five per cent of the principal to be paid upon completion of the first year of practice, twenty-five per cent of the principal upon completion of the second year of practice and twenty per cent of the principal to be paid upon completion of the third year of practice of the debtor's loan provided that the debtor agrees to practice for a minimum period of three years immediately following the residency period required in his medical education in a city or town, or in the case of a city or town having a population exceeding seventy-five thousand, in a section of said city or town, as shall be determined by the commissioner of public health to be in need of additional physicians.

The commonwealth is further authorized to pay the annual interest and an additional ten per cent of the principal of said loan upon the completion of a further year of practice by the debtor if agreed to by the commissioner of public health.

The commissioner of public health shall certify annually that the debtor has performed his obligations.

The maximum amount set by the corporation on a loan to a medical student shall be above and beyond such amounts as may be applied to other loans secured by the student from the corporation or any other source including the Higher Education Act of 1965, (Public Law 89-329), however in no case shall this amount exceed three thousand dollars in any one academic year.

Repayment terms consistent with this act shall be determined by the corporation, along with any other procedures and regulations as may be necessary or expedient to furthering the purpose of this act.

(*h*) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

Approved June 28, 1974.

Chap. 445. AN ACT REQUIRING CERTAIN WARNING SYSTEMS ON DUMP TRUCKS.

Be it enacted, etc., as follows:

The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by adding the following sentence:— Every motor vehicle truck with dump bodies shall be equipped with an adequate audible warning system to alert the operator when the dump body is in an upright and elevated position.

Approved July 1, 1974.

Chap. 446. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL MESSENGER FOR THE PROBATE COURT FOR NORFOLK COUNTY.

Be it enacted, etc., as follows:

Section 32B of chapter 217 of the General Laws, inserted by chapter 511 of the acts of 1971, is hereby amended by striking out, in line 2, the word "two" and inserting in place thereof the word:— three.

(This Bill returned by the Governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, June 26, 1974, and, in concurrence, by the House of Representatives, July 1, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 447. AN ACT PROVIDING FOR THE ELIGIBILITY OF CERTAIN ADDITIONAL SCHOOL CONSTRUCTION GRANTS AND OTHER BENEFITS FOR THE NANTUCKET SCHOOL DISTRICT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make the Nantucket school district immediately eligible for certain school construction grants and other benefits, 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, the Nantucket school district shall be eligible for sixty-five per cent of the approved cost of school construction and any other benefits authorized by chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as most recently amended by section fourteen of chapter seven hundred and sixty-six of the acts of nineteen hundred and seventy-two.

Approved July 2, 1974.

Chap. 448. AN ACT AUTHORIZING CERTAIN COUNTY COMMISSIONERS TO PAY CERTAIN EXPENSES PRIOR TO THE REGULAR APPROPRIATIONS FOR THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. Until the regular appropriation for a county has been made by the general court in the current year, the county commissioners of each county and other officers authorized to incur liabilities payable by each of such counties may incur liability for general maintenance and operation of regular county activities at a rate of expenditure which does not exceed in any month the sum spent for a similar purpose in any one month in the preceding year; provided, that said commissioners or officers may expend in any one

month for any office or board created by law an amount not exceeding one twelfth of the estimated cost for said year for said office or board. Payments therefor may be made from any available funds in the county treasury, to be charged to the regular appropriation when made.

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

Approved July 2, 1974.

Chap. 449. AN ACT REQUIRING THAT LOCAL HOUSING INSPECTION AGENCIES SUBMIT DETAILED PROGRESS REPORTS TO THE DIRECTOR OF THE STATEWIDE PROGRAM FOR THE PREVENTION AND CONTROL OF LEAD POISONING.

Be it enacted, etc., as follows:

SECTION 1. Section 194 of chapter 111 of the General Laws, as appearing in section 1 of chapter 1081 of the acts of 1971, is hereby amended by inserting after the sixth paragraph the following paragraph:—

The director shall provide by regulation for the implementation by local boards of health, code enforcement agencies and housing inspection agencies of the provisions of this section and the periodic reporting to him of the results of all inspections of dwelling units conducted hereunder by said boards and agencies.

SECTION 2. The second paragraph of section 198 of said chapter 111, as so appearing, is hereby amended by adding the following sentence:— The director shall provide by regulation for the implementation by local boards of health, code enforcement agencies and housing inspection agencies of the provisions of this section and the periodic reporting to him of the results of all actions undertaken hereunder by said boards and agencies.

Approved July 2, 1974.

Chap. 450. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

HAMPDEN COUNTY.

Item	*Subtotal*		*Total*	
1. For interest on county debt			$340,000	00
2. For reduction of county debt			210,000	00
3. For county commissioners, salaries and expenses			91,939	51
1. Personal services	$74,114	25		
2. Contractual services	1,400	00		
3. Supplies and materials	1,000	00		
4. Current charges and obligations	13,564	76		
5. Equipment	1,860	50		
4. For transportation and expenses of county and acting commissioners			500	00
5. For clerk of courts, salaries and expenses			305,141	59
1. Personal services	274,956	09		
2. Contractual services	11,500	00		
3. Supplies and materials	7,000	00		
4. Current charges and obligations	6,040	00		
5. Equipment	5,645	50		
6. For county treasurer, salaries and expenses			85,987	92
1. Personal services	68,632	42		
2. Contractual services	4,200	00		
3. Supplies and materials	1,800	00		
4. Current charges and obligations	10,345	00		
5. Equipment	1,010	50		
7. For sheriff, salary and expenses			19,394	00
1. Personal services	18,729	00		
2. Contractual services	300	00		
4. Current charges and obligations	365	00		
8. For registry of deeds, salaries and expenses			441,091	09
1. Personal services	366,416	29		
2. Contractual services	30,000	00		
3. Supplies and materials	27,082	00		
4. Current charges and obligations	13,182	80		
5. Equipment	4,410	00		
8a. For registry of probate, salaries and expenses			30,845	00
2. Contractual services	14,300	00		
3. Supplies and materials	7,900	00		
4. Current charges and obligations	4,836	00		
5. Equipment	3,809	00		
9. For law library, salaries and expenses			58,648	00
1. Personal services	30,823	00		
2. Contractual services	6,350	00		
3. Supplies and materials	475	00		
4. Current charges and obligations	21,000	00		

Item	*Subtotal*		*Total*	
10. For highways, including state highways, bridges and land damages			$758,970	05
1. Personal services	$9,795	05		
2. Contractual services	4,650	00		
3. Supplies and materials	650	00		
6. All other	743,875	00		
12. For superior court costs			1,251,878	19
1. Personal services	578,862	49		
2. Contractual services	624,390	00		
3. Supplies and materials	14,050	00		
4. Current charges and obligations	30,430	00		
5. Equipment	4,145	70		
13. For civil expenses in probate court			52,681	40
1. Personal services	41,398	40		
2. Contractual services	7,350	00		
3. Supplies and materials	2,730	00		
4. Current charges and obligations	1,078	00		
5. Equipment	125	00		
14. For district courts, salaries and expenses				
District Court of Chicopee			190,217	20
1. Personal services	175,146	00		
2. Contractual services	4,850	00		
3. Supplies and materials	2,730	00		
4. Current charges and obligations	7,116	20		
5. Equipment	375	00		
District Court of Holyoke			285,145	20
1. Personal services	260,090	92		
2. Contractual services	10,700	00		
3. Supplies and materials	5,250	00		
4. Current charges and obligations	6,980	00		
5. Equipment	2,124	28		
District Court of Eastern Hampden			224,390	54
1. Personal services	200,912	54		
2. Contractual services	10,915	00		
3. Supplies and materials	3,870	00		
4. Current charges and obligations	8,693	00		
District Court of Springfield			1,285,861	02
1. Personal services	1,154,570	54		
2. Contractual services	80,154	40		
3. Supplies and materials	31,535	00		
4. Current charges and obligations	12,307	18		
5. Equipment	7,293	90		
District Court of Western Hampden			254,638	22
1. Personal services	229,790	87		
2. Contractual services	10,350	00		
3. Supplies and materials	4,375	00		
4. Current charges and obligations	6,058	00		
5. Equipment	4,064	35		
Springfield Juvenile Court			517,297	10
1. Personal services	378,945	10		
2. Contractual services	76,293	00		
3. Supplies and materials	7,800	00		
4. Current charges and obligations	49,014	00		
5. Equipment	5,245	00		

Item	*Subtotal*		*Total*	
15. For medical examiners and commitments of insane			$70,000	00
16. For jail and house of correction, maintenance and operation			613,357	28
1. Personal services	$383,063	28		
3. Supplies and materials	211,900	00		
4. Current charges and obligations	10,550	00		
5. Equipment	6,644	00		
6. All other	1,200	00		
17. For training school			7,615	00
1. Personal services	3,750	00		
2. Contractual services	1,800	00		
3. Supplies and materials	2,065	00		
18. For court houses and registry buildings, maintenance and operation			348,211	13
1. Personal services	272,196	13		
2. Contractual services	64,475	00		
3. Supplies and materials	9,665	00		
4. Current charges and obligations	1,425	00		
5. Equipment	450	00		
20. For agricultural school or county cooperative extension service			269,316	21
1. Personal services	251,394	21		
2. Contractual services	12,000	00		
3. Supplies and materials	3,025	00		
4. Current charges and obligations	405	00		
5. Equipment	2,492	00		
21. For state reservation, maintenance and operation (Mount Tom)			105,217	19
24. For noncontributory pensions			110,326	39
25. For contributory retirement system and supervisory expenses			355,987	81
26. For miscellaneous and contingent expenses			91,732	05
28. For reserve fund			150,000	00
28a. For reserve for salary increases			420,000	00
28d. For reserve for counsel for indigent defendants			135,000	00
29. For advertising recreational, industrial and agricultural advantages of the county			8,500	00
31. For radio system for fire protection			1,600	00
39. For group insurance			180,000	00
Total amount of appropriations			$9,271,489	09
Less estimated amount available for reduction of county tax			933,500	00
And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of			$8,337,989	09

The following sums are hereby appropriated for said fiscal year from federal revenue sharing funds subject to the provisions of law regulating the disbursement of county funds and the approval thereof.

Item		
16. For jail and house of correction		
1. Personal services	$561,937	87
2. Contractual services	287,888	00
	$849,825	87

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

Approved July 2, 1974.

Chap. 451 AN ACT AUTHORIZING THE GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL DISTRICT TO LEASE CERTAIN LAND AND BUILDINGS FROM THE CITY OF NEW BEDFORD FOR SCHOOL PURPOSES, TO REMODEL SAID BUILDINGS, TO CONSTRUCT SCHOOL BUILDINGS ON SAID LAND AND TO BORROW MONEY FOR SUCH REMODELING AND CONSTRUCTION, AND ALSO PROVIDING FOR STATE AID IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. The Greater New Bedford Regional Vocational Technical High School District, hereinafter called the district, is hereby authorized to lease any land and buildings which are part of that tract of land known now or formerly as Fort Rodman, situated in Clark's Point in the city of New Bedford, which land and buildings are presently owned by the city under a deed from the United States of America, and the city may authorize such lease accordingly. Any such lease shall be for a term of not less than twenty-five years. In connection therewith, the district and said city are authorized to do such acts and enter into such agreements as may be required or requested by the United States of America for the satisfaction or abrogation of any conditions and restrictions contained in said deed.

SECTION 2. The district is hereby authorized to remodel, renovate, equip and furnish any building leased pursuant to section one.

SECTION 3. The district is hereby authorized to construct, equip and furnish a school building or buildings on any land leased pursuant to section one.

SECTION 4. The powers conferred by this act may be exercised notwithstanding the provisions of section two of the regional school district agreement.

SECTION 5. The district is authorized to incur debt for the purposes described in sections two and three, and to issue bonds or notes therefor. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their

dates. Except as herein provided, indebtedness incurred under this act shall be subject to the provisions of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-one.

SECTION 6. The district shall be entitled to receive a state school construction grant for each of the projects carried out under sections two and three, provided that the proposed facilities 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 estimated approved cost and the final approved cost of each such project shall be determined by the state board of education, and shall include the actual costs to the district of remodeling, renovating, equipping and furnishing a leased building or buildings, in the case of a project described in section two, or of constructing, equipping and furnishing a new school building or buildings, in the case of a project described in section three, together with 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 district to finance the foregoing.

SECTION 7. This act shall take effect upon its passage.

Approved July 3, 1974.

Chap. 452. AN ACT RELATIVE TO PARKING FACILITIES IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 386 of the acts of 1972 is hereby amended by adding the following sentence:— As used in this act, the words "structure", "off-street parking structure" and "garage" shall mean any public off-street parking structure or structures located within that area in the city of Pittsfield which is bounded by North street, West street, Depot street connector and Center street, being known as Parcel 3 of the Jubilee Urban Renewal Project area.

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

Approved July 3, 1974.

Chap. 453. AN ACT AUTHORIZING THE CITY OF WORCESTER TO APPROPRIATE PAYMENT OF AN UNPAID BILL TO THE AMERICAN ARMS CO., INC.

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 the American Arms Co., Inc. the amount of nine hundred and forty-nine dollars and twenty cents for the purchase of merchandise ordered and received on May twentieth,

nineteen hundred and seventy by the police department of said city during an emergency situation involving a civil disorder. Said sum is legally unenforceable against the city of Worcester.

SECTION 2. No bill shall be approved by the city auditor of said city or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor stating under the penalties of perjury that the materials, and services for which said bill was submitted were ordered by an official or an employee of said city and that such materials 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 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 3, 1974.

Chap. 454. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PAY A CERTAIN SUM OF MONEY TO PIATELLI 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 Piatelli Construction Corp., a sum not to exceed four thousand five hundred and nineteen dollars and thirty-three cents for work authorized by the water commissioners of said town and performed by such corporation during the years nineteen hundred and sixty-five through nineteen hundred and sixty-seven.

SECTION 2. No bill shall be approved by the town accountant of said town 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, and services for which said bill was submitted were ordered by an official or an employee of said town and that such materials were delivered and actually received by said town or that such services were rendered to said town, 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 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 July 3, 1974.

Chap. 455. AN ACT EXTENDING FOR TWO YEARS THE TIME WITHIN WHICH CERTAIN LICENSES TO SELL ALCOHOLIC BEVERAGES MAY BE RESERVED FOR TRANSFER TO ANOTHER LOCATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the elimination of extreme hardships and inequities undergone by certain holders of alcoholic beverages licenses whose premises have been taken by eminent domain by a public authority, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty-three B of chapter one hundred and thirty-eight of the General Laws, as most recently amended by chapter four hundred and twenty-four of the acts of nineteen hundred and seventy-three, any license to sell alcoholic beverages to which the provisions of said section twenty-three B applied, but which lapsed because of failure or inability of the licensee to transfer such license to another suitable location within the time authorized by said section twenty-three B, is hereby revived and shall be reserved for the licensee until such time as a suitable location for the transfer of said license is approved by the local licensing authorities, but in no event shall such license be reserved for a period longer than two years from the effective date of this act.

Approved July 3, 1974.

Chap. 456. AN ACT CONFERRING ADDITIONAL POWERS UPON THE CITY OF BOSTON WITH RESPECT TO CERTAIN PARKING FACILITIES IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. In addition to its powers under chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six, as amended, and notwithstanding any provisions to the contrary in said chapter four hundred and seventy-four, as amended, with respect to the lease by and between the city of Boston and Code Realty, Incorporated, dated the twenty-ninth day of August, nineteen hundred and fifty-six, and with respect to the premises described in said lease, the real property board of the city of Boston, as successor to the board of real estate commissioners of said city may, with the approval of the mayor and city council of said city, exercise the following powers on behalf of said city:

(*a*) The power to cancel said lease with the consent of the lessee, on such terms as said board deems satisfactory; and

(*b*) The power, upon cancellation of said lease, to sell the land and the structure or structures thereon, if any, at private sale upon such terms as said board deems satisfactory, at a price not lower than that

established by an independent appraisal of the premises, it being hereby determined that said premises are no longer required for the purposes of said chapter four hundred and seventy-four, as amended.

SECTION 2. In addition to its powers under chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six, as amended, and notwithstanding any provisions to the contrary in said chapter four hundred and seventy-four, as amended, with respect to the premises on which the Fort Hill Square, Kilby Street and Kingston-Bedford Streets parking facilities are located, said real property board, with the approval of the mayor and the city council of said city, may on behalf of said city, sell the land and the structure or structures thereon, if any, at private sale upon such terms as said board deems satisfactory, at a price not lower than that established by an independent appraisal of the premises, it being hereby determined that said premises are no longer required for the purposes of said chapter four hundred and seventy-four, as amended.

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

Approved July 3, 1974.

Chap. 457. AN ACT PROVIDING FOR NOTIFICATION TO COUNSEL OF THE TRANSMISSION OF THE RECORD ON APPEAL TO THE APPEALS COURT OR THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

The first paragraph of section 33E of chapter 278 of the General Laws, as appearing in chapter 341 of the acts of 1939, is hereby amended by inserting after the first sentence the following sentence:— Immediately upon transmission of the record on appeal as herein provided, the clerk shall notify counsel for the defendant and for the commonwealth of such transmission.

Approved July 3, 1974.

Chap. 458. AN ACT FURTHER REGULATING THE APPEALS PROCESS RELATING TO FELONY CONVICTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 33C of chapter 278 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— Written notice of the completion of the summary shall be given by the clerk to the defendant or his counsel, except that said notice shall not be given until the clerk has received the copy of the transcript provided for by this section, and the fact that said notice was given shall be certified upon the record.

SECTION 2. Section 33D of said chapter 278, as so appearing, is hereby amended by striking out the first two sentences and inserting

in place thereof the following two sentences:— Within thirty days after the notice provided for in the preceding section the defendant shall file an assignment of errors. For cause shown, a justice of the supreme judicial, appeals, or superior court may extend the time for filing such assignment of errors for such periods of time as said justice deems appropriate.

Approved July 3, 1974.

Chap. 459. AN ACT RELATIVE TO SURVIVORS BENEFITS FOR CERTAIN FULL-TIME STUDENTS UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

SECTION 1. Clause (*iii*) of paragraph (*a*) of subdivision (2) of section 7 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 545 of the acts of 1951, is hereby further amended by striking out the second sentence and inserting in place thereof the following three sentences:— Such additional pension on account of any such child shall be paid only so long as such child survives, remains unmarried and is under age eighteen or, if over said age, remains physically or mentally incapacitated from earning or, if over said age and under age twenty-one, is a full-time student at an accredited educational institution. 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.

SECTION 2. Subdivision (2) of section 9 of said chapter 32 is hereby amended by striking out paragraph (*d*), as amended by section 2 of said chapter 545, and inserting in place thereof the following paragraph:—

(*d*) If there are any surviving unmarried children of such member who are under age eighteen or who are over said age and physically or mentally incapacitated from earning on the date of his death, or who are over said age and under age twenty-one and full-time students at an accredited educational institution, an additional pension at the rate of three hundred and twelve dollars yearly shall be paid for each such child to the child's natural or legal guardian so long as such child survives, remains unmarried, and is under age eighteen or if over said age remains physically or mentally incapacitated from earning or, if over said age and under age twenty-one remains a full-time student. 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.

SECTION 3. Chapter 793 of the acts of 1972 is hereby amended by inserting after section 2 the following section:—

Section 2A. The provisions of the first paragraph of section twelve B of chapter thirty-two of the General Laws, inserted by section two of this act, as such provisions relate to any child over age eighteen and under twenty-one, who is a full-time student, shall apply to any such child of a deceased member whose widow, husband or legally appointed guardian, had elected to receive allowances under the provisions of said section twelve B, as the result of the death of the member which occurred prior to January first, nineteen hundred and seventy-three; provided, that such child is not married; and provided further, that the continuance of the allowance for such child shall be governed by the provisions of said section twelve B.

SECTION 4. The provisions of sections one and two of this act shall take effect on January first, nineteen hundred and seventy-five, and shall apply to any child who has been receiving children's benefits as the result of the disability or death, as the case may be, of a member which occurred prior to January first, nineteen hundred and seventy-five.

SECTION 5. The provisions of section three of this act shall take effect as of January first, nineteen hundred and seventy-three.

Approved July 3, 1974.

Chap. 460. AN ACT REGULATING THE TERMINATION OF CERTAIN PERSONAL SERVICE CONTRACTS WHEREBY THE PERSONS PURCHASING SERVICES ACTIVELY PARTICIPATE IN THE ACQUISITION OF THE BENEFITS TO BE DERIVED.

Be it enacted, etc., as follows:

Chapter 255 of the General Laws is hereby amended by inserting after section 13J the following section:—

Section 13K. Every written contract between a trade school, vocational school, technical school, correspondence school, dance studio, dance school, professional or proprietary school, and any person who is to receive physical, mental or emotional benefit therefrom shall contain the following notice on the front side of said contract above the place for the student's signature in twelve point extra bold face type and in capital letters:

1. YOU MAY TERMINATE THIS AGREEMENT AT ANY TIME.

2. IF YOU TERMINATE THIS AGREEMENT YOU WILL RECEIVE PRO RATA REFUND OF THE AMOUNTS PAID FOR THE ENTIRE COURSE YOU ARE TAKING, BASED ON THE AMOUNT OF TIME YOU HAVE ATTENDED, PROVIDED, HOWEVER, THAT YOU WILL ALSO BE RESPONSIBLE FOR ACTUAL REASONABLE ADMINISTRATIVE COSTS INCURRED BY THE SCHOOL TO ENROLL YOU AND TO PROCESS YOUR APPLICATION, WHICH ADMINISTRATIVE COSTS SHALL NOT EXCEED FIFTY DOLLARS OR FIVE PER CENT OF THE CONTRACT PRICE,

WHICHEVER IS LESS. A LIST OF SUCH ADMINISTRATIVE COSTS IS ATTACHED HERETO AND MADE A PART OF THIS AGREEMENT.

3. IF YOU WISH TO TERMINATE THIS AGREEMENT, YOU MUST INFORM THE SCHOOL IN WRITING OF YOUR TERMINATION, WHICH WILL BECOME EFFECTIVE ON THE DAY SUCH WRITING IS MAILED.

This section shall not apply to nonprofit and public schools. This section shall not affect the provisions of section forty-eight of chapter ninety-three or section fourteen of chapter two hundred and fifty-five D, which provide a right of cancellation for certain contracts.

Whoever fails to comply with this section shall be deemed to have committed an unfair and deceptive practice under section two of chapter ninety-three A.

Whoever violates the provisions of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months, or both.

Approved July 3, 1974.

Chap. 461. AN ACT AUTHORIZING THE MARTHA'S VINEYARD REGIONAL HIGH SCHOOL DISTRICT TO SELL AND CONVEY CERTAIN LAND TO THE MARTHA'S VINEYARD ARENA, INC.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the Martha's Vineyard regional high school district is hereby authorized to sell and convey approximately three acres of land located on the northerly side of the Edgartown-Vineyard Haven road in the town of Oak Bluffs to the Martha's Vineyard Arena, Inc. for the purpose of constructing a skating rink thereon.

Approved July 3, 1974.

Chap. 462. AN ACT DESIGNATING THE INJURY TO OR DESTRUCTION OF A DEPOSITORY OF VALUABLES AS A CRIME AGAINST PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 265 of the General Laws is hereby amended by striking out section 21, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 21. Whoever, with intent to commit larceny or any felony, confines, maims, injures or wounds, or attempts or threatens to kill, confine, maim, injure or wound, or puts any person in fear, for the purpose of stealing from a building, bank, safe, vault or other depository of money, bonds or other valuables, or by intimidation, force or threats compels or attempts to compel any person to disclose or surrender the means of opening any building, bank, safe, vault or

other depository of money, bonds, or other valuables, shall whether he succeeds or fails in the perpetration of such larceny or felony, be punished by imprisonment in the state prison for life or for any term of years.

SECTION 2. Chapter 266 of the General Laws is hereby amended by striking out section 16, as most recently amended by section 1 of chapter 343 of the acts of 1943, and inserting in place the following section:—

Section 16. Whoever, in the night time, breaks and enters a building, ship or vessel, with intent to commit a felony, or who attempts to or does break, burn, blow up or otherwise injure or destroy a safe, vault, or other depository of money, bonds or other valuables in any building or place, with intent to commit a larceny or felony, whether he succeeds or fails in the perpetration of such larceny or felony, shall be punished by imprisonment in the state prison for not more than twenty years or in a jail or house of correction for not more than two and one half years.

Approved July 3, 1974.

Chap. 463. AN ACT CHANGING THE NAME OF THE BACK BAY RESIDENTIAL DISTRICT IN THE CITY OF BOSTON TO THE BACK BAY ARCHITECTURAL DISTRICT, EXTENDING THE BOUNDARIES OF SAID DISTRICT, INCREASING THE MEMBERSHIP OF THE BACK BAY ARCHITECTURAL COMMISSION AND FURTHER DEFINING THE POWERS AND DUTIES THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 625 of the acts of 1966 is hereby amended by striking out, in line 4, the words "the residential portion of the Back Bay area in the city of Boston" and inserting in place thereof the words:— that portion of the Back Bay area in the city of Boston described in section two.

SECTION 2. Said chapter 625 is hereby amended by striking out section 2 and inserting in place thereof the following section:—

Section 2. Establishment of the District. — There is hereby created in the city of Boston a district to be known as the Back Bay Architectural District, bounded and described as follows:— starting at the intersection of the center line of Newbury street and the center line of Charlesgate East; thence running northerly by the center line of Charlesgate East to the center line of Back street; thence running easterly by the center line of Back street to the center line of Embankment road; thence running southerly by the center line of Embankment road to the center line of Beacon street; thence running easterly along the center line of Beacon street to the center line of Arlington street; thence running southerly along the center line of Arlington street to the center line of the public alley between Newbury street and Commonwealth avenue; thence run-

ning westerly along the center line of the public alley between Newbury street and Commonwealth avenue to the center line of Dartmouth street; thence running southerly along the center line of Dartmouth street to the center line of Boylston street; thence running westerly along the center line of Boylston street to the center line of Massachusetts avenue; thence running northerly along the center line of Massachusetts avenue to the center line of Newbury street; thence running westerly along the center line of Newbury street to the point of beginning.

SECTION 3. The first paragraph of section 4 of said chapter 625 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— There shall be in the Boston Redevelopment Authority a commission, known as the Back Bay Architectural Commission, consisting of nine commissioners and five alternates, appointed by the mayor as follows: two commissioners and one alternate from five candidates nominated by the Neighborhood Association of the Back Bay, two commissioners and one alternate from five candidates nominated by the Back Bay Association, two commissioners and one alternate from five candidates nominated by the Boston Society of Architects, one commissioner and one alternate from three candidates nominated by the Greater Boston Real Estate Board, and two commissioners, at least one of whom shall have an interest in a retail business in the Back Bay Architectural District, and one alternate selected at large by the mayor.

SECTION 4. Said first paragraph of said section 4 of said chapter 625 is hereby further amended by striking out the ninth sentence and inserting in place thereof the following two sentences:— Whenever a commissioner is absent or unable for any cause to perform his duties, the alternate appointed in the same manner as such commissioner shall exercise the powers and perform the duties of such commissioner. Whenever both a commissioner and the alternate appointed in the same manner of such commissioner are absent or unable for any cause to perform their duties, the chairman of the commission shall designate another alternate to exercise the powers and perform the duties of such commissioner; but an alternate shall not otherwise be deemed to be, or act as, a member of the commission.

SECTION 5. The first sentence of section 5 of said chapter 625 is hereby amended by striking out, in line 3, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 6. The first sentence of section 6 of said chapter 625 is hereby amended by striking out, in line 3, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 7. The first sentence of section 7 of said chapter 625 is hereby amended by striking out, in line 4, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 8. The first sentence of the first paragraph of section 8 of said chapter 625 is hereby amended by striking out, in line 2, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 9. The first sentence of the third paragraph of said section 8 of said chapter 625 is hereby amended by striking out, in line 10, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 10. The fourth paragraph of said section 8 of said chapter 625 is hereby amended by adding the following sentence:— It is also the intent of this act that the commission deal more leniently with proposals respecting structures within those sections of the Back Bay Architectural District which may be zoned for local or general business uses than with those proposals within those sections of the district which may be zoned for residential uses, to the end that conversions of structures to business uses will not be prevented.

SECTION 11. The first sentence of the sixth paragraph of said section 8 of said chapter 625 is hereby further amended by striking out, in line 2, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 12. The first sentence of section 9 of said chapter 625 is hereby amended by striking out, in line 3, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 13. The first sentence of the first paragraph of section 11 of said chapter 625 is hereby amended by striking out, in line 3, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 14. The second sentence of said first paragraph of said section 11 of said chapter 625 is hereby amended by striking out, in line 3, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 15. The first sentence of the second paragraph of said section 11 of said chapter 625 is hereby amended by striking out, in line 4, the word "Residential" and inserting in place thereof the word:— Architectural.

SECTION 16. The commissioners to be appointed to the Back Bay Architectural Commission pursuant to section three of this act, in addition to the incumbent members under prior law, shall be appointed by the mayor of the city of Boston from two candidates nominated by the named nominating organizations in said section three, and the terms of such original appointments shall for each such commissioner be coterminous with the term of the incumbent nominated by the same organization. Until said additional commissioners are appointed, the quorum requirement for action by said commission shall be three, and thereafter it shall be a majority of the commissioners.

Approved July 3, 1974.

Chap. 464. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (3) of subsection (*n*) of section 14 of chapter 151A of the General Laws, as appearing in chapter 397 of

the acts of 1953, is hereby amended by striking out, in line 5, the word "by" and inserting in place thereof the word:— for.

SECTION 1A. Paragraph (4) of subsection (*d*) of section 29 of said chapter 151A, as appearing in section 17 of chapter 940 of the acts of 1971, is hereby amended by striking out, in line 5, the word "subsection" and inserting in place thereof the word:— paragraph.

SECTION 2. The last paragraph of said subsection (*d*) of said section 29 of said chapter 151A, added by section 4 of chapter 899 of the acts of 1973, is hereby amended by inserting after the word "Federal", in line 3, the word:— Insurance.

SECTION 3. Paragraph (3) of subsection (*a*) of section 58 of said chapter 151A, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out, in line 1, the word "of" and inserting in place thereof the word:— or.

SECTION 4. Subsection (*e*) of said section 58 of said chapter 151A, as so appearing, is hereby amended by striking out, in line 1, the word "paragraphs" and inserting in place thereof the word:— subsections.

Approved July 3, 1974.

Chap. 465. AN ACT FURTHER DEFINING THE TERM "CLEARING CORPORATION" IN THE UNIFORM COMMERCIAL CODE.

Be it enacted, etc., as follows:

Section 8-102 of chapter 106 of the General Laws is hereby amended by striking out subsection (3), as appearing in section 14 of chapter 188 of the acts of 1963, and inserting in place thereof the following subsection:—

(3) A "clearing corporation" is a corporation

(*a*) at least ninety per cent of the capital stock of which is held by or for one or more persons, other than individuals, each of whom

(*i*) is subject to supervision or regulation pursuant to the provisions of federal or state banking laws or state insurance laws, or

(*ii*) is a broker or dealer or investment company registered under the Securities Exchange Act of 1934 or the Investment Company Act of 1934 or the Investment Company Act of 1940, or

(*iii*) is a national securities exchange or association registered under a statute of the United States such as the Securities Exchange Act of 1934, and none of whom, other than a national securities exchange or association, holds in excess of twenty per cent of the capital stock of such corporation; and

(*b*) any remaining capital stock of which is held by individuals who have purchased such capital stock at or prior to the time of their taking office as directors of such corporation and who have purchased only so much of such capital stock as may be necessary to permit them to qualify as such directors.

Approved July 3, 1974.

Chap. 466. AN ACT RELATIVE TO CERTAIN INVESTMENTS BY THE CO-OPERATIVE CENTRAL BANK AND THE SHARE INSURANCE FUND THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 45 of the acts of 1932 is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 305 of the acts of 1967, and inserting in place thereof the following paragraph:—

The resources of the central bank shall be invested only in one or another of the following:— (*a*) obligations of the United States; (*b*) federal agency obligations, referred to in section forty-two of chapter one hundred and sixty-eight of the General Laws, maturing not more than five years from the date of acquisition thereof by the central bank; (*c*) obligations of the commonwealth; (*d*) loans to member banks under conditions herein provided; (*e*) federal funds and repurchase agreements secured by United States treasury obligations and federal agency obligations which have unexpired terms of five years or less with a banking corporation in the common stock of which a cooperative bank may invest pursuant to paragraph 1 of section forty-seven of chapter one hundred and sixty-eight of the General Laws as made applicable to such corporations by subsection 2 of section twenty-six of chapter one hundred and seventy of the General Laws; 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. If, after such investment, such banking corporation issues debentures, convertible debentures or notes which, when added to the combined total of all of its already outstanding debentures, convertible debentures or notes, equal sixty-six and two-thirds per cent or more of the combined total of its capital stock, surplus, undivided profits and reserve for contingencies, any notes or other evidences of indebtedness owned by such corporation shall be disposed of within a reasonable time and in no event later than any date which may be specified by the commissioner, and the capital stock of such issuing bank shall be removed forthwith from the list provided for in section fifty-one of chapter one hundred and sixty-eight of the General Laws. Not more than four percent of the assets of the Reserve Fund of The Cooperative Central Bank shall be invested by it in notes or other evidences of indebtedness of such banking corporations and not more than two per cent of the assets of the Reserve Fund shall be invested by such corporation in notes or other evidences of indebtedness of any one banking corporation. The board of directors of the central bank may deposit any funds in any national bank doing business in the commonwealth or in any trust company incorporated therein. The central bank may borrow funds in its discretion and pledge, as security therefor, such of its assets as may be necessary.

SECTION 2. Section 3 of chapter 73 of the acts of 1934 is hereby amended by striking out the second sentence, as most recently amended by section 2 of said chapter 305, and inserting in place thereof the following three sentences:— Except as provided in this act, said fund may be invested by the corporation only in the cash, securities or other property referred to in clauses (*a*), (*b*), (*c*), and (*d*) of section forty of chapter one hundred and seventy of the General Laws or in any of the federal agency obligations referred to in section forty-two of chapter one hundred and sixty-eight of the General Laws, or in stock of the Federal National Mortgage Association referred to in said section forty-two, or federal funds and repurchase agreements secured by United States treasury obligations and federal agency obligations which have unexpired terms of five years or less with a banking corporation in the common stock of which a co-operative bank may invest pursuant to paragraph 1 of section forty-seven of said chapter one hundred and sixty-eight as made applicable to such corporations by subsection 2 of section twenty-six of said chapter one hundred and seventy; 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. If, after such investment, such banking corporation issues debentures, convertible debentures or notes which, when added to the combined total of all of its already outstanding debentures, convertible debentures or notes, equal sixty-six and two-thirds per cent or more of the combined total of its capital stock, surplus, undivided profits and reserve for contingencies, any notes, or other evidences of indebtedness owned by such corporation shall be disposed of within a reasonable time and in no event later than any date which may be specified by the commissioner, and the capital stock of such issuing bank shall be removed forthwith from the list provided for in section fifty-one of said chapter one hundred and sixty-eight. Not more than four per cent of the assets of the Share Insurance Fund of The Co-operative Central Bank shall be invested by it in notes or other evidences of indebtedness of such banking corporations and not more than two per cent of the assets of the Share Insurance Fund shall be invested by such corporation in notes or other evidences of indebtedness of any one banking corporation.

Approved July 3, 1974.

Chap. 467. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO GRANT AN ANNUITY TO VIOLA B. MORROW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of law and for the purpose of promoting the public good and in consideration

of the long and meritorious service of Bryan Morrow, former fire fighter in the fire department of the city of Springfield, who died October ninth, nineteen hundred and seventy-three, said city may grant to Viola B. Morrow, widow of said Bryan Morrow, an annuity under section ninety-five A of chapter thirty-two of the General Laws retroactive to October ninth, nineteen hundred and seventy-three. Said annuity shall be in lieu of any other annuity or pension payable to said widow under any other general or special law.

SECTION 2. This act shall take effect upon its acceptance during the current year by the city of Springfield.

Approved July 3, 1974.

Chap. 468. AN ACT CREATING A HAMPDEN COUNTY MOSQUITO CONTROL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The area included in the cities and towns comprising the county of Hampden is hereby constituted a mosquito control district under section five A of chapter two hundred and fifty-two of the General Laws, to the same extent as if so constituted by the state reclamation board acting under said section five A, and the improvement herein authorized shall be undertaken under the identifying name of the Hampden County Mosquito Control District, hereinafter called the district.

There shall be a commission as provided under said section five A of chapter two hundred and fifty-two which shall consist of five members. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of five years. The commission shall elect a chairman and clerk and shall keep accurate records of its meetings.

SECTION 2. Beginning with the fiscal year commencing July first, nineteen hundred and seventy-four, to meet the expenses incurred under this act, there shall be annually expended from the state treasury, subject to appropriation, sums equal in the aggregate, to eight cents on each one thousand dollars of equalized valuations of the cities and towns in the district, as most recently reported by the state tax commission to the general court under the provisions of section ten C of chapter fifty-eight of the General Laws; and the state treasurer shall issue his warrant requiring the assessors of the said cities and towns to assess a tax to the amount of the sums so expended, one quarter of which shall be in proportion to their said valuations and three quarters shall be in proportion to their respective areas, and such amounts shall be collected and paid to the state treasurer as provided in section twenty of chapter fifty-nine of the General Laws; provided, that any city or town may in any year

anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment. There may also be expended for the purposes of this act voluntary contributions for such purposes and deposited in the state treasury.

SECTION 3. The funds appropriated and deposited as aforesaid shall be expended by the district for the investigation of mosquito control works, and the construction and maintenance thereof, in the district, under the direction and supervision of the state reclamation board in accordance with such known methods as in its opinion will effect the greatest measure of relief, and at the same time will have a minimum of conflict with the objectives of section forty of chapter one hundred and thirty-one of the General Laws.

SECTION 4. Any city or town included in the area estabished by section one may decline to participate in the district, provided that, in a city the city council so votes with the approval of the mayor prior to the effective date of this act, and in a town the town so votes at its regular or special town meeting which is called next subsequent to the enactment of this act.

SECTION 5. Any city, by a vote of the city council, with the approval of the mayor, or any town with the majority vote of the voters at an annual town meeting, may, after this act has been in effect therein for a period of three years, withdraw from membership in the district hereinbefore established and thereupon the provisions of this act shall no longer apply to such city or town.

Approved July 3, 1974.

Chap. 469. AN ACT FURTHER REGULATING OPEN END CREDIT ACCOUNTS MADE PURSUANT TO AN AGREEMENT FOR PAYROLL DEDUCTIONS FROM THE CUSTOMER'S WAGES.

Be it enacted, etc., as follows:

Section 6B of chapter 140C of the General Laws, inserted by section 2 of chapter 783 of the acts of 1972, is hereby amended by adding the following paragraph:—

A creditor who extends credit pursuant to an open end credit plan under the terms of which payments on account are made pursuant to a payroll deduction arrangement with the employer of the customer and with the assent of the customer, shall provide the customer at least quarterly with regular statements containing the information required by subsection (*b*) of section six. The creditor shall mail or deliver such statement within fifteen days after the end of each quarter. A creditor who mails or delivers a statement pursuant to this section, shall not be required to mail or deliver to its customer the billings required by section six A.

Approved July 3, 1974.

Chap. 470. AN ACT REGULATING THE PAYMENT OF DISABILITY INSURANCE BENEFITS.

Be it enacted, etc., as follows:

SECTION 1. Section 110A of chapter 175 of the General Laws is hereby amended by striking out the last sentence, added by chapter 550 of the acts of 1973.

SECTION 2. Said chapter 175 is hereby further amended by inserting after section 110E the following section:—

Section 110F. Benefits due under a policy of insurance insuring against disability from injury or disease shall not be reduced by an increase in federal social security benefits once payment of disability benefits has commenced.

Approved July 3, 1974.

Chap. 471. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five 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	$1,961,712.25
2.	For contractual services	95,000.00
3.	For supplies and materials	375,000.00
4.	For current charges and obligations	200,534.10
5.	For equipment	22,695.00
8.	For debt and interest	25,000.00
11.	For reserve fund	100,000.00
11a.	For reserve for salary increases	189,552.00
12.	For group insurance	100,000.00
	For total expenditures	$3,069,393.35

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

Approved July 3, 1974.

Chap. 472. AN ACT PROVIDING FOR DISCOUNTS IN THE PREMIUMS CHARGED FOR MOTOR VEHICLE LIABILITY INSURANCE TO CERTAIN DRIVERS UNDER THE AGE OF TWENTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 113B of chapter 175 of the General Laws, inserted by section 7 of chapter 670 of the acts of 1970, is hereby further amended by adding the following sentence:— The commissioner shall fix and establish premium charges for drivers under the age of twenty-five so as to provide a discount of at least ten per cent from the charges he would otherwise fix and establish for such drivers pursuant to the authority of this section for any such driver who has attained the age of twenty-one and is under the age of twenty-five and who holds a license issued under the provisions of section eight of chapter ninety by any state for a period of three full years without involvement in a reportable accident and without conviction for any moving violation.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-six.

Approved July 3, 1974.

Chap. 473. AN ACT CLARIFYING THE DEFINITION OF "PERSON" UNDER THE LAW REGULATING UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN THE BUSINESS OF INSURANCE.

Be it enacted, etc., as follows:

Clause (*a*) of section 1 of chapter 176D of the General Laws, as appearing in section 1 of chapter 543 of the acts of 1972, is hereby amended by inserting after the word "entity", in line 6, the words:— or self-insurer which is.

Approved July 3, 1974.

Chap. 474. AN ACT REDEFINING THE ELEMENTS CONSTITUTING THE CRIME OF RAPE AND RELATED OFFENSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 265 of the General Laws is hereby amended by striking out section 22, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 22. Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for life or for any term of years.

SECTION 2. Said chapter 265 is hereby further amended by striking out section 22A, as most recently amended by section 77 of chapter 925 of the acts of 1973, and inserting in place thereof the following section:—

Section 22A. Whoever has sexual intercourse or unnatural sexual intercourse with a child under sixteen, and compels said child to submit by force and against his will or compels said child to submit by threat of bodily injury, shall be punished by imprisonment in the sate prison for life or for any term of years; and whoever over the age of eighteen commits a second or subsequent such offense shall be sentenced to the state prison for life or for any term of years, but not less than five years.

SECTION 3. Said chapter 265 is hereby further amended by striking out section 23, as appearing in chapter 291 of the acts of 1966, and inserting in place thereof the following section:—

Section 23. Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under sixteen years of age shall, for the first offense, be punished by imprisonment in the state prison for life or for any term of years, or, except as otherwise provided, for any term in a jail or house of correction, and for the second or subsequent offense by imprisonment in the state prison for life or for any term of years, but not less than five years.

SECTION 4. Said chapter 265 is hereby further amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 24. Whoever assaults a person with intent to commit a rape shall be punished by imprisonment in the state prison for life or for any term of years or by a fine of not more than one thousand dollars and imprisonment in a jail or house of correction for not more than two and one half years.

SECTION 5. Said chapter 265 is hereby further amended by striking out section 24A, as so appearing, and inserting in place thereof the following section:—

Section 24A. If, in connection with the alleged commission of a crime described in section twenty-two, twenty-two A, twenty-three, twenty-four or twenty-four B, the person against whom said crime is alleged to have been committed has been conveyed from one county or judicial district into another, said crime may be alleged to have been committed, and may be prosecuted and punished, in the county or judicial district where committed or from which such person was so conveyed.

SECTION 6. Said chapter 265 is hereby further amended by striking out section 24B, as most recently amended by section 78 of chapter 925 of the acts of 1973, and inserting in place thereof the following section:—

Section 24B. Whoever assaults a child under sixteen with intent to commit a rape shall be punished by imprisonment in the state prison for life or for any term of years; and whoever over the age of eighteen commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years but not less than five years.

SECTION 7. Section 39 of chapter 277 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the definition of "Rape" and inserting in place thereof the following definition:—

Rape. — Sexual intercourse or unnatural sexual intercourse by a person with another person who is compelled to submit by force and against his will or by threat of bodily injury, or sexual intercourse or unnatural sexual intercourse with a child under sixteen years of age.

Approved July 3, 1974.

Chap. 475. AN ACT RELATIVE TO RETIREMENT BENEFITS FOR CERTAIN MUNICIPAL EMPLOYEES.

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 1211 of the acts of 1973, is hereby further amended by adding the following sentence:— "Employee" shall also mean a person who is employed by a city or town as a traffic supervisor or school crossing guard.

SECTION 2. This act shall take effect in a city by vote of its city council, in a town which has a contributory retirement system by vote of a town meeting, and in a town whose other eligible employees are members of the county retirement system of the county wherein such town lies by vote of a town meeting, and by acceptance by the county commissioners of said county.

Approved July 3, 1974.

Chap. 476. AN ACT RELATIVE TO THE ASSESSMENT OF MEMBER CITIES AND TOWNS OF THE METROPOLITAN AREA PLANNING COUNCIL.

Be it enacted, etc., as follows:

The second paragraph of section 29 of chapter 40B of the General Laws, as appearing in section 3 of chapter 849 of the acts of 1970, is hereby amended by striking out the first sentence, and inserting in place thereof the following three sentences:—

The council may expend for services and other expenses such amounts as are assessed and collected from its member cities and towns together with such amounts as the council may receive under any federal or state law or by gift, grant or contract from any source including grants, bequests, gifts, or contributions made by any individual, corporation, association, public authority, or agency or subdivision of the federal or state government; provided, however, that any such assessment on such city or town shall not exceed any per capita amount fixed by the council, from time to time, based on the population of such city or town, exclusive of the number of inmates of institutions therein. Such assessment shall not exceed a

sum equivalent to fifteen cents per capita for the fiscal year nineteen hundred and seventy-five. Any increase over a previous year's assessment may only be made by a two-thirds vote of the council members present and voting at a meeting duly called for the purpose of acting upon such an assessment.

Approved July 5, 1974.

Chap. 477. AN ACT AUTHORIZING THE DISBURSEMENT BY COUNTY TREASURERS OF MATCHING FUNDS FOR FEDERALLY FUNDED PROGRAMS.

Be it enacted, etc., as follows:

Chapter 35 of the General Laws is hereby amended by inserting after section 10, as appearing in the Tercentenary Edition, the following section:—

Section 10A. The county treasurer may disburse sums appropriated as matching funds for federally funded programs approved by the county commissioners.

Approved July 5, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
July 5, 1974

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 XLIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 477 of the Acts of 1974, entitled "AN ACT AUTHORIZING THE DISBURSEMENT BY COUNTY TREASURERS OF MATCHING FUNDS FOR FEDERALLY FUNDED PROGRAMS." and the enactment of which received my approval on July 5, 1974, should take effect forthwith.

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

It is in the public interest that the provisions of this Act become effective forthwith in order that county treasurers may immediately have this authority to expend appropriated matching funds for certain criminal justice programs.

Sincerely,
FRANCIS W. SARGENT,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, Boston, July 5, 1974.

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 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 four hundred and seventy-seven of the acts of nineteen hundred and seventy-four.

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

Chap. 478. AN ACT PROVIDING FOR INJUNCTIVE RELIEF AND THE RECOVERY OF DAMAGES FOR CERTAIN ACTS OF DISCRIMINATION.

Be it enacted, etc., as follows:

Section 9 of chapter 151B of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 4 of chapter 613 of the acts of 1963, and inserting in place thereof the following two paragraphs:—

Any person claiming to be aggrieved by a practice made unlawful under this chapter or under chapter one hundred and fifty-one C, or by any other unlawful practice within the jurisdiction of the commission, may, at the expiration of ninety days after the filing of a complaint with the commission, or sooner if a commissioner assents in writing, bring a civil action for damages or injunctive relief or both in the superior or probate court for the county in which the alleged unlawful practice occurred or in the housing court within whose district the alleged unlawful practice occurred if the unlawful practice involves residential housing. The petitioner shall notify the commission of the filing of the action, and any complaint before the commission shall then be dismissed without prejudice, and the petitioner shall be barred from subsequently bringing a complaint on the same matter before the commission. An aggrieved person may also seek temporary injunctive relief in the superior, housing or probate court within such county at any time to prevent irreparable injury during the pendency of or prior to the filing of a complaint with the commission.

An action filed pursuant to this section shall be advanced for a speedy trial at the request of the petitioner. If the court finds for the petitioner it shall, in addition to any other relief and irrespective of the amount in controversy, award the petitioner reasonable attorney's fees and costs unless special circumstances would render such an award unjust. The commission shall, upon the filing of any complaint with it, notify the aggrieved person of his rights under this section. No action under this section shall be filed later than two years after the alleged unlawful practice occurred.

Approved July 5, 1974.

Chap. 479. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster 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 for the years nineteen hundred and sixty-nine and nineteen hundred and seventy-one incurred by the veterans services department of said city for services rendered, by reason of the rate setting commission in the executive office for administration and finance having retroactively increased the per diem rate for said years, in the amount of two thousand two hundred ninety-eight dollars and ninety-nine cents to the Fairmount Rest Home in said city, said bills being legally unenforceable against said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the services for which said bill was submitted were authorized by the veterans services director of said city.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for services which were not 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.

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

Approved July 8, 1974.

Chap. 480. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster 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 for the years nineteen hundred and sixty-eight, nineteen hundred and sixty-nine, nineteen hundred and seventy and nineteen hundred and seventy-one incurred by the veterans services department of said city for services rendered, by reason of the rate setting commission in the executive office for administration and finance having retroactively increased the per diem rate for said years, in the amount of one thousand twenty-six dollars and seventy-seven cents to the Fairlawn Nursing Home, Inc., said bills being legally unenforceable against said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of

this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the services for which said bill was submitted were authorized by the veterans services director of said city.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for services which were not 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.

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

Approved July 8, 1974.

Chap. 481. AN ACT RELATIVE TO THE TEMPORARY FUNDING OF BOND ISSUES OF CITIES, TOWNS AND DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith immediate relief to cities, towns and districts by the temporary funding of certain bond issues; 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. Subject to the provisions of this act, a city, town or district may, in the years nineteen hundred and seventy-four and nineteen hundred and seventy-five, 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 insofar as apt.

SECTION 2. A loan refunded in the year nineteen hundred and seventy-four or nineteen hundred and seventy-five 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 of a city or town 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 July 8, 1974.

Chap. 482. AN ACT PROVIDING COST-OF-LIVING SALARY ADJUSTMENTS FOR CERTAIN COUNTY EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay cost-of-living salary adjustments 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 772 of the acts of 1973, and inserting in place thereof the following schedule:

SALARY SCHEDULE.
Effective January 1, 1974.

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment
1.	$5,571.80	$5,751.20	$5,930.60	$6,110.00	$6,289.40	$6,468.80	$6,648.20	$179.40
2.	5,733.00	5,912.40	6,091.80	6,271.20	6,450.60	6,630.00	6,809.40	179.40
3.	5,917.60	6,120.40	6,323.20	6,526.00	6,728.80	6,931.60	7,134.40	202.80
4.	6,154.20	6,357.00	6,559.80	6,762.60	6,965.40	7,168.20	7,371.00	202.80
5.	6,338.80	6,559.80	6,780.80	7,001.80	7,222.80	7,443.80	7,664.80	221.00
6.	6,658.60	6,879.60	7,100.60	7,321.60	7,542.60	7,763.60	7,984.60	221.00
7.	6,936.80	7,178.60	7,420.40	7,662.20	7,904.00	8,145.80	8,387.60	241.80
8.	7,199.40	7,462.00	7,724.60	7,987.20	8,249.80	8,512.40	8,775.00	262.60
9.	7,618.00	7,898.80	8,179.60	8,460.40	8,741.20	9,022.00	9,302.80	280.80
10.	8,041.80	8,340.80	8,639.80	8,938.80	9,237.80	9,536.80	9,835.80	299.00
11.	8,460.40	8,785.40	9,110.40	9,435.40	9,760.40	10,085.40	10,410.40	325.00
12.	8,967.40	9,308.00	9,648.60	9,989.20	10,329.80	10,670.40	11,011.00	340.60
13.	9,622.60	9,981.40	10,340.20	10,699.00	11,057.80	11,416.60	11,775.40	358.80
14.	10,228.40	10,649.60	11,070.80	11,492.00	11,913.20	12,334.40	12,755.60	421.20
15.	10,888.80	11,349.00	11,809.20	12,269.40	12,729.60	13,189.80	13,650.00	460.20
16.	11,570.00	12,084.80	12,599.60	13,114.40	13,629.20	14,144.00	14,658.80	514.80
17.	12,373.40	12,911.60	13,449.80	13,988.00	14,526.20	15,064.40	15,602.60	538.20
18.	13,049.40	13,631.80	14,214.20	14,796.60	15,379.00	15,961.40	16,543.80	582.40
19.	13,813.80	14,440.40	15,067.00	15,693.60	16,320.20	16,946.80	17,573.40	626.60
20.	14,648.40	15,295.80	15,943.20	16,590.60	17,238.00	17,885.40	18,532.80	647.40
21.	15,410.20	16,107.00	16,803.80	17,500.60	18,197.40	18,894.20	19,591.00	696.80
22.	16,263.00	17,006.60	17,750.20	18,493.80	19,237.40	19,981.00	20,724.60	743.60
23.	17,183.40	17,947.80	18,712.20	19,476.60	20,241.00	21,005.40	21,769.80	764.40
24.	18,038.80	18,844.80	19,650.80	20,456.80	21,262.80	22,068.80	22,874.80	806.00
25.	18,894.20	19,747.00	20,599.80	21,452.60	22,305.40	23,158.20	24,011.00	852.80

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, or an employee whose salary is increased by section one of this act, shall be increased over the rate paid December thirty-first, nineteen hundred and seventy-three, by an amount equal to six and two-tenths per cent thereof.

SECTION 3. This act shall take effect as of January first, nineteen hundred and seventy-four.

Approved July 8, 1974.

Chap. 483. AN ACT REQUIRING CERTAIN ADDITIONAL PERSONS TO POST PUBLIC NOTICE OF CERTAIN ANTI-DISCRIMINATION LAWS.

Be it enacted, etc., as follows:

Chapter 151B of the General Laws is hereby amended by striking out section 7, as most recently amended by section 3 of chapter 613 of the acts of 1963, and inserting in place thereof the following section:—

Section 7. Every employer, employment agency, real estate agency, rental office, labor union, institutional creditor, proprietor of a business or of a place of public accommodation, or other person, corporation, or group subject to this chapter, shall post in a conspicuous place or places on his premises a notice to be prepared or approved by the commission, which shall set forth excerpts of this chapter and such other relevant information which the commission deems necessary to explain the chapter. Any employer, employment agency, real estate agency, rental office, labor union, institutional creditor, proprietor of a business or of a place of public accommodation, or other person, corporation, or group subject to this chapter, who refuses to comply with the provisions of this section shall be punished by a fine of not less than ten dollars nor more than one hundred dollars. A subsequent violation of this section by the same person, corporation, or group, if such violation occurs more than sixty days from a prior conviction for violation of this section, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

Approved July 8, 1974.

Chap. 484. AN ACT PROVIDING FOR ADMINISTRATIVE AND LIMITED JUDICIAL REVIEW OF UNAUTHORIZED ABSENCES UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 2A of chapter 31 of the General Laws is hereby amended by adding after paragraph (*o*), as appearing in section 6 of chapter 780 of the acts of 1967, the following paragraph:—

(*p*) Decide all reviews requested by individuals determined by appointing authorities to have permanently and voluntarily separated themselves from the service only after all procedures provided in section eighteen have been exhausted. Such review shall be limited to a determination of whether the individual failed to give proper notice of the absence and to whether the failure to give notice was reasonable under the circumstances.

SECTION 2. The second paragraph of section 18 of said chapter 31, added by section 3 of chapter 179 of the acts of 1971, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— The written statement shall inform

said person that he is considered to have permanently and voluntarily separated himself from the service, that he may request a hearing before the appointing authority within seven days of the receipt of such written statement, and that a report has been so filed with the director.

Approved July 8, 1974.

Chap. 485. AN ACT VALIDATING CERTAIN ACTS AND PROCEEDINGS OF THE DENNIS WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the Dennis Water District for the acquisition of land, or land with buildings thereon, by eminent domain under chapter seventy-nine of the General Laws, in purporting to take such land or land with buildings thereon by eminent domain under said chapter, and all acts in pursuance thereof, which were invalid by reason of the absence of compliance with section forty-one of chapter forty of the General Laws, are hereby validated and confirmed; provided, that nothing in this act shall be construed to impair or affect the rights of owners of such land or land with buildings thereon who contested the validity of purported takings thereof in judicial proceedings commenced prior to February first, nineteen hundred and seventy-four.

SECTION 2. Notwithstanding any provision of section sixteen of said chapter seventy-nine, a petition for the assessment of damages under section fourteen of said chapter may be filed by any person aggrieved by this act within two years after said effective date; provided, that nothing in this act shall be construed to extend the period of any applicable statute of limitations other than said section sixteen, or to authorize the bringing of any proceeding to enforce any right which has been or may be barred by lapse of time, estoppel, res judicata or for any other reason.

Approved July 8, 1974.

Chap. 486. AN ACT AUTHORIZING THE RECEIVERSHIP OF INSURANCE AGENTS AND BROKERS ON APPLICATION BY THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

Section 166B of chapter 175 of the General Laws, added by section 7 of chapter 968 of the acts of 1971, is hereby amended by adding the following paragraph:—

Whenever the commissioner revokes a license of an insurance broker or insurance agent, or, if he is satisfied that the continued transaction of business by an insurance broker or insurance agent would be hazardous to the public, his customers or creditors, he may apply to the supreme judicial court for an injunction restraining the

insurance broker or insurance agent from further proceeding with his business and for the appointment of a receiver. The court may issue a temporary injunction and appoint one or more temporary receivers forthwith, and it may after a hearing issue a permanent injunction and appoint one or more permanent receivers to take possession of the business property and effects of the insurance broker or insurance agent, to settle its affairs and to distribute its assets, subject to such rules and orders as the court may prescribe. The provisions of sections one hundred and seventy-eight to one hundred and eighty, inclusive, shall, so far as applicable, apply to receivers appointed pursuant hereto.

Approved July 8, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
July 8, 1974

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 486 of the Acts of 1974, entitled "AN ACT AUTHORIZING THE RECEIVERSHIP OF INSURANCE AGENTS AND BROKERS ON APPLICATION BY THE COMMISSIONER OF INSURANCE." and the enactment of which received my approval on July 8, 1974, should take effect forthwith.

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

To immediately give to the Commissioner of Insurance authority to have a receiver appointed to settle the affairs of insurance brokers or agents whose licenses are revoked or who otherwise present a hazard to the public by continuing their transaction of business.

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

OFFICE OF THE SECRETARY, Boston, July 8, 1974.

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 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 four hundred and eighty-six of the acts of nineteen hundred and seventy-four.

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

Chap. 487. AN ACT IMPOSING A TIME LIMITATION FOR FILING CERTAIN REIMBURSEMENT CLAIMS BY CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by inserting after section 8A the following section:—

Section 8B. All reimbursement claims to which a city or town may be entitled on account of exemptions and abatements granted under section five of chapter fifty-nine shall be filed with the state tax commission on or before the end of the fiscal year to which said claims relate.

SECTION 2. Notwithstanding the provisions of section eight B of chapter fifty-eight of the General Laws, inserted by section one of this act, reimbursement claims for any year or period ending prior to June thirtieth, nineteen hundred and seventy-five, may be filed on or before said June thirtieth.

Approved July 8, 1974.

Chap. 488. AN ACT AUTHORIZING THE TOWN OF WESTMINSTER TO GRANT CERTAIN ALCOHOLIC BEVERAGE LICENSES WITHIN FIVE HUNDRED FEET OF A CHURCH.

Be it enacted, etc., as follows:

Notwithstanding the provisions of sections fifteen A and sixteen C of chapter one hundred and thirty-eight of the General Laws to the contrary, the town of Westminster may grant licenses under the provisions of section fifteen of said chapter one hundred and thirty-eight or transfer existing licenses granted under the provisions of said section fifteen of said chapter one hundred and thirty-eight within five hundred feet of a church.

Approved July 8, 1974.

Chap. 489. AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE TO PURCHASE A CERTAIN CHAIN LINK FENCE.

Be it enacted, etc., as follows:

SECTION 1. The board of trustees of the Essex agricultural and technical institute is hereby authorized to purchase a chain link fence for installation in the perimeter area of the athletic field of said institute. For the purpose of this section said board of trustees is hereby authorized to expend a sum not to exceed four thousand dollars.

SECTION 2. For the purchase of the chain link fence authorized by section one, said board of trustees is hereby authorized to use the four thousand dollars that had been included in the appropriation by the general court for the fiscal period from January first, nineteen hundred and seventy-three, to June thirtieth, nineteen hundred and seventy-four, for the maintenance of Essex county, which sum had been designated in the estimate of county expenditures by the county commissioners of said county for said board for the purchase of a chain link fence to be constructed on Maple street along the front lawn of said institute.

Approved July 8, 1974.

Chap. 490. AN ACT PROHIBITING THE REFUSAL OF INSURANCE COMPANIES TO ISSUE CERTAIN POLICIES TO BLIND PERSONS AS INDIVIDUALS.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 108 the following section:—

Section 108A. No insurer authorized to issue policies of accident and sickness insurance in the commonwealth shall refuse, for the sole reason of blindness, to issue an individual policy of accident and sickness insurance, which provides hospital expense and surgical expense coverage, to any person residing in the commonwealth.

Approved July 8, 1974.

Chap. 491. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE CITY OF CAMBRIDGE MAY BORROW FOR PARKING FACILITIES.

Be it enacted, etc., as follows:

Section 8 of chapter 844 of the acts of 1970 is hereby amended by striking out, in line 3, the word "four" and inserting in place thereof the word:— fifteen.

Approved July 8, 1974.

Chap. 492. AN ACT PROVIDING ADDITIONAL FUNDS FOR CITIES AND TOWNS, MAKING CORRECTIVE CHANGES IN CERTAIN FORMULAS USED TO DISTRIBUTE SUCH FUNDS AND ASSESSING CITIES AND TOWNS FOR COUNTY TAXES AND PARKS AND RECREATIONAL AREA COSTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide additional funds to the cities and towns of the commonwealth for the nineteen hundred and seventy-five fiscal year and to distribute such funds and other funds and to make assessments upon the cities and towns during said fiscal year on an equitable basis, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

SECTION 1. Section 35 of chapter 10 of the General Laws, as inserted by section 2 of chapter 813 of the acts of 1971, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The state lottery fund shall be expended only for the following purposes: (*a*) for the payment of prizes to the holders of winning lottery tickets or shares; (*b*) for the expenses of the commission in administering and operating the lottery, as certified by the commissioner of administration, and the state treasurer shall transfer said amount to the General Fund; and (*c*) the balance of said fund, as determined by the comptroller, on June first and December first of each year, shall be credited to the Local Aid Fund established under the provisions of section two D of chapter twenty-nine, and shall be distributed to the several cities and towns in accordance with the provisions of section eighteen C of chapter fifty-eight.

SECTION 2. The second sentence of the third paragraph of section 37 of said chapter 10 is hereby amended by striking out clause (2), as appearing in section 1 of chapter 729 of the acts of 1973, and inserting in place thereof the following clause:— (2) the balance of said revenue, as determined by the comptroller on June first and December first of each year, shall be credited to the Local Aid Fund established under the provisions of section two D of chapter twenty-nine to be distributed in accordance with the provisions of section eighteen C of chapter fifty-eight.

SECTION 3. The third paragraph of section 39 of said chapter 10 is hereby amended by striking out clause (*c*), inserted by section 3 of chapter 1165 of the acts of 1973, and inserting in place thereof the following clause:— (*c*) Any unappropriated balance remaining in the State Lottery Fund from the sums credited under clause (*a*), as determined by the comptroller as of June first and December first of each year, shall be credited to the Local Aid Fund established under the provisions of section two D of chapter twenty-nine to be distributed in accordance with the provisions of section eighteen C of chapter fifty-eight.

SECTION 4. Section 31 of chapter 35 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—

The county commissioners shall apportion and assess all county taxes among and upon the several cities and towns according to the most recent equalization and apportionment reported by the state tax commission to the general court pursuant to section ten C of chapter fifty-eight, and shall, by their clerk, certify the assessments to the assessors thereof, and prescribe the time of payment.

SECTION 5. Section 10C of chapter 58 of the General Laws, inserted by section 43 of chapter 14 of the acts of 1966, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences:— The commission shall report its final equalization and apportionment to the general court, on or before December thirty-first. The equalized valuations and apportionments so established shall be the basis for all state, county, or district assessments, distributions, and appropriated grants and reimbursements which are based on equalized valuations and apportionments, in the next two year period and until another equalization and apportionment has been established.

SECTION 6. Said chapter 58 is hereby further amended by striking out sections 13 and 14 and inserting in place thereof the following two sections:—

Section 13. In nineteen hundred and seventy-five and every fifth year thereafter, the commission shall, on or before June first, determine as of January first the fair cash value as hereinafter provided of all land in every town owned by the commonwealth and used for the purposes of a fish hatchery, game preserve or wild life sanctuary, a state military camp ground, the Soldiers' Home in Massachusetts, the Soldiers' Home in Holyoke, a state forest, the University of Massachusetts, or a public institution under the department of correction, the department of education, the department of mental health, the department of public health, the department of public welfare, or the department of youth services, land owned by the commonwealth known as the Wachusett Mountain State Reservation and the Mount Greylock State Reservation, and of all land owned by the commonwealth and under the care and control of the department of natural resources and used for recreational or conservation purposes; and of all land held by the county commissioners for hospital purposes under sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven; and of all land held by the department of public works for use as a solid waste disposal facility under sections eighteen through twenty-four, inclusive, of chapter sixteen.

As used in this section, "land" shall not include buildings, structures, improvements or other things erected thereon or affixed thereto.

The determination of value made under this section shall be in such detail as to lots, subdivisions or acreage as the commission may

deem necessary. To assist in making such determination the commission may require oral or written information from any officer or agent of the commonwealth or of any county or town therein and from any other inhabitant thereof, and may require such information to be on oath. Such officers, agents and persons, so far as able, shall furnish the commission with the required information in such form as it may indicate, within fifteen days after being so requested by it. No reimbursements hereunder on account of lands owned by the commonwealth and under the care and control of the department of natural resources and used for recreational or conservation purposes shall be made from the Inland Fisheries and Game Fund.

Section 14. The commission, not later than June tenth of each year in which it makes such determination, shall notify the assessors of each town where the commonwealth owns, or the county commissioners hold, land for the purposes named in the preceding section, of its determination of the value of such land in such town. A board of assessors aggrieved by a determination of the value of any land as valued under sections thirteen or fifteen may make a written application for a correction thereof to the appellate tax board within ten days after the date of notice, setting forth the grounds for such application for correction. Not later than July fifteenth following, said board shall, upon the basis of such application or after giving such assessors a hearing, as the board may determine, make a finding whether the commission acted in accordance with section thirteen. If the board finds that the commission failed so to act, it shall thereupon make a determination of value in accordance with section thirteen and shall notify said board of assessors and the commission of its determination, and its decision shall be conclusive.

SECTION 7. Said chapter 58 is hereby amended by striking out section 18A and inserting in place thereof the following subsection:

Section 18A. The state treasurer, upon certification of the commission, shall annually distribute to the several cities, towns and regional school districts from the General Fund an amount determined under subsection (*a*).

(*a*) The total amount to be distributed under this section in the fiscal year ending June thirtieth, nineteen hundred and seventy-five shall be three hundred and ninety-six million four hundred thousand dollars and for the fiscal year ending June thirtieth, nineteen hundred and seventy-six shall be four hundred and fifty-two million dollars. In the fiscal years ending June thirtieth, nineteen hundred and seventy-seven and thereafter, such amount shall be increased by a percentage equal to the percentage, as determined by the commission, by which the net sums received under chapters sixty-four H and sixty-four I for the last completed fiscal year, if the rate of tax in said last completed fiscal year had been three per cent for the entire year, exceeded such net sums for the fiscal year ending June thirtieth, nineteen hundred and seventy-four. "Net sums", as used in this subsection, shall mean the total sums received under or by reason of such chapters as excises, interest thereon, fees, penalties, forfeitures, costs of suits or fines, less all amounts refunded under

such chapters, together with any interest or costs paid on account of such refunds.

(*b*) The amount determined under subsection (*a*) shall be distributed on the following basis and in the order named on or before the dates specified to the extent that sufficient funds are available on such dates:

(1) On or before November twentieth the reimbursements for the special education programs required to be paid by the commonwealth under chapters sixty-nine seventy-one and seventy-one A;

(2) From time to time as determined by the commission, the school aid required to be distributed under chapter seventy upon certification of the comptroller and commission, but not less than approximately twenty-five per cent thereof on or before the last day of each calendar quarter; and

(3) From time to time as determined by the commission the balance, if any, after providing for the payments required by paragraphs (1) and (2) of this subsection, shall be distributed to the cities and towns in the proportion which the amount distributed to each city or town under paragraph (2) bears to the total amount distributed under said paragraph; but not less than approximately fifty per cent thereof on or before December thirty-first, and the balance thereof on or before June thirtieth.

If upon any date of distribution the amounts designated in this subsection are insufficient to make the full distributions required by any paragraph of this subsection, the distributions thereunder shall be the amount otherwise due to each city or town under said paragraph multiplied by a fraction, the numerator of which shall be the amount remaining of the revenues designated under this subsection and the denominator of which shall be the total amount otherwise due to the several cities and towns under said paragraph.

The amounts distributable or distributed to the cities and towns under this section shall be subject to verification, correction and adjustment by the commission in the event of any error or omission in their determination. Any adjustment which reduces or increases the amount to which a city or town is entitled shall be taken into account in the distribution to be paid to such city or town as soon as may be after the adjustment is made. No such adjustment shall be made after June thirtieth of the fiscal year succeeding the one to which it relates. Amounts distributed or charged on account of such adjustments in any succeeding fiscal year shall have priority over all other amounts distributable in such year.

SECTION 8. Subsection (*b*) of said section 18A of said chapter 58 is hereby further amended by striking out paragraph (1), as appearing in section 7 of this act, and inserting in place thereof the following paragraph:—

(1) On or before November twentieth, the reimbursement for the special education program required to be paid by the commonwealth under chapters seventy-one A and seventy-one B.

SECTION 9. The first paragraph of section 18B of said chapter 58, as appearing in section 13 of chapter 497 of the acts of 1971, is

hereby amended by adding the following sentence:— Approximately fifty per cent of said amount shall be distributed on or before December thirty-first of each year and the balance on or before June thirtieth.

SECTION 10. Section 18C of said chapter 58, inserted by section 3 of chapter 813 of the acts of 1971, is hereby amended by striking out paragraph (*a*) and inserting in place thereof the following paragraph:—

(*a*) The amount to be distributed to each city and town in any fiscal year shall be the amount of the "equalizing municipal grant" for such city or town multiplied by the number of persons who reside in such city or town. The "equalizing municipal grant" for such city or town shall be the amount, to the nearest cent, determined by multiplying the amount of ten dollars by an "equalizing municipal percentage". The "equalizing municipal percentage" shall be the proportion, to the nearest tenth of one per cent, which the equalized valuation per person in the commonwealth bears to the equalized valuation per person in the city or town. Approximately fifty per cent of said annual distribution shall be made on or before December thirty-first and the balance on or before June thirtieth of each fiscal year.

SECTION 11. The first sentence of section 4 of chapter 70 of the General Laws, as appearing in section 40 of chapter 14 of the acts of 1966, is hereby amended by striking out, in lines 2 to 4, inclusive, the words "calendar year shall be the amount obtained by multiplying its reimbursable expenditures for the last preceding fiscal year by its school aid percentage for the calendar year during which such fiscal year begins" and inserting in place thereof the words:— fiscal year shall be the amount obtained by multiplying its reimbursable expenditures for the last completed fiscal year by its school aid percentage.

SECTION 12. The first paragraph of section 16B of chapter 71 of the General Laws is hereby amended by striking out the first sentence, as amended by section 72 of chapter 849 of the acts of 1969, and inserting in place thereof the following sentence:— The regional district school committee shall annually determine the amounts necessary to be raised, after deducting the amount of aid such district is to receive pursuant to section sixteen D, to maintain and operate the district school or schools during the next fiscal year, and amounts required for payment of debt and interest incurred by the district which will be due in the said year, and shall apportion the amount so determined among the several towns in accordance with the terms of the agreement.

SECTION 13. Said chapter 71 is hereby further amended by striking out section 16D, as amended by chapter 779 of the acts of 1967, and inserting in place thereof the following section:—

Section 16D. (*a*) A regional school district shall be entitled to receive state aid for construction of regional schools. Each city or town in a 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. In addition, the state treasurer shall,

subject to the provisions of subsection (*c*), upon certification by the commissioner of education annually pay to each regional school district an amount computed as follows:

(*i*) seventy per cent multiplied by the product of the regional school aid percentage multiplied by the regional reimbursable expenditures of the regional school district, for such districts which include grades kindergarten through twelve; or

(*ii*) fifty percent multiplied by the product of the regional school aid percentage multiplied by the regional reimbursable expenditures of the regional school district, for all other regional school districts.

(*b*) The definitions in section two of chapter seventy shall apply to this section and the following words and phrases as used in this section shall have the following meanings:—

"Regional reimbursable expenditures", the total amount expended by a regional school district during a fiscal year for the support of public schools during said year exclusive of expenditures for transportation, for food for school food service programs and for capital outlays, after deducting therefrom any receipts for tuition, receipts from the federal government, the proceeds of any invested funds, and grants, gifts and receipts from any other source, to the extent that such receipts are applicable to such expenditures; provided, however, that amounts received by a city or town under this section as school aid shall not be so deducted. The commissioner of education may, by regulation, further define the expenditures and receipts that may be included hereunder.

"Regional school aid percentage", the amount by which one hundred per cent exceeds the product, to the nearest tenth of one per cent, of sixty-five per cent multiplied by the regional valuation percentage.

"Regional valuation percentage", the proportion, to the nearest tenth of one per cent, which the total equalized valuation of all cities and towns in the regional school district divided by the total school attending children in all cities and towns in the district bears to the average equalized valuation per school attending child in the entire state.

(*c*) The receipt of the regional school aid as set forth in clauses (*i*) and (*ii*) of subsection (*a*) shall be subject to the following conditions:

(*i*) the formation of new regional school districts and the expansion of currently existing regional school districts shall be subject to the approval of the commissioner of education;

(*ii*) except as provided in clause (*iii*) of this subsection, no regional school aid shall be paid prior to the date of award of a contract for the construction of a regional school by the regional district school committee; and

(*iii*) in the case of regional school districts formed for administrative purposes only, no regional school aid shall be paid prior to the date on which the regional school district has assumed jurisdiction over the pupils in the district and the commissioner of education has made a determination that member cities and towns have provided sufficient and adequate school facilities for each grade level included in the regional school district.

SECTION 14. Subsection (*a*) of the first paragraph of section 31 of chapter 81 of the General Laws, as appearing in section 14 of chapter 497 of the acts of 1971, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— The "equalizing municipal highway grant" for such city or town shall be the total of a basic mileage allowance of four hundred dollars plus an additional road-use allowance of seven dollars per motor vehicle per road mile less an equalizing deduction of ten cents per thousand dollars of equalized valuation per mile.

SECTION 15. The fourth paragraph of said section 31 of said chapter 81, as so appearing, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— The commissioner of public works shall annually, on or before December first, certify to the state tax commission the amounts approved for payment to each city or town under this section in each fiscal year.

SECTION 16. Section 59 of chapter 92 of the General Laws, as amended by section 3 of chapter 554 of the acts of 1949, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— For the purposes of the preceding four sections the words "taxable valuations of the property of towns" shall mean taxable valuations as found in the most recent equalization and apportionment reported by the state tax commission to the general court pursuant to section ten C of chapter fifty-eight.

SECTION 17. Chapter 132A of the General Laws is hereby amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 6. For the purposes of section four, the word "valuation" shall mean taxable valuation as found in the most recent equalization and apportionment reported by the state tax commission to the general court pursuant to section ten C of chapter fifty-eight, and the word "population" shall mean the population as enumerated in the most recent state census or in the most recent federal census adjusted by the state tax commission to conform as nearly as possible to the same definitions as used in such state census.

SECTION 18. The first paragraph of section 9 of chapter 645 of the acts of 1948 is hereby amended by striking out clauses (*a*) and (*b*) and inserting in place thereof the following two clauses:—

(*a*) The total construction grant for any approved school project in any city or town shall be fifty per cent of the final approved cost of such project multiplied by a percentage, which shall be the proportion, to the nearest tenth of one per cent, which the most recent equalized valuation per school attending child for the entire commonwealth bears to the most recent equalized valuation per school attending child of the city or town; provided, however, that the total construction grant for any project shall not be less than fifty per cent or more than sixty-five per cent of such approved cost.

(*b*) The total construction grant for any approved school project in a regional school district which includes grades kindergarten through twelve shall be sixty per cent of the product of the final

approved cost of the project multiplied by a percentage, which shall be the proportion, to the nearest tenth of one per cent, which the most recent equalized valuation per school attending child for the entire commonwealth bears to the most recent total equalized valuation per school attending child of the towns comprising such district; provided, however, that no grant shall be approved for any amount less than sixty per cent nor more than seventy-five per cent of such approved cost. The total construction grant for any approved school project in a regional school district which does not include grades kindergarten through twelve shall be fifty per cent of the final approved cost of such project multiplied by a percentage, which shall be the proportion, to the nearest tenth of one per cent, which the most recent equalized valuation per school attending child for the entire commonwealth bears to the most recent total equalized valuation per school attending child of the towns comprising such district; provided, however, that no grant shall be approved for any amount less than fifty per cent nor more than sixty-five per cent of such approved cost.

SECTION 19. Sections one, two, and three of chapter six hundred and sixty of the acts of nineteen hundred and sixty-three are hereby repealed.

SECTION 20. Section five of chapter seven hundred and sixty-six of the acts of nineteen hundred and seventy-two is hereby repealed.

SECTION 21. Any provision of section thirteen of chapter fifty-eight of the General Laws to the contrary notwithstanding, land, as described in said section thirteen, acquired by the commonwealth on or before January first, nineteen hundred and seventy-one shall be valued by the state tax commission according to the valuation used for the purposes of reimbursements made under section seventeen of said chapter fifty-eight or assessments made under section seventeen A of such chapter in the year nineteen hundred and seventy-one. Such valuation shall be used until the said commission determines new valuations for all such land in nineteen hundred and seventy-five.

SECTION 22. Any provisions of section eighteen B of said chapter fifty-eight and of section thirty-one of chapter eighty-one of the General Laws to the contrary notwithstanding, reimbursements under said sections on or before June thirtieth, nineteen hundred and seventy-five shall be the amount of the Highway Fund allocated therefor and available as of June first of said year apportioned to the several cities and towns in the proportions established by the commissioner of public works under the provisions of said section thirty-one.

SECTION 23. Any provisions of section eighteen C of said chapter fifty-eight to the contrary notwithstanding, the balance remaining in the Local Aid Fund on June first, nineteen hundred and seventy-five, shall be distributed to the cities and towns in the proportions established under said section eighteen C for the calendar year nineteen hundred and seventy-four.

SECTION 24. Sections four to seven, inclusive, section fourteen, sections sixteen and seventeen, section nineteen, and section twenty-

one shall take effect upon the passage of this act and shall apply to assessments, distributions, and appropriated grants and reimbursements for the fiscal year ending June thirtieth, nineteen hundred and seventy-five and fiscal years thereafter. Sections eight and twenty shall take effect on September first, nineteen hundred and seventy-four and shall apply to distributions and reimbursements for the fiscal year ending June thirtieth, nineteen hundred and seventy-six and fiscal years thereafter. Sections one to three, inclusive, and sections nine, ten, twenty-two and twenty-three shall take effect on June first, nineteen hundred and seventy-five. Sections eleven to thirteen, inclusive, shall take effect on July first, nineteen hundred and seventy-five, and apply to distributions and appropriated reimbursements for the fiscal year ending June thirtieth, nineteen hundred and seventy-six and fiscal years thereafter. Section eighteen shall apply to school projects approved after July first, nineteen hundred and seventy-five. Section fifteen shall take effect on December first, nineteen hundred and seventy-five.

Approved July 8, 1974.

Chap. 493. AN ACT ESTABLISHING MARTIN LUTHER KING'S BIRTHDAY AS A LEGAL HOLIDAY.

Be it enacted, etc., as follows:

SECTION 1. Clause Eighteen of section 7 of chapter 4 of the General Laws, as most recently amended by section 1 of chapter 215 of the acts of 1970, is hereby further amended by inserting after the word "first,", in line 1, the words:— January the fifteenth,.

SECTION 2. Chapter 136 of the General Laws is hereby amended by striking out section 13, as most recently amended by section 2 of chapter 271 of the acts of 1972, 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 January the fifteenth, 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 meridian, 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 July 8, 1974.

Chap. 494. AN ACT RELATIVE TO PERIODIC REVIEW OF AMBIENT AIR QUALITY STANDARDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, to bring immediate economic relief to the consumers of the commonwealth from the spiraling costs of energy

and other products due to the high cost of fuels, 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 142D of chapter 111 of the General Laws, as appearing in chapter 836 of the acts of 1969, is hereby amended by adding the following two paragraphs:—

From time to time the department shall review the ambient air quality standards and plan for implementation, maintenance and attainment of such standards adopted pursuant to this section and, after public hearings, shall amend such standards and implementation plan so as to minimize the economic cost of such standards and plan for implementation, provided, however, that such standards shall not be less than the minimum federal standards. The initial such amendments to such standards and implementation plan shall postpone the achievement dates for the primary and secondary ambient air quality standards to the latest dates permitted pursuant to federal law. Any compliance schedule, emission limitation, for new or existing facilities, order, rule, plan or regulation adopted pursuant to such standards or implementation plan shall be amended to conform to such amended standards and implementation plan upon petition of the owner or operator of a facility whose construction, maintenance or operation is affected by such compliance schedule, emission limitation, for new or existing facilities, order, rule, plan or regulation. The department shall, after opportunity for public hearing, issue a final order with respect to the subject matter of such petition within sixty days of the filing of the petition.

In any standard, implementation plan, compliance schedule, emission limitation, for new or existing facilities, order, rule, plan or regulation where the sulphur or ash content, or other chemical or physical characteristic of fuels or emissions therefrom is subject to consideration by the department, the department shall allow stack height, fuel switching and variations in plant operation to be used instead of controls on such sulphur or ash content or chemical or physical characteristic of such fuels or emissions therefrom if the owner or operator of the facility shall demonstrate to the satisfaction of the department that such controls are not necessary to achieve ambient air quality standards; provided, however, the department may impose conditions necessary to minimize public nuisance and adverse effects to the public health. If a variance or other permission granted by the department with respect to the sulphur or ash content, or other chemical or physical characteristic of fuels or emissions therefrom would otherwise prevent the achievement of primary or secondary federal ambient air quality standards within a time period required by the express language of a federal statute or regulation such variance or other permission shall be limited to the maximum time period allowed by federal law.

SECTION 2. The initial hearing for review under the provisions of section one hundred and forty-two D of chapter one hundred

and eleven of the General Laws, as amended by section one of this act, shall commence not more than forty-five days from the effective date of this act and the initial amendments to the standards and plan of implementation shall be adopted on or before October first, nineteen hundred and seventy-four.

Approved July 9, 1974.

Chap. 495. AN ACT EXTENDING THE TIME WITHIN WHICH THE ELIGIBLE LIST FOR THE POSITION OF NATURAL RESOURCES OFFICER IN THE DEPARTMENT OF NATURAL RESOURCES SHALL BE EFFECTIVE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, to provide forthwith that there be at all times an established eligible list of qualified candidates for the position of natural resources officer in the department of natural resources, 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, the eligible list for appointment to the position of natural resources officer in the department of natural resources, established on August eighteenth, nineteen hundred and seventy-one, shall be revived and extended for a period not to exceed one year from the effective date of this act.

Approved July 9, 1974.

Chap. 496. AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO APPROPRIATE AND PAY A SUM OF MONEY TO FELIX CARLINO.

Be it enacted, etc., as follows:

SECTION 1. The town of Franklin is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay, the sum of one thousand seventy-six dollars and thirty-two cents to Felix Carlino, director of public works in said town, for services rendered to said town in the year nineteen hundred and sixty-nine, during which period said Felix Carlino was unable to take his vacation leave as he was required to work during said vacation by the board of public works.

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

Approved July 9, 1974.

Chap. 497. AN ACT EXTENDING THE PERIOD OF ELIGIBILITY FOR ENLISTMENT OF CERTAIN STATE POLICE APPLICANTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend the period of eligibility for persons whose enlistment in the division of state police has been indefinitely suspended, 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 the first paragraph of section nine A of chapter twenty-two of the General Laws, the period of eligibility for enlistment of any person who has passed the examination for appointment as an officer in the division of state police held in September, nineteen hundred and seventy-three, and who subsequently attains age thirty shall be extended until December thirty-first, nineteen hundred and seventy-four.

Approved July 9, 1974.

Chap. 498. AN ACT FURTHER REGULATING THE CANCELLATION OF CERTAIN FIRE INSURANCE POLICIES AND CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. Section 99 of chapter 175 of the General Laws is hereby amended by adding the following clause:—

Thirteenth, Any policy written for a term of less than one year shall be considered as if written for a term of one year. Any policy written for a term longer than one year or any policy with no fixed expiration date shall be considered as if written for successive policy periods or terms of one year.

SECTION 2. This act shall apply to policies which are issued and take effect, or which are renewed, after September first, nineteen hundred and seventy-four.

Approved July 9, 1974.

Chap. 499. AN ACT RELATIVE TO THE OPERATION OF THE WEYMOUTH, WINCHESTER AND BROOKLINE MUNICIPAL INCINERATORS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section one hundred and forty-two B of chapter one hundred and eleven of the General Laws, the towns of Weymouth, Winchester and Brookline shall continue to operate the Weymouth, Winchester and Brookline municipal incinerators, and provided, further, that said towns shall operate said incinerators within the regulations of the department of public health as in force in the year nineteen hundred and sixty-four for said incinerators.

Approved July 9, 1974.

Chap. 500. AN ACT PROVIDING FOR A COORDINATOR OF FLEXIBLE HOURS WITHIN THE BUREAU OF PERSONNEL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 7 of the General Laws is hereby amended by inserting after section 6E the following section:—

Section 6F. There shall be a coordinator of flexible hours employment within the bureau of personnel who shall work with the division of civil service on the development, implementation and oversight of plans for the utilization within all executive agencies of persons who choose to be employed for a reduced number of hours per week and the recruitment of such persons for civil service and noncivil service employment. The coordinator shall recommend to said bureau such action, including the submission of legislation and the making of rules, as shall be necessary from time to time in order to implement a plan or plans for flexible hours employment and in order to secure for flexible hours employees the normal advantages of their positions, including without limitation vacation time, sick leave, maternity leave, bonuses, advancement, seniority, length of service credit, benefits and participation in benefit plans or programs. The coordinator shall make an annual report to the director of personnel and standardization containing complete information as to his activities during the preceding year. Such report shall be a public record, and copies of it shall be furnished to the governor and to the state library.

SECTION 2. Within one year of the effective date of this act, every plan for flexible hours employment developed by the coordinator of flexible hours employment pursuant to section six F of chapter seven of the General Laws, inserted by section one of this act, shall provide that not less than two per cent of the total number of positions in each class and in each grade covered by the plan shall be made available for flexible hours employment, unless the director of personnel and standardization exempts a class or grade on grounds of impossibility. Not later than two years after said effective date, four per cent of such positions shall be available for such persons; not later than three years after said effective date, six per cent of such positions shall be available for such persons; not later than four years after said effective date, eight per cent of such positions shall be available for such persons; not later than five years after said effective date, ten per cent of such positions shall be available for such persons.

Approved July 9, 1974.

Chap. 501. AN ACT DIRECTING THE DEPARTMENT OF NATURAL RESOURCES TO CONSTRUCT A BUILDING AT THE DIGHTON ROCK STATE PARK IN THE TOWN OF BERKLEY.

Be it enacted, etc., as follows:

The department of natural resources is hereby authorized and directed to construct a building at the Dighton Rock state park in the town of Berkley for the purpose of displaying objects of interest associated with Dighton rock and with the history of Portuguese and other landings, explorations and settlements in the area.

Approved July 9, 1974.

Chap. 502. AN ACT PROHIBITING THE RECORD OF CONVICTION OF CERTAIN TRAFFIC VIOLATIONS FROM AFFECTING THE CREDIBILITY OF A WITNESS.

Be it enacted, etc., as follows:

Section 21 of chapter 233 of the General Laws, as amended by chapter 426 of the acts of 1950, is hereby further amended by adding the following paragraph:—

Fourth, the record of his conviction for a traffic violation upon which a fine only was imposed shall not be shown for such purpose unless he has been convicted of another crime or crimes within five years of the time of his testifying.

Approved July 9, 1974.

Chap. 503. AN ACT PROVIDING FOR THE OPTIONAL DIRECT PAYMENT OF MOTOR VEHICLE DAMAGES TO REPAIR SHOPS BY INSURERS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of subparagraph (1) of the second paragraph of section 34 O of chapter 90 of the General Laws, as amended by section 2 of chapter 1079 of the acts of 1971, is hereby further amended by inserting after the word "pay", in line 2, the words:— either to the insured or to a repair shop if the insured so indicates in writing to his insurance company.

SECTION 2. Subparagraph (2) of said second paragraph of said section 34 O of said chapter 90, as appearing in section 1 of chapter 978 of the acts of 1971, is hereby amended by inserting after the word "pay", in line 2, the words:— either to the insured or to a repair shop if the insured so indicates in writing to his insurance company.

Approved July 9, 1974.

Chap. 504. AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE CITY OF LOWELL RELATIVE TO THE ESTABLISHMENT OF RENT CONTROL IN SAID CITY.

Be it enacted, etc., as follows:

In order to ascertain the will of the voters of the city of Lowell, the state secretary shall cause to be placed upon the official ballot to be used in said city at the biennial state election to be held in the year nineteen hundred and seventy-four the following question:— "Should the city council vote to establish rent control in the city of Lowell?"

If a majority of the votes cast in answer to said question is in the affirmative, it shall be deemed to be the will of the voters that rent control should be established in said city.

Approved July 9, 1974.

Chap. 505. AN ACT VALIDATING A CERTAIN AMENDMENT TO THE PERSONNEL BY-LAW IN THE TOWN OF WEYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The action taken at the annual town meeting of the town of Weymouth in the year nineteen hundred and seventy-four in amending the personnel by-law by placing the position of plumbing inspector under the jurisdiction of the building inspector in said town, is hereby confirmed and validated. Any monies which are necessary for the implementation of this section may be appropriated and expended by said town.

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

Approved July 10, 1974.

Chap. 506. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO BORROW MONEY FOR THE RECONSTRUCTION OF CERTAIN PLAYGROUNDS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of reconstructing the West End park, Parker field, Lowell field, Victory field and Saltonstall park, all located in the town of Watertown, 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, two hundred and thirty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Watertown Playground Facilities Loan, Act of 1974. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their

dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

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

Approved July 10, 1974.

Chap. 507. AN ACT PROVIDING FOR THE REORGANIZATION OF THE STATE RACING COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the regulation of the racing industry in the commonwealth, this act is hereby declared to be an emergency act, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 48, as most recently amended by section 5 of chapter 300 of the acts of 1972, and inserting in place thereof the following section:—

Section 48. There shall be a commission to be known as the state racing commission, to consist of a commissioner and two associate commissioners to be appointed by the governor. Each associate commissioner shall serve for three year terms and the commissioner shall serve for a term of eight years. Not more than two of such members shall be of the same political party. The commissioner shall serve as chairman, and shall devote his full time during business hours to his official duties.

Each member shall hold office until the appointment and qualification of his successor. The governor may remove any member for cause and shall fill any vacancy for the unexpired term. Whenever any action by the commission is required to be in writing, such writing shall be sufficient when signed by the commission chairman. The commission shall make an annual report in January of each year to the general court.

The chairman shall receive a salary of twenty-seven thousand five hundred dollars and each of the other members shall receive a salary of eight thousand seven hundred and ninety-three dollars. The members shall also receive their necessary expenses incurred in the discharge of their official duties.

The commission may appoint and remove a secretary and other assistants who shall not be exempt from the provisions of chapter thirty-one.

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

Section 8A. The commission shall make periodic inspections of all of the installations and facilities operated by its licensees, including stable areas and the office of the racing secretary during the time that entries are being filed. Each member shall from time to time

personally visit the jockeys' room to observe the activity of the custodians and valets, and the operation of the clerk of the scales, weighing procedures and security provisions. The activities of stewards, placing judges, patrol judges and starters shall be closely supervised by said commission and the calculating and tote control room of the various tracks shall be regularly spot-checked to insure fair and equitable results for the wagering public.

SECTION 3. The terms of office of the members of the state racing commission in office on the effective date of this act shall terminate, however, said members shall continue to serve and hold office until the appointment and qualification of the commissioner and associate commissioners of the state racing commission pursuant to section forty-eight of chapter six of the General Laws, inserted by section one of this act.

Approved July 10, 1974.

Chap. 508. AN ACT REGULATING SEARCHES CONDUCTED INCIDENT TO AN ARREST.

Be it enacted, etc., as follows:

Section 1 of chapter 276 of the General Laws, as appearing in section 1 of chapter 557 of the acts of 1964, is hereby amended by inserting after the first paragraph the following paragraph:—

A search conducted incident to an arrest may be made only for the purposes of seizing fruits, instrumentalities, contraband and other evidence of the crime for which the arrest has been made, in order to prevent its destruction or concealment; and removing any weapons that the arrestee might use to resist arrest or effect his escape. Property seized as a result of a search in violation of the provisions of this paragraph shall not be admissible in evidence in criminal proceedings.

Approved July 10, 1974.

Chap. 509. AN ACT PROVIDING FOR ADDITIONAL COURT OFFICERS IN THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter 218 of the General Laws is hereby amended by striking out section 62A, inserted by chapter 211 of the acts of 1972, and inserting in place thereof the folowing section:—

Section 62A. In the municipal court of the city of Boston the court officers appointed shall not exceed twelve for criminal business, one of whom shall be designated by the chief justice as chief court officer of said court for criminal business, and two as assistant chief court officers 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, and one assistant chief court officer of said court for civil business.

Approved July 10, 1974.

Chap. 510. AN ACT AUTHORIZING THE ESTABLISHMENT OF A REVOLVING FUND IN THE WORCESTER CITY HOSPITAL WITH RECEIPTS FROM HOSPITAL SERVICES AND ADMISSIONS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the board of trustees of the Worcester City Hospital are authorized to establish a revolving fund not to exceed one million dollars with the receipts from all Worcester City Hospital activities, including but not limited to hospital services and admissions which receipts shall be deposited with the treasurer of the city of Worcester and held by him in a separate account. Said fund may be expended by said hospital for furthering said hospital activities from which the receipts were derived, without appropriation, upon approval by the city manager and city council of said city. Said revolving fund shall be subject to annual audit by the bureau of accounts in the department of corporations and taxation.

Approved July 10, 1974.

Chap. 511. AN ACT INCREASING THE SCOPE OF CERTAIN TAX EXEMPTIONS OF MEMBERS OF THE ARMED SERVICES OR CIVILIAN EMPLOYEES WHO BECAME PRISONERS OF WAR OR WERE PLACED IN "MISSING STATUS" WHILE ON ACTIVE DUTY DURING THE VIETNAM CONFLICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter sixty-two of the General Laws, compensation excluded under section one hundred and twelve (d) of Title 26, U.S.C.A., the Internal Revenue Code of the United States, shall be excluded from taxation under the provisions of said chapter sixty-two.

SECTION 2. Notwithstanding the provisions of chapter sixty-five and sixty-five A of the General Laws, any spouse, children or other lineal ancestors or descendants of an individual qualified under section one hundred and twelve (a) of Title 26, U.S.C.A., the Internal Revenue Code, as one in "missing status", receiving any property or any interest therein from the federal government, or any agency thereof, by reason of the death of such an individual, who died or was declared dead while in such status, shall be exempt from taxation of such property or interest therein under the provisions of said chapters.

SECTION 3. If a refund, abatement or credit of any overpayment for any taxable year or other period resulting from the application of sections one and two of this act, including interest, additions to the tax, and additional amounts, is prevented at any time before the expiration of the applicable period specified below by the operation of any law or rule of law, such refund, abatement or credit

of such overpayment may, nevertheless, be made or allowed if application therefor is filed before the expiration of such applicable period.

For purposes of the preceding paragraph, the applicable period is the period ending on whichever of the following days is the later:—

(a) the day which is one year after the date of passage of this act, or

(b) the day which is two years after the date on which it is determined that the individual's missing status, within the meaning of section one hundred and twelve (d) of Title 26, U.S.C.A., the Internal Revenue Code of the United States, as amended on January first, nineteen hundred and seventy-three, has terminated for purposes of said section one hundred and twelve (d).

SECTION 4. This act shall apply to taxable years ending on or after February twenty-eighth, nineteen hundred and sixty-one and to property and interests therein passing or accruing upon the death of persons who died on or after said date.

Approved July 10, 1974.

Chap. 512. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

HAMPSHIRE COUNTY.

Item		*Subtotal*	*Total*
1.	For interest on county debt		$153,450 00
2.	For reduction of county debt		210,000 00
3.	For county commissioners, salaries and expenses		46,051 08
	1. Personal services	$42,012 14	
	2. Contractual services	2,000 00	
	3. Supplies and materials	865 00	
	4. Current charges and obligations	385 00	
	5. Equipment	788 94	

4. For transportation and expenses of county and acting commissioners		$700 00
5. For clerk of courts, salaries and expenses		70,277 90
1. Personal services	$65,710 40	
2. Contractual services	2,500 00	
3. Supplies and materials	1,000 00	
4. Current charges and obligations	439 50	
5. Equipment	628 00	
6. For county treasurer, salaries and expenses		61,098 00
1. Personal services	49,908 00	
2. Contractual services	9,020 00	
3. Supplies and materials	1,150 00	
4. Current charges and obligations	545 00	
5. Equipment	475 00	
7. For sheriff, salary and expenses		17,622 50
1. Personal services	16,820 00	
2. Contractual services	500 00	
3. Supplies and materials	20 00	
4. Current charges and obligations	282 50	
8. For registry of deeds, salaries and expenses		111,023 95
1. Personal services	90,192 80	
2. Contractual services	14,000 00	
3. Supplies and materials	3,498 00	
4. Current charges and obligations	1,870 00	
5. Equipment	1,463 15	
8a. For registry of probate, salaries and expenses		8,620 00
2. Contractual services	4,740 00	
3. Supplies and materials	2,330 00	
4. Current charges and obligations	1,000 00	
5. Equipment	550 00	
9. For law library, salaries and expenses		28,745 60
1. Personal services	8,810 60	
2. Contractual services	1,585 00	
3. Supplies and materials	225 00	
4. Current charges and obligations	18,000 00	
5. Equipment	125 00	
10. For highways, including state highways, bridges and land damages		299,075 00
2. Contractual services	20,000 00	
6. All other	279,075 00	
12. For superior court costs		369,737 25
1. Personal services	110,691 44	
2. Contractual services	253,700 81	
3. Supplies and materials	1,960 00	
4. Current charges and obligations	3,145 00	
5. Equipment	240 00	
13. For civil expenses in probate court		27,330 60
1. Personal services	11,609 60	
2. Contractual services	15,116 00	
3. Supplies and materials	510 00	
4. Current charges and obligations	95 00	
14. For district courts, salaries and expenses		
District Court of Hampshire		424,306 52
1. Personal services	393,511 52	

2. Contractual services	18,900 00	
3. Supplies and materials	6,750 00	
4. Current charges and obligations	3,255 00	
5. Equipment	1,890 00	
District Court of Eastern Hampshire		45,062 35
1. Personal services	40,373 35	
2. Contractual services	1,795 00	
3. Supplies and materials	610 00	
4. Current charges and obligations	2,284 00	
15. For medical examiners and commitments of insane		20,600 00
16. For jail and house of correction, maintenance and operation		501,718 09
1. Personal services	382,943 09	
3. Supplies and materials	118,775 00	
18. For court houses and registry buildings, maintenance and operation		77,156 75
1. Personal services	38,696 75	
2. Contractual services	20,000 00	
3. Supplies and materials	12,000 00	
4. Current charges and obligations	4,000 00	
5. Equipment	2,460 00	
20. For agricultural school or county cooperative extension service		107,191 15
1. Personal services	93,696 15	
2. Contractual services	8,495 00	
3. Supplies and materials	2,460 00	
4. Current charges and obligations	650 00	
5. Equipment	1,890 00	
21. For state reservations maintenance and operation		
Mount Tom		20,610 79
Deer Hill		700 00
24. For noncontributory pensions		21,717 75
25. For contributory retirement system and supervisory expenses		105,584 45
26. For miscellaneous and contingent expenses		10,739 06
28. For reserve fund		50,000 00
28a. For reserve for salary increases		128,800 00
28d. For reserve for counsel for indigent defendants		16,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		18,000 00
31. For radio system for fire protection		200 00
32. For forest development		3,506 00
35. For county planning		19,929 40
39. For group insurance		40,000 00
Total amount of appropriations		$3,015,554 19
Less estimated amount available for reduction of county tax		324,448 45
And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the fiscal year, in the manner provided by law, the sum of		$2,691,105 74

The following sums are hereby appropriated for said fiscal year from federal revenue sharing funds subject to the provisions of law regulating the disbursement of county funds and the approval thereof.

Item		
16.	For jail and house of correction	
	2. Contractual services	$38,000 00
	4. Current charges and obligations	3,919 00
	5. Equipment	12,244 04
		$54,163 04

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved July 10, 1974.

Chap. 513. AN ACT DESIGNATING A CERTAIN SWIMMING POOL IN THE CITY OF LEOMINSTER AS THE LEOMINSTER VETERANS MEMORIAL SWIMMING POOL.

Be it enacted, etc., as follows:

The swimming pool under the control of the department of natural resources in the city of Leominster shall be designated and known as the Leominster Veterans Memorial swimming pool. A suitable marker bearing said designation shall be attached thereto by said department.

Approved July 10, 1974.

Chap. 514. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

WORCESTER COUNTY.

Item	*Subtotal*	*Total*
1. For interest on county debt		$499,901 18
2. For reduction of county debt		1,325,000 00
3. For county commissioners, salaries and expenses		85,558 20
1. Personal services	$80,708 20	
2. Contractual services	750 00	
3. Supplies and materials	2,500 00	
4. Current charges and obligations	1,400 00	
5. Equipment	200 00	
4. For transportation and expenses of county and acting commissioners		3,454 00
5. For clerk of courts, salaries and expenses		466,824 65
1. Personal services	448,475 15	
2. Contractual services	7,000 00	
3. Supplies and materials	7,300 00	
4. Current charges and obligations	1,800 00	
5. Equipment	2,249 50	
6. For county treasurer, salaries and expenses		152,231 72
1. Personal services	134,431 72	
2. Contractual services	3,250 00	
3. Supplies and materials	6,400 00	
4. Current charges and obligations	8,070 00	
5. Equipment	80 00	
7. For sheriff, salary and expenses		21,269 00
1. Personal services	18,729 00	
2. Contractual services	750 00	
3. Supplies and materials	1,000 00	
4. Current charges and obligations	790 00	
8. For registries of deeds, salaries and expenses		
Worcester District		582,871 58
1. Personal services	462,644 03	
2. Contractual services	75,000 00	
3. Supplies and materials	32,000 00	
4. Current charges and obligations	8,500 00	
5. Equipment	4,727 55	
Northern District		104,144 80
1. Personal services	89,647 80	
2. Contractual services	7,112 00	
3. Supplies and materials	4,450 00	
4. Current charges and obligations	2,035 00	
5. Equipment	900 00	
8a. For registry of probate, salaries and expenses		29,520 00
1. Personal services	10,050 00	
2. Contractual services	11,500 00	
3. Supplies and materials	2,800 00	
4. Current charges and obligations	5,170 00	
9. For law libraries, salaries and expenses		
Worcester		58,693 00
1. Personal services	35,213 00	
2. Contractual services	2,000 00	
3. Supplies and materials	1,000 00	
4. Current charges and obligations	20,200 00	
5. Equipment	280 00	

Fitchburg		$17,607 40
1. Personal services	$9,487 40	
2. Contractual services	250 00	
3. Supplies and materials	70 00	
4. Current charges and obligations	7,800 00	
10. For highways, including state highways, bridges and land damages		1,248,837 19
1. Personal services	445,472 19	
2. Contractual services	4,000 00	
3. Supplies and materials	9,700 00	
4. Current charges and obligations	2,930 00	
5. Equipment	1,625 00	
6. All other	785,110 00	
12. For superior court costs		1,062,934 09
1. Personal services	536,209 09	
2. Contractual services	497,395 00	
3. Supplies and materials	7,400 00	
4. Current charges and obligations	6,329 00	
5. Equipment	2,301 00	
6. All other	13,300 00	
13. For civil expenses in probate court		56,702 35
1. Personal services	39,292 35	
2. Contractual services	11,775 00	
3. Supplies and materials	1,450 00	
4. Current charges and obligations	2,300 00	
5. Equipment	1,885 00	
14. For district courts, salaries and expenses		
Central District Court of Worcester		921,668 24
1. Personal services	863,445 74	
2. Contractual services	9,500 00	
3. Supplies and materials	41,100 00	
4. Current charges and obligations	5,368 00	
5. Equipment	2,254 50	
District Court of Fitchburg		287,822 62
1. Personal services	266,157 62	
2. Contractual services	6,800 00	
3. Supplies and materials	8,850 00	
4. Current charges and obligations	3,720 00	
5. Equipment	2,295 00	
District Court of Leominster		113,113 48
1. Personal services	97,027 98	
2. Contractual services	4,375 00	
3. Supplies and materials	5,725 00	
4. Current charges and obligations	3,868 00	
5. Equipment	2,117 50	
District Court of Winchendon		51,935 50
1. Personal services	46,884 50	
2. Contractual services	1,000 00	
3. Supplies and materials	1,455 00	
4. Current charges and obligations	2,596 00	
First District Court of Northern Worcester		315,185 41
1. Personal services	282,308 01	
2. Contractual services	10,195 00	
3. Supplies and materials	7,870 00	
4. Current charges and obligations	14,412 40	
5. Equipment	400 00	

First District Court of Eastern Worcester		$337,023 93
1. Personal services	$318,582 93	
2. Contractual services	10,275 00	
3. Supplies and materials	6,500 00	
4. Current charges and obligations	1,666 00	
Second District Court of Eastern Worcester		162,273 94
1. Personal services	149,248 94	
2. Contractual services	4,800 00	
3. Supplies and materials	6,150 00	
4. Current charges and obligations	1,150 00	
5. Equipment	925 00	
First District Court of Southern Worcester		265,468 99
1. Personal services	242,538 99	
2. Contractual services	10,550 00	
3. Supplies and materials	8,200 00	
4. Current charges and obligations	2,195 00	
5. Equipment	1,985 00	
Second District Court of Southern Worcester		147,062 67
1. Personal services	139,062 47	
2. Contractual services	3,675 00	
3. Supplies and materials	3,550 00	
4. Current charges and obligations	775 20	
Third District Court of Southern Worcester		196,090 52
1. Personal services	176,745 52	
2. Contractual services	7,025 00	
3. Supplies and materials	7,375 00	
4. Current charges and obligations	2,795 00	
5. Equipment	2,150 00	
District Court of Western Worcester		83,315 35
1. Personal services	73,003 43	
2. Contractual services	2,870 00	
3. Supplies and materials	3,225 00	
4. Current charges and obligations	4,216 92	
Worcester Juvenile Court		389,234 96
1. Personal services	324,884 21	
2. Contractual services	19,500 00	
3. Supplies and materials	4,900 00	
4. Current charges and obligations	38,198 00	
5. Equipment	1,752 75	
District Court - Northern Juvenile District		124,826 96
1. Personal services	112,881 96	
2. Contractual services	9,200 00	
3. Supplies and materials	1,500 00	
4. Current charges and obligations	245 00	
5. Equipment	1,000 00	
District Court - Southern Juvenile District		125,332 47
1. Personal services	116,162 47	
2. Contractual services	7,200 00	
3. Supplies and materials	1,200 00	
4. Current charges and obligations	70 00	
5. Equipment	700 00	

15. For medical examiners and commitments of insane		$60,550 00
18. For court houses and registry buildings, maintenance and operation		791,507 85
1. Personal services	$506,903 85	
2. Contractual services	179,110 00	
3. Supplies and materials	95,445 00	
4. Current charges and obligations	5,840 00	
5. Equipment	1,409 00	
6. All other	2,800 00	
18a. For bindery department		26,241 90
20. For agricultural school or county cooperative extension service		234,094 28
1. Personal services	210,188 58	
2. Contractual services	14,000 00	
3. Supplies and materials	8,000 00	
4. Current charges and obligations	1,200 00	
5. Equipment	705 70	
21. For state reservation, maintenance and operation (Purgatory Chasm)		33,288 13
1. Personal services	27,916 13	
2. Contractual services	1,060 00	
3. Supplies and materials	1,900 00	
4. Current charges and obligations	912 00	
24. For noncontributory pensions		236,000 00
25. For contributory retirement system and supervisory expenses		551,258 99
26. For miscellaneous and contingent expenses		133,452 53
28. For reserve fund		125,000 00
28a. For reserve for salary increases		690,000 00
28d. For reserve for counsel for indigent defendants		60,000 00
28e. For reserve for care of children		10,000 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		326,000 00
Total amount of appropriations		$12,599,797 88
Less estimated amount available for reduction of county tax		1,870,000 00
And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$10,729,797 88

The following sums are hereby appropriated for said fiscal year from federal revenue sharing funds, subject to the provisions of law regulating the disbursement of county funds and the approval thereof.

Item		
16. For jail and house of correction		
1. Personal services	$1,192,769 24	
2. Contractual services	131,300 00	

3. Supplies and materials	$325,000 00
4. Current charges and obligations	26,895 00
5. Equipment	25,035 00
6. All other	1,000 00
	$1,701,999 24

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

Approved July 10, 1974.

Chap. 515. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five 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	$1,871,657 16
2. For contractual services	325,000 00
3. For supplies and materials	381,000 00
4. For current charges and obligations	115,591 05
5. For equipment	74,520 15
8. For debt and interest	40,000 00
11. For reserve fund	75,000 00
11a. For reserve for salary increases	122,000 00
12. For group insurance	74,211 00
For total expenditures	$3,078,979 36

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved July 10, 1974.

Chap. 516. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

NORFOLK COUNTY.

Item	*Subtotal*	*Total*
1. For interest on county debt		$338,435 00
2. For reduction of county debt		235,000 00
3. For county commissioners, salaries and expenses		155,401 45
1. Personal services	$150,076 45	
2. Contractual services	3,700 00	
3. Supplies and materials	850 00	
4. Current charges and obligations	150 00	
5. Equipment	625 00	
4. For transportation and expenses of county and acting commissioners		2,500 00
5. For clerk of courts, salaries and expenses		305,075 15
1. Personal services	274,123 00	
2. Contractual services	14,237 36	
3. Supplies and materials	10,205 66	
4. Current charges and obligations	2,942 18	
5. Equipment	3,566 95	
6. For county treasurer, salaries and expenses		137,936 00
1. Personal services	116,626 00	
2. Contractual services	11,350 00	
3. Supplies and materials	5,300 00	
4. Current charges and obligations	2,715 00	
5. Equipment	1,945 00	
7. For sheriff, salary and expenses		19,513 60
1. Personal services	18,728 60	
2. Contractual services	100 00	
3. Supplies and materials	500 00	
4. Current charges and obligations	185 00	
8. For registry of deeds, salaries and expenses		686,332 79
1. Personal services	580,202 79	
2. Contractual services	40,000 00	
3. Supplies and materials	26,575 00	
4. Current charges and obligations	37,355 00	
5. Equipment	2,200 00	
8a. For registry of probate, salaries and expenses		117,404 20
1. Personal services	5,530 20	
2. Contractual services	72,200 00	
3. Supplies and materials	21,500 00	
4. Current charges and obligations	11,065 00	
5. Equipment	7,109 00	
9. For law library, salaries and expenses		22,404 80
1. Personal services	9,224 80	
2. Contractual services	50 00	
3. Supplies and materials	260 00	
4. Current charges and obligations	12,870 00	
10. For highways, including state highways, bridges and land damages		692,775 76

1. Personal services	$223,260 76	
2. Contractual services	65,200 00	
3. Supplies and materials	6,125 00	
4. Current charges and obligations	600 00	
5. Equipment	2,340 00	
6. All other	395,250 00	
12. For superior court costs		$1,352,078 29
1. Personal services	718,712 29	
2. Contractual services	591,690 00	
3. Supplies and materials	23,300 00	
4. Current charges and obligations	9,336 00	
5. Equipment	9,040 00	
13. For civil expenses in probate court		124,934 44
1. Personal services	77,244 44	
2. Contractual services	43,400 00	
3. Supplies and materials	2,600 00	
4. Current charges and obligations	260 00	
5. Equipment	1,430 00	
14. For district courts, salaries and expenses		
District Court of Northern Norfolk		513,108 94
1. Personal services	458,521 74	
2. Contractual services	40,475 00	
3. Supplies and materials	8,980 00	
4. Current charges and obligations	3,616 00	
5. Equipment	1,516 20	
District Court of East Norfolk		1,020,448 04
1. Personal services	931,818 07	
2. Contractual services	60,250 00	
3. Supplies and materials	17,665 00	
4. Current charges and obligations	5,682 80	
5. Equipment	5,032 17	
District Court of Western Norfolk		412,202 61
1. Personal services	383,962 61	
2. Contractual services	15,780 00	
3. Supplies and materials	9,025 00	
4. Current charges and obligations	1,900 00	
5. Equipment	1,535 00	
District Court of Southern Norfolk		281,459 19
1. Personal services	253,129 19	
2. Contractual services	17,325 00	
3. Supplies and materials	5,710 00	
4. Current charges and obligations	1,580 00	
5. Equipment	3,715 00	
Municipal Court of Brookline		357,521 55
1. Personal services	310,371 55	
2. Contractual services	23,970 00	
3. Supplies and materials	11,450 00	
4. Current charges and obligations	3,150 00	
5. Equipment	8,580 00	
15. For medical examiners and commitments of insane		69,000 00
16. For jail and house of correction, maintenance and operation		176,822 00
3. Supplies and materials	166,653 00	
6. All other	10,169 00	
18. For court houses and registry buildings, maintenance and operation		997,279 84

1. Personal services	$417,324 44	
2. Contractual services	239,675 00	
3. Supplies and materials	163,210 00	
4. Current charges and obligations	4,385 00	
5. Equipment	10,085 40	
6. All other	162,600 00	
19. For construction of county buildings and purchase of land		$50,000 00
20. For agricultural school or county cooperative extension service		912,765 53
1. Personal services	663,786 53	
2. Contractual services	89,550 00	
3. Supplies and materials	84,075 00	
4. Current charges and obligations	6,750 00	
5. Equipment	33,604 00	
6. All other	35,000 00	
24. For noncontributory pensions		270,000 00
25. For contributory retirement system and supervisory expenses		353,337 06
26. For miscellaneous and contingent expenses		85,000 00
27. For unpaid bills of previous years		25,000 00
28. For reserve fund		75,000 00
28a. For reserve for salary increases		600,000 00
28d. For reserve for counsel for indigent defendants		100,000 00
28e. For reserve for federal grants		6,695 00
29. For advertising recreational, industrial and agricultural advantages of the county		100,000 00
39. For group insurance		264,000 00
45. For the Wollaston recreational facility		59,361 70
Total amount of appropriations		$10,918,792 94
Less estimated amount available for reduction of county tax		1,552,029 00
And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the fiscal year, in the manner provided by law, the sum of		$9,366,763 94

The following sums are hereby appropriated for said fiscal year from federal revenue sharing funds subject to the provisions of law regulating the disbursement of county funds and the approval thereof.

16. For jail and house of correction	
1. Personal services	$545,581 20
2. Contractual services	31,000 00
4. Current charges and obligations	4,340 00
5. Equipment	3,053 60
Total	$583,974 80

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved July 10, 1974.

Chap. 517. AN ACT DIRECTING THE BUILDING INSPECTOR OF THE TOWN OF DEDHAM TO ISSUE A PERMIT TO THE DEDHAM HOUSING AUTHORITY TO CONSTRUCT MULTIPLE DWELLING UNITS FOR THE ELDERLY IN SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter one hundred and forty-five of the General Laws and notwithstanding the provisions of sections six and eight of the zoning by-law for the town of Dedham but, except as herein provided, subject to other applicable provisions of said zoning by-law, the building inspector of the town of Dedham shall issue a permit to the Dedham Housing Authority to construct a one hundred unit multiple housing project for the elderly, pursuant to the provisions of the General Laws applicable thereto, to be known as State-Aided Housing Project Dedham 667-3.

Approved July 10, 1974.

Chap. 518. AN ACT PROVIDING THE MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF NANTUCKET BE EXEMPTED FROM THE 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 the age of 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.

SECTION 2. The provisions of section one 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. The state secretary shall cause to be placed on the official ballot to be used in the town of Nantucket by the registered voters of said town at the biennial state election to be held in the year nineteen hundred and seventy-four the following question:— "Shall an act passed by the general court in the year nineteen hundred and seventy-four, entitled 'An Act providing that members of the police department of the town of Nantucket be exempted from the 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 effect, but not otherwise.

(This Bill, returned by the Governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, July 10, 1974, and, in concurrence, by the House of Representatives, July 10, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 519. AN ACT TO PROVIDE FOR A CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide funds immediately for a capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a program of construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, the sums set forth in sections two through seven of this act, for the several purposes and subject to the conditions in said sections two through seven are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Legislature.

Sergeant-at-Arms.

0138-8742) 8074-67)	For the completion of certain renovations and improvements to the senate and related offices, including remodeling of vacant office space in the state house, furnishing and equipment, to be in addition to the amounts appropriated in item 8074-67 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three	**$85,000**
1100-8755	For modernizing and converting to automatic operation two banks of elevators	**160,000**
1100-8752	For renovations and improvements to the annex roof and contiguous areas of the east and west wings of the state house	**470,000**

Central Services Division.
John W. McCormack State Office Building.

1102-8752	For the purchase of furnishings, furniture and office equipment for the John W. McCormack state office building and for the moving and installation of existing furnishings and equipment of agencies that will occupy the building	**$1,200,000**
1100-8757	For certain renovations and improvements to the state house, including remodeling of spaces that will be vacated by the relocation of various departments to the new John W. McCormack state office building	**1,720,000**

1100-8758 For certain renovations and improvements, including the cost of furnishings and equipment, to the senate and house of representatives, including remodeling of vacated office space in the state house for the senate and house of representatives use **$1,000,000**

Executive Office of Environmental Affairs.

Division of Conservation Services.

2630-8751 For assistance to cities and towns in the acquisition of conservation lands as provided in section eleven of chapter one hundred and thirty-two A of the General Laws **$5,000,000**

Division of Water Resources.

2681-8752 For certain flood control and water diversion projects in the towns of Avon, Braintree, Holbrook, and Randolph as provided in chapter six hundred and seventy-seven of the acts of nineteen hundred and seventy **$250,000**

Division of Fisheries and Game.

2670-8753 Lyman School - Westboro

For certain renovations to the Lyman School for use as a headquarters building **$40,000**

Inland Fisheries and Game Fund 100.0%

Executive Office of Human Services.

Soldiers' Home in Massachusetts.

4180-8751 For certain alterations and improvements to the main dormitory; including new heating and ventilating systems and new plumbing facilities; provided, that expenditures from this item shall be contingent upon assurance by proper federal authorities that the federal allocation for the cost of the project will not be less than two hundred seventy-nine thousand dollars **$450,000**

4180-8752 For certain alterations and exterior painting of certain buildings; provided, that expenditures from this item shall be contingent upon assurance by proper federal authorities that the federal allocation for the cost of the project will not be less than forty-nine thousand six hundred dollars **80,000**

4180-8753 For certain alterations and remodeling of the Williams House; provided, that expenditures from this item shall be contingent upon assurance by proper federal authorities that the federal allocation for the cost of the project will not be less than four hundred forty-three thousand and three hundred dollars **715,000**

4180-8754 For certain alterations to the emergency generators and their conversion to diesel; provided, that expenditures from this item shall be contingent upon assurance by proper federal authorities that the federal allocation for the cost of the project will not be less than sixty-one thousand three hundred and eighty dollars **99,000**

Department of Correction.

Correctional Institution at Bridgewater.

4312-8751 For the construction of an administration building, a laundry building, a main kitchen and warehouse, including the demolition of certain buildings; and for the extension of certain utilities **$10,100,000**

Correctional Institution at Walpole.

4313-8751 For certain improvements to security **$1,267,000**

Correctional Institution at Concord.

4314-8751 For certain repairs to the A, B, C and E buildings, conversion of the superintendent's residence to a half-way house and the redesign and construction of "J" building, including the cost of furnishings and equipment **$4,500,000**

Department of Public Health.

Lemuel Shattuck Hospital.

4532-8751 For fire protection and safety improvements including installation of emergency generators, an automatic fire extinguishing system, fire rated doors and fire rated ceiling tiles **$800,000**

Massachusetts Hospital School.

4533-8751) 8072-20) For construction of an outpatient facility, a clinical laboratory and an x-ray suite, to be in addition to amount appropriated in item 8072-20 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **$1,060,000**

8066-64 Item 8066-64 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 5, the words "an electronic and a mechanical laboratory and".

Pondville Hospital.

4534-8751 For the installation of air conditioning **$600,000**

Rutland Heights Hospital.

4535-8751 For installations of fire protection devices and sprinkler systems in the patient areas of buildings two, three and thirty; and for construction of certain fire mains from the power plant **$283,000**

4535-8752 For installation of emergency electric power generators, including housing therefor, related electrical switchgear and distribution systems **360,000**

Tewksbury Hospital.

4536-8751 For demolition of the children's hospital, old male hospital, old women's hospital, building #4, women's special, pest houses and silos and the protection and modification of the existing utility systems **$350,000**

Department of Mental Health.

5011-8751 For the purchase of the Cardinal Cushing college property in the town of Brookline for a therapeutic school for children, including the cost of furnishings and equipment and certain renovations; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified disinterested appraiser; and provided further, that changes in land and structures shall be subject to reasonable regulations of the town of Brookline concerning bulk and height of structures, yards, setbacks, open space, parking and building coverage; and provided further, that said facility shall be used only as a therapeutic school for children under the department of mental health **$2,500,000**

5011-8752 For the upgrading of facilities for the retarded; provided, that any expenditure from this item shall be contingent upon the prior approval and assurance by the commissioner of administration that not less than seventy-five per cent of such expenditures are eligible for federal reimbursement under Titles VI and XIX of the Social Security Act of nineteen hundred and sixty-seven, as amended by Public Law 92-603; and provided further, that the secretary of human services

shall designate the proportion of said sum to be expended at Belchertown state school, Paul A. Dever state school, Walter E. Fernald state school, Charles V. Hogan regional center, Monson state hospital and Wrentham state school **$5,000,000**

Springfield Mental Health Treatment Center.

8064-40) 8068-40) 5121-1509) 8074-22) 5121-8751). For the preparation of plans for a mental health treatment center or centers in the city of Springfield; and for the acquisition of land, or land with buildings thereon, necessary to provide a site or sites for such a center or centers, by purchase or eminent domain; and for such demolition as may be necessary for such a center or centers; provided, that no payment for the acquisition of land or land with buildings thereon shall be made until an independent appraisal of the value thereof has been made by a qualified disinterested appraiser, and further the cost of such appraisal shall be charged to this item; and for the construction of a mental health treatment center or centers or for the renovation of a structure or structures for such a center or centers, including the cost of furnishings and equipment; provided that the sums appropriated in items 8064-40 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three, 8068-40 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven, 5121-1509 of section two of chapter four hundred and twenty-seven of the acts of nineteen hundred and seventy-one and items 8074-22 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three are hereby made available for the purposes of this item; total project cost not to exceed six million three hundred and eighty-five thousand dollars.

Berkshire County Treatment Center.

8074-21) 5162-8751) Section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out the item number "8074-21" and the wording thereof and inserting in place thereof the following:—

5162-8751 For the preparation of plans for a mental health treatment center or centers in the county of Berkshire, and for the acquisition of land, or land with buildings thereon, necessary to provide a site or sites for such a center or centers by purchase or eminent domain, and for such demolition as may be necessary for such a center or centers; provided, that no payment for the acquisition of land or land with buildings thereon shall be made until an independent appraisal of the value thereof has been made by a qualified, disinterested appraiser, and provided further, that the cost of such appraisal shall be charged to this item; and for the construction of a mental health treatment center or centers or for the renovation of a structure or structures for such a center or centers, including the cost of furnishings and equipment; total project cost not to exceed seven million dollars; provided further, that the amounts heretofore appropriated for the purposes of a mental health center in the city of Pittsfield are hereby made available for the purposes of this item.

Monson State Hospital.

5294-8751) For certain renovations and additions to the service building, including the cost of furnishings and equipment; to be in

8072-26) addition to the amount appropriated in item 8072-26 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **$722,000**

Walter E. Fernald State School

8071-23 Item 8071-23 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 4, the word "eleven" and inserting in place thereof the word:— nine.

Greenfield Mental Health Center.

8074-20 Item 8074-20 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out the words "one million two hundred thousand dollars" and inserting in place thereof the words:— one million three hundred and sixty-five thousand dollars.

Brockton Mental Health and Public Health Center.

8074-32 Item 8074-32 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out, in line 9, the words "eight hundred and sixty" and inserting in place thereof the words:— nine hundred and twenty.

New Bedford Mental Health Treatment Center.

8070-26)) 8072-35) For preparation of plans for a mental health treatment center or centers in the city of New Bedford and for the acquisition of land or land with buildings thereon necessary to provide a site or sites for such a center or centers, by purchase or eminent domain and for such demolition as may be necessary for such a center or centers; provided, that no payment for the acquisition of land or land with buildings thereon shall be made until an independent appraisal of the value thereof has been made by a qualified disinterested appraiser, and provided further, that the cost of such appraisal shall be charged to this item; and for the construction of a mental health treatment center or centers or for the renovation of a structure or structures for such a center or centers including the cost of furnishings and equipment; provided, that the funds appropriated in item 8070-26 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine and item 8072-35 of section two of chapter nine hundred and seventy-six, of the acts of nineteen hundred and seventy-one are hereby transferred and made available for the purposes of this item; and provided further, that the total project cost shall not exceed five million four hundred and thirty thousand dollars.

Executive Office of Transportation and Construction.

Bureau of Building Construction.

6004-8751 For planning and/or construction of air pollution abatement control projects at various institutions of the commonwealth; said projects to be designated by the director of building construction with the approval of the commissioner of administration **$900,000**

6004-8752 For fire protection improvements in accordance with the recommendation of the department of public safety to comply with the provision of section two A of chapter one hundred and forty-three of the General Laws, and for certain other improvements to eliminate fire hazards, including improve-

ments to the electrical distribution systems, to be designated by the director of building construction with the approval of the commissioner of administration **$750,000**

6004-8753 For planning and/or renovations to state-owned buildings to provide facilities for the physically handicapped in accordance with the provisions of section thirteen A of chapter twenty-two of the General Laws **1,000,000**

6004-8754 For planning and/or renovations for energy conservation measures at various institutions of the commonwealth; said projects to be designated by the director of building construction with the approval of the commissioner of administration **2,000,000**

6004-8755 For planning and/or renovations and improvements to sewage treatment facilities at various institutions of the commonwealth; to be designated by the director of building construction with the approval of the commissioner of administration, in accordance with recommendations of the Water Resources Commission **500,000**

8072-81 Item 8072-81 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 1, the word "certain" and inserting in place thereof the words:— planning and/or.

Massachusetts Aeronautics Commission.

6006-8751 For the purchase of a helicopter **$150,000**

6004-8758) Item 8074-34 of section two of chapter one thousand one
) hundred and eighty of the acts of nineteen hundred and
8074-34) seventy-three is hereby amended by striking out the words "For project feasibility studies including all necessary environmental impact reports" and inserting in place thereof the words:— For project feasibility studies, environmental impact reports.

6004-8757) For project feasibility studies, environmental impact reports,
) and for preparation of preliminary plans and descriptive
8074-34) specifications, as authorized by section twenty-eight of chapter six A of the General Laws, to be in addition to the amount appropriated in item 8074-34 of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three; provided, that an approved schedule of said studies authorized by the commissioner of administration shall be filed with the house and senate committees on ways and means fifteen days prior to the initiation of any study for feasibility or environmental impact **400,000**

Executive Office of Educational Affairs.

Board of Higher Education.

7000-8751 For a study by the New England board of higher education and the land grant universities task force on veterinary medicine of the planning and site preparation and other preliminary work needed to establish a school of veterinary medicine in the town of Grafton with the participation of at least three other New England states **$200,000**

Board of Trustees of State Colleges.

Office of State Colleges.

7101-8751 For the purchase of books and other educational material for the libraries **$2,400,000**

State College at Boston.

8074-38 Item 8074-38 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by adding at the end thereof the words:— including a campus fire alarm system.

8067-17, 8068-66, 8069-39 That the unexpended balance of funds available in item 8068-66 of section two of chapter six hundred eighty-two of the acts of nineteen hundred and sixty-seven and item 8069-39 of section two of chapter four hundred seventy-six of the acts of nineteen hundred and sixty-eight shall be made available for the purpose authorized by item 8067-17 of chapter five hundred ninety of the acts of nineteen hundred and sixty-six, including furnishings and equipment.

State College at Fitchburg.

8074-39 Item 8074-39 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out the words "one million seven hundred and seventy-five thousand dollars" and inserting in place thereof the words:— two million dollars.

7110-8751 For the acquisition of land, or land with buildings thereon, by purchase or by eminent domain, for parking including the cost of site improvements **$40,000**

7113-8751 For the purchase and installation of certain furnishings and equipment for the student union building **100,000**

State College at Salem.

7114-8751, 8072-90 For the construction of a library, including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 8072-90 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **$40,000**

7114-8752 For replacement of a sanitary sewer line located on property of Salem state college at the site of the new physical education building **300,000**

7114-8753 For planning of the renovations of the north and south campuses of the Horace Mann school **150,000**

State College at Worcester.

7116-8751, 8072-97 For working plans and construction of a student union building, including the cost of furnishings and equipment; total project cost not to exceed five million two hundred and fifty thousand dollars to be in addition to the amount appropriated in item 8072-97 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **$5,000,000**

7116-8752, 8071-50 Item 8071-50 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by adding the words:— and for the purchase of furnishings and equipment.

7117-8751 For the preparation of plans and construction for the repair of the electrical, plumbing and heating systems as well as the roof, exterior masonry and renovation and improvement of interior space to bring the college up to the requirements of safety, security and education efficiency **500,000**

7117-8752 For the purchase and installation of furnishings and equipment **500,000**

Massachusetts Maritime Academy.

7118-8751 For the construction of a prefabricated steel maintenance garage **$110,000**

Lowell Technological Institute.

7210-8751 For the purchase of books and other educational materials for the library **$100,000**

Southeastern Massachusetts University

7390-8751) Item 8071-59 of section two of chapter six hundred and thirty-
) three of the acts of nineteen hundred and seventy is hereby
8071-59) amended by striking out the wording and inserting in place thereof the words:— For plans and construction of the Humanities and Arts Building, including the cost of furnishings and equipment, total project cost not to exceed six million four hundred thousand dollars **$6,180,000**

7310-8752 For the purchase of books and other educational materials for the library **100,000**

University of Massachusetts.

7400-8751 For the purchase of books and other educational materials for the libraries at Amherst, Boston and Worcester **$740,000**

7490-8751 For the acquisition of land with buildings thereon, by purchase or eminent domain proceedings, subject to the applicable laws of the commonwealth, and for the design and construction of a marine science facility at Hodgkins Cove in Gloucester **360,000**

7490-8753) For construction of a physical education building including the
) cost of furnishings and equipment to be in addition to the
8072-65) amount appropriated in item 8072-65 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **4,750,000**

University of Massachusetts - Worcester.

8074-51 Item 8074-51 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out the words "including the cost of furnishings and equipment" and inserting in place thereof the words:— including the partial cost of furnishings and equipment **$3,500,000**

Massachusetts Board of Regional Community Colleges.

7501-8751 For the purchase of books and other educational materials for libraries **$200,000**

Bristol Community College.

7503-8751 For the construction of a college center and a lecture complex, including the cost of furnishings and equipment **$8,200,000**

Cape Cod Community College.

7504-8751) Item 8070-49 of section two of chapter seven hundred and
) sixty-seven of the acts of nineteen hundred and sixty-nine is
8070-49) hereby amended by adding after the word "auditorium" the words:— including television studio.

7504-8752 For site work **$390,000**

Massasoit Community College.

7508-8751) Item 8072-67 of section two of chapter nine hundred and
) seventy-six of the acts of nineteen hundred and seventy-one
8072-67) is hereby amended by striking out after the words "administration building" the words "and for certain playing fields".

Northern Essex Community College.

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, in line 1, by inserting after the word "equipment" the words:— , including certain computer facilities.

Quinsigamond Community College.

7512-8751 For the preparation of plans for the development of the college, including a parking structure as shown in the master plan **$750,000**

7512-8752) For certain necessary building renovations and site modifica-
) tions including the cost of furnishings and equipment; to be in
8072-72) addition to item 8072-72 of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **560,000**

Greenfield Community College.

8074-57 Item 8074-57 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out the words "twelve million dollars" and inserting in place thereof the words:— sixteen million two hundred and seventy thousand dollars.

Springfield Technical Community College.

7514-8751) For the plans and construction of the utility distribution
) systems; to be in addition to the amount appropriated in item
8074-58) 8074-58 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three; and for certain site work **$2,026,000**

7514-8752 For the construction of the biological science building, including the cost of furnishings and equipment; total project cost not to exceed eight million dollars **8,000,000**

7514-8753) For the preparation of plans for technology building #12,
) auditorium building #14, and resource center building #16 in
8072-75) accordance with the approved master plan to be in addition to the amount appropriated in item 8072-75 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **125,000**

7514-8754 For the preparation of plans for the physical education building and the student-union building **500,000**

Middlesex Community College.

7516-8751 For the acquisition of land, buildings thereon, educational plans and preliminary construction plans in the towns of Bedford and Billerica; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser **$3,000,000**

Bunker Hill Community College.

7518-8751) For plans, construction, and furnishings and equipment for a
) library - cafeteria building, to complete Phase I of the
8061-69) development of Bunker Hill Community College; to be in addition to the amount appropriated in item 8061-69 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy; provided that the total project cost to complete Phase I shall not exceed twenty-four million dollars **$7,200,000**

8074-81 For the preparation of plans for a new community college, to be in addition to the amount appropriated in item 8072-95 in section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one **875,000**

North Shore Community College.

7511-8751 For preparation of plans for a new regional community college for twenty-five hundred students; to be in addition to the

amount appropriated in item 8070-52 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine and in item 8071-71 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy; total project cost not to exceed twenty-five million dollars.

Executive Office of Communities and Development.

Department of Community Affairs.

3722-8751 For the state and local share of the contribution required to be paid by the city of Chelsea under the federal capital grant contract for the Murray Industrial Park Renewal Project, as authorized in chapter one thousand two hundred and four of the acts of nineteen hundred and seventy-three **$5,000,000**

6004-8756 To cover unexpected contingencies in the costs of projects authorized in section two of this act, excluding items 1102-8751, 1102-8752, 2681-8752, 3722-8751, 6004-8757, 7070-8751 and 7390-8752, and other than the acquisition of land to be allocated by the commissioner of administration with the approval of the governor; provided, that the allocation to any project shall not exceed a percentage of the total amount appropriated for the project in this or any other act, said percentage to be not more than five per cent plus the percentage increase in the cost of building construction as determined for the period involved by the commissioner of administration from available building cost indexes; and provided, further, copies of said allocations shall be filed immediately with the house and senate committees on ways and means, and that any limitation of the total project cost of an item may be increased by an amount not exceeding said allocation to the project as previously determined, for the period involved, by the commissioner of administration **$8,576,550**

SECTION 3.

Executive Office of Environmental Affairs.

Metropolitan District Commission.

Boulevard and Highway Improvements.

2490-8751 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; provided that the commission may, on behalf of the commonwealth, take by eminent domain, or acquire by purchase or otherwise, such public or private lands, including buildings thereon, cemeteries, public parks or reservations, or parts thereof or rights therein, including buildings thereon, and public ways as it may deem necessary for carrying out the purposes of this item including such land or rights in land as may be necessary for the construction of any necessary drainage outlets; provided, that no person shall be required to vacate such premises or portion thereof taken by eminent domain if such premises were used by him as a dwelling or place of business at the time an order of taking was made until the expiration of at least four months after the date of said order of taking **$9,200,000**

2490-8752 For a study of a vehicular overpass from the Monsignor O'Brien Highway into the museum of science garage **25,000**

Highway Fund 100.0%

Executive Office of Transportation and Construction.

Department of Public Works.

Headquarters Building.

6020-8751 For certain renovations and improvements to the department of public works building at Nashua street in the city of Boston **$175,000**

Executive Office of Public Safety.

Registry of Motor Vehicles.

8400-8751 For the acquisition of land, or land with buildings thereon by purchase or eminent domain under chapter seventy-nine of the General Laws; and for preparation of plans for a registry building in Worcester; provided, that no payment shall be made for such acquisition until at least one independent appraisal of the value of said property 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 **$165,000**

Highway Fund 100.0%

8400-8752 For the acquisition of land, or land with buildings thereon by purchase or eminent domain under chapter seventy-nine of the General Laws; and for preparation of plans for a registry building in Watertown, Waltham or vicinity; provided, that no payment shall be made for such acquisition until at least one independent appraisal of the value of said property 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 **180,000**

Highway Fund 100.0%

8400-8753 For the acquisition of land, or land with buildings thereon by purchase or eminent domain under chapter seventy-nine of the General Laws; and for preparation of plans and the construction thereon for a registry building in Woburn or vicinity, including the cost of furnishings and equipment; provided, that no payment shall be made for such acquisition until at least one independent appraisal of the value of said property 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 **1,000,000**

8400-8754 For the acquisition of land in the city of Haverhill for a branch office for the registry, or land with a building thereon; provided, that no payment shall be made for the purchase of such property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; and either for the construction of a building or for the alteration and renovation of existing building thereon, including the cost of necessary furnishings and equipment **450,000**

SECTION 4.

Executive Office of Environmental Affairs.

Department of Natural Resources.

Division of Forests and Parks.

2611-8751 For acquisition of lands as provided in section three of chapter one hundred and thirty-two A of the General Laws; and for the expenses in connection therewith and the cost of

planning therefor, and the development, redevelopment, renovation and improvement of outdoor recreation areas **$8,600,000**
State Recreation Areas Fund 100.0%

2630-8752 For the construction of a skating rink in Central Hampshire county **1,200,000**
State Recreation Areas Fund 100.0%

2630-8753 For the construction of a skating rink in southern Berkshire county **1,200,000**
State Recreation Areas Fund 100.0%

Division of Water Resources.

2681-8751 For mapping of wetlands **$1,000,000**
State Recreation Areas Fund 100.0%

SECTION 5.

Executive Office of Environmental Affairs.

Metropolitan District Commission.

Metropolitan Parks District.

2448-8751 For construction of an ice skating rink at Dilboy Field, Somerville **$1,265,000**

2448-8752 For improvement and stabilization against erosion of Revere Beach and Nantasket Beach; and for associated projects at these beaches including seawall renovation, boardwalk construction, erection of temporary and permanent breakwaters, construction and rehabilitation of sanitaries, and acquisition of lands bordering these beaches; to be in addition to amounts authorized in chapter seven hundred and eighty-six of the acts of nineteen hundred and sixty-seven **2,300,000**

2449-8753 For rehabilitation and renovation of the Malibu Beach bathhouse; dredging in the area of Dorchester Bay Bridge; beach improvements at Carson and Malibu beaches; and for renovation and rehabilitation of Patten's Cove **460,000**

Neponset River Reservation and Blue Hills Reservation Lands.

2449-8754 For acquisition of certain lands adjoining the Neponset River Reservation and the Blue Hills Reservation **$2,300,000**

2449-8755 For development of park and recreation facilities on the banks of the Neponset river; and for construction of bicycle paths and boat and canoe launching facilities along the Neponset river and in the Neponset river reservation; and for the purposes set forth in chapter seven hundred and twenty-four of the acts of nineteen hundred and seventy, as amended by chapter one thousand one hundred and eight of the acts of nineteen hundred and seventy-one and to be in addition to funds appropriated in chapter seven hundred and twenty-four of the acts of nineteen hundred and seventy **3,987,000**

2449-8756 For the renovation and rehabilitation of the Devine rink in Boston, including any related work **1,015,000**

2449-8757 For recreational and environmental work in Stony Brook reservation; installation of flood drains on Connell field; the completion of the John F. Thompson center for handicapped children; construction of jetties and piers for fishing; parking areas and lighting to be in addition to any other federal or state funds or assistance which may be available for the purpose of this item **950,000**

2449-8758 For the acquisition, development and maintenance of certain property adjoining metropolitan district commission reserva-

tion lands, as authorized by chapter one thousand one hundred and six of the acts of nineteen hundred and seventy-one, to be in addition to any other federal or state funds or assistance which may be made available for the purposes of this act, said sums to be made available from funds previously authorized under chapter five hundred and fifty-eight of the acts of nineteen hundred and fifty-five for the metropolitan district commission parks district

2449-8759 For the enclosure of various rinks, and the conversion of refrigeration systems at various rinks and for other rehabilitation at ice skating rinks, including the purchase of equipment for ice skating rinks and swimming pools **$1,725,000**

SECTION 6.

Executive Office of Environmental Affairs.

Metropolitan District Commission.

Metropolitan Water System.

2429-8751 For the construction of treatment plant, facilities, including necessary equipment, and appurtenances, to increase the fluoride content of water in the metropolitan water district and to decrease the corrosiveness of the water **$1,150,000**

2429-8752 For certain improvements to the Brookline pumping station; for furnishing and laying certain water mains in Hyde Park, West Roxbury, and Brookline **1,478,000**

2429-8753 For the cleaning and lining of certain water pipes in the Northern High Service and Southern Extra High Service Pipeline System; and for certain renovations to the Weston aqueduct **518,000**

2429-8754 For the construction of a new water supply tunnel between Chelsea and East Boston, in accordance with the provisions of chapter 521 of the acts of 1968; to be in addition to the amount authorized in said chapter **460,000**

2429-8756 For certain renovation and structural reinforcement of the building known as the old stone church on the banks of Wachusett Reservoir in West Boylston **87,000**

2429-8757 For planning, design and construction of water lines, pumping stations, and appurtenances necessary to allow the metropolitan water district distribution system to serve towns which may include but need not be limited to Avon, Braintree, Canton, Holbrook, Randolph, Stoughton, and Weymouth; provided, however, that four hundred and thirty-five thousand dollars is for the construction of a booster pumping facility for the Chicopee valley aqueduct at the flow throttling facility near Bondsville **17,250,000**

SECTION 7.

Executive Office of Environmental Affairs.

Metropolitan District Commission.

Metropolitan Sewerage District.

2439-8751 For expansion of the pumping station in Reading and improvement of the equipment and appurtenances therein; and for the extension of the north metropolitan relief sewer **$3,450,000**

2439-8752 For construction of a sewer line and appurtenances in West Roxbury, Newton and Brookline **4,600,000**

SECTION 7A. The third paragraph of section 1 of chapter 1105 of the acts of 1971 is hereby amended by striking out, in line 2, the word "two" and inserting in place thereof the word:— three.

SECTION 7B. Section 2 of said chapter 1105 is hereby amended by striking out, in line 6, the word "two" and inserting in place thereof the word:— three.

SECTION 7C. Section 1 of chapter 765 of the acts of 1972 is hereby amended by striking out, in line 2, the word "is" and inserting in place thereof the words:— and the metropolitan district commission, hereinafter called the commission, are.

SECTION 7D. Section 2D of said chapter 765, as appearing in section 2D of chapter 1180 of the acts of 1973, is hereby amended by striking out the word "ten" and inserting in place thereof the word "forty".

SECTION 7E. Section 1 of chapter 571 of the acts of 1964 is hereby amended by striking out, in lines 2 and 3, the words "in the city of Pittsfield" and inserting in place thereof the words:— or centers in the county of Berkshire.

SECTION 8. To meet the cost of a portion of the expenditures authorized by items 4180-8751, 4180-8752, 4180-8753, and 4180-8754 of section two of this act there is hereby appropriated from the Federal Capital Improvement Fund the sum of eight hundred thirty-three thousand two hundred and eighty dollars; provided, that federal funds received on account of the said items and any items incorporated therein by reference shall be credited to said Federal Capital Improvement Fund; and provided, further, that the condition precedent requiring federal participation, when required in any of the said items, shall also apply to the items incorporated therein by reference.

SECTION 9. Any premium or accrued interest received from the sale of bonds and notes payable from the several funds shall be applied respectively without appropriation to the payment of maturities and interest of said bonds and notes; provided that assessments made under any bond or note authorization payable from the General Fund, wherein it is provided that said assessments shall be credited to the General Fund, shall, beginning July first, nineteen hundred and seventy-four, be credited to the General Fund debt service account; and provided, further, that any other receipts, disposition of which is not provided in the bond or note authorization, shall be credited to the respective fund debt service account.

SECTION 10. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purposes of meeting payments, as authorized by sections two through seven 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 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-nine. Notes and the interest thereon issued under the authority of this section, notwithstanding any other provisions of this act shall be general obligations of the commonwealth; provided, however, that the governor, upon recommendation of the commissioner of administration, is hereby authorized to allocate the said interest to the several state and other funds to which the payments of said sections two through seven and section nine are charged. All payments on account of principal on the said notes allocable to the Federal Capital Improvement Fund shall be repaid from the said Federal Capital Improvement Fund.

SECTION 11. To meet the expenditures necessary in carrying out the provisions of section two of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of one hundred and fourteen million eight hundred fifty thousand two hundred and seventy dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan, Act of 1974, 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, two thousand and ten. Bonds and the interest thereon issued under the authority of this section notwithstanding any other provisions of this act shall be general obligations of the commonwealth; provided, however, that the governor, upon recommendation of the commissioner of administration, is hereby authorized to allocate to the Inland Fisheries and Game Fund on account of Item 2670-8753 and Item 2670-8754 of section two of this act the amount of maturities and interest properly chargeable to this fund.

SECTION 12. To meet the expenditures necessary in carrying out the provisions of section three 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 eleven million one hundred ninety-five thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Highway Improvement Loan, Act of 1974, 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, two thousand and ten. All interest and payment on account of principal of such obligations shall be payable from the Highway Fund. Bonds and the interest thereon issued under the authority of this section notwithstanding any other provisions of this act shall be general obligations of the commonwealth.

SECTION 13. 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 twelve million dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas Loan, Act of 1974, 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, two thousand and ten. All interest and payments on account of principal of such obligations shall be payable from the State Recreation Areas Fund. Bonds and the interest thereon issued under the authority of this section notwithstanding any other provision of this act shall be general obligations of the commonwealth.

SECTION 14. 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 fourteen million two thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks District Loan, Act of 1974, 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, two thousand and ten. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan District Parks District Fund. Bonds and the interest thereof issued under the authority of this section notwithstanding any other provisions of this act shall be general obligations of the commonwealth.

SECTION 15. To meet the expenditures necessary in carrying out the provisions of section six 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 million nine hundred and forty-three thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Water District Loan, Act of 1974, and shall be on the serial payment plan for such maximum term of years, not exceeding thirty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and twenty. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan District Commission Water District Fund. Bonds and the interest thereon issued under the authority of this section notwithstanding any other provisions of this act shall be general obligations of the commonwealth.

SECTION 16. 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 eight million fifty thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Sewer District Loan, Act of 1974, and shall be on the serial payment plan for such maximum term of years, not exceeding thirty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and twenty. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan District Commission Sewerage District Fund. Bonds and the interest thereon issued under the authority of this section notwithstanding any other provisions of this act shall be general obligations of the commonwealth.

SECTION 17. This act shall take effect July the first, nineteen hundred and seventy-four.

(This Bill was returned July 10, 1974, by the Governor to the House of Representatives, the branch in which said bill originated, with his objections in writing to the following items therein:—

5011-8751	*7110-8751*	*8070-49*	*8072-75*
4534-8751	*7113-8751*	*7504-8752*	*7514-8754*
8400-8753	*7114-8753*	*7512-8751*	*7516-8751*
8400-8754	*7117-8752*	*7512-8752*	*8074-81*
8067-17	*7118-8751*	*8072-72*	*7511-8751*
8068-66	*7501-8751*	*7514-8752*	*2490-8752*
8069-39	*7504-8751*	*7514-8753*	*SECTION 7D*

Item	*4314-8751 reduced to*	*$1,600,000*
	7000-8751 reduced to	*$8,000*
	7117-8751 reduced to	*$350,000*
	8074-51 reduced to	*$0.00*
	7400-8751 reduced to	*$220,000*

The vote being taken by the House of Representatives on July 15, 1974 on the passage of said items, the objections of the Governor thereto were sustained on items 8400-8753, 8400-8754 and 2490-8752. The vote being taken by the Senate on July 15, 1974 on the passage of said items, the objections of the Governor thereto were sustained on items 5011-8751, 7504-8751, 8070-49 and 7514-8754. The remaining items were passed by the House of Representatives and, in concurrence,

by the Senate, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".

The remainder of the Bill was approved by the Governor July 10, 1974.)

Chap. 520. AN ACT RELATIVE TO THE GRANTING OF SCHOLARSHIPS AND THE APPOINTMENT OF THE BOARD OF TRUSTEES AT THE UNIVERSITY OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out section 24, as most recently amended by section 5 of chapter 1175 of the acts of 1973, and inserting in place thereof the following section:—

Section 24. There shall be a board of trustees for the University of Lowell consisting of the mayor of the city of Lowell, ex officio; one student elected annually by the student body of the University of Lowell; and fifteen members appointed by the governor each for a term of three years, one of whom shall be a graduate of the State College at Lowell, one of whom shall be a graduate of Lowell Technological Institute of Massachusetts, one of whom shall be a member of a labor organization, and at least three of whom shall be women. Excepting the two alumni members, no member shall be appointed to the board of trustees who has previously served on the board of trustees of the State College at Lowell or the Lowell Technological Institute of Massachusetts. If at any time during his term of office said elected member ceases to be so enrolled, his membership on the board shall be terminated and his position shall be deemed vacant. If any appointive 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 may be deemed vacant; the chairman of the board, after a vote of the board deeming such office to be vacant, shall forthwith notify the governor that such vacancy exists. A vacancy in the membership prior to the expiration of a term shall be filled for the remainder of the term in the same manner as provided for full terms.

The initial appointment of the aforesaid fifteen appointive members of the board shall be for a term of one year for five members, a term of two years for five members and a term of three years for the remaining five members.

SECTION 2. Section 8 of chapter 1175 of the acts of 1973 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The board of trustees of the University of Lowell shall not be appointed prior to the second Wednesday of January, nineteen

hundred and seventy-five, and upon the appointment and qualification of said new trustees, the functions and duties of the Merger Planning Board shall terminate and the functions, duties and responsibilities shall thereafter be vested in said board of trustees.

SECTION 3. Section 16 of chapter 75A of the General Laws, as appearing in section 7 of chapter 1175 of the acts of 1973, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— The number of scholarships to be awarded by the committee shall be not more than twenty in each of the four undergraduate years, and no individual scholarship shall exceed the amount of the academic tuition for any year.

SECTION 4. Said chapter 75A is hereby further amended by striking out section 17, as so appearing, and inserting in place thereof the following section:—

Section 17. The city of Lowell may annually provide for day scholarships at the university for residents of the city of Lowell, the sum so required to be raised by taxation. The number of such scholarships shall be determined by the city council.

Approved July 11, 1974.

Chap. 521. 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, as amended by chapter 75 of the acts of 1972, and inserting in place thereof the following section:—

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

Approved July 11, 1974.

Chap. 522. AN ACT EXTENDING THE TIME DURING WHICH CERTAIN LICENSES GRANTED BY THE NEWBURYPORT REDEVELOPMENT AUTHORITY SHALL BE IRREVOCABLE.

Be it enacted, etc., as follows:

Section 3 of chapter 702 of the acts of 1967 is hereby amended by striking out the second sentence, as amended by chapter 771 of the acts of 1972, and inserting in place thereof the following sentence:— 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-seven with respect to valuable structures,

fillings or enclosures which have been built within the five year period from the date of the issuance of the license, shall be irrevocable.

Approved July 11, 1974.

Chap. 523. AN ACT ESTABLISHING THE SALARY OF THE MAYOR OF THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section six A of chapter thirty-nine of the General Laws, the mayor of the city of Taunton shall receive such salary not to exceed eighteen thousand dollars as may be determined by the municipal council of said city.

SECTION 2. This act shall take effect as of January first, nineteen hundred and seventy-four.

Approved July 11, 1974.

Chap. 524. AN ACT ESTABLISHING A FIVE-MEMBER BOARD OF SELECTMEN IN THE TOWN OF ROCKLAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding contrary provisions of law or of the town charter of the town of Rockland, there shall be in said town a board of selectmen consisting of five members.

SECTION 2. The town of Rockland shall, at the annual town meeting to be held in the year nineteen hundred and seventy-six, elect one selectman for a term of one year, two for terms of two years and two for terms of three years. 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. This act shall be submitted for acceptance to the voters of the town of Rockland 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-four entitled, 'An Act establishing a five-member board of selectmen in the town of Rockland', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved July 11, 1974.

Chap. 525. AN ACT RELATIVE TO THE SEALING OF CRIMINAL FILES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by striking out section 100A, added by section 1 of chapter 686 of the acts of 1971, and inserting in place thereof the following section:—

Section 100A. Any person having a record of criminal court appearances and dispositions in the commonwealth on file with the office of the commissioner of probation may, on a form furnished by the commissioner and signed under the penalties of perjury, request that the commissioner seal such file. The commissioner shall comply with such request provided (1) that said person's court appearance and court disposition records, including termination of court supervision, probation or sentence for any misdemeanor occurred not less than ten years prior to said request; (2) that said person's court appearance and court disposition records, including termination of court supervision, probation or sentence for any felony occurred not less than fifteen years prior to said request; (3) that said person had not been found guilty of any criminal offense within the commonwealth in the ten years preceding such request, except motor vehicle offenses in which the penalty does not exceed a fine of fifty dollars; (4) said form includes a statement by the petitioner that he has not been convicted of any criminal offense in any other state, United States possession or in a court of federal jurisdiction, except such motor vehicle offenses, as aforesaid, and has not been imprisoned in any state or county within the preceding ten years; and (5) said person's record does not include convictions of offenses other than those to which this section applies. This section shall apply to court appearances and dispositions of all offenses provided, however, that this section shall not apply in case of convictions for violations of sections one hundred and twenty-one to one hundred and thirty-one H, inclusive, of chapter one hundred and forty or for violations of chapter two hundred and sixty-eight or chapter two hundred and sixty-eight A.

In carrying out the provisions of this section, notwithstanding any laws to the contrary:

1. Any recorded offense which was a felony when committed and has since become a misdemeanor shall be treated as a misdemeanor.

2. Any recorded offense which is no longer a crime shall be eligible for sealing forthwith, except in cases where the elements of the offense continue to be a crime under a different designation.

3. In determining the period for eligibility, any subsequently recorded offenses for which the dispositions are "not guilty", "dismissed for want of prosecution", "dismissed at request of complainant", "nol prossed", or "no bill" shall not be held to interrupt the running of the required period for eligibility.

4. If it cannot be ascertained that a recorded offense was a felony when committed said offense shall be treated as a misdemeanor.

When records of criminal appearances and criminal dispositions are sealed by the commissioner in his files, he shall notify forthwith the clerk and the probation officer of the courts in which the convictions or dispositions have occurred, or other entries have been made, of such sealing, and said clerks and probation officers likewise shall seal records of the same proceedings in their files.

Such sealed records shall not operate to disqualify a person in any examination, appointment or application for public service in the service of the commonwealth or of any political subdivision thereof; nor shall such sealed records be admissible in evidence or used in any way in any court proceedings or hearings before any boards or commissions, except in imposing sentence in subsequent criminal proceedings.

An application for employment used by an employer which seeks information concerning prior arrests or convictions of the applicant shall include the following statement: "An applicant for employment with a sealed record on file with the commissioner of probation may answer 'no record' with respect to an inquiry herein relative to prior arrests, criminal court appearances or convictions. An applicant for employment with a sealed record on file with the commissioner of probation may answer 'no record' to an inquiry herein relative to prior arrests or criminal court appearances". The attorney general may enforce the provisions of this paragraph by a suit in equity commenced in the superior court.

The commissioner, in response to inquiries by authorized persons other than any law enforcement agency, any court, or any appointing authority, shall in the case of a sealed record report that no record exists.

Approved July 11, 1974.

Chap. 526. AN ACT FURTHER REGULATING COLLECTIVE BARGAINING BY CERTAIN PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

The first paragraph of section 3 of chapter 150E of the General Laws, as appearing in section 2 of chapter 1078 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— No unit shall include both professional and nonprofessional employees unless a majority of such professional employees votes for inclusion in such unit; provided, however, that in any fire department, or any department in whole or in part engaging in, or having the responsibility of, fire fighting, no uniformed member of the department subordinate to a fire commission, fire commissioner, public safety director, board of engineers or chief of department shall be classified as a professional, confidential, executive, administrative or other managerial employee for the purpose of this chapter.

Approved July 11, 1974.

Chap. 527. AN ACT RELATIVE TO PERIOD OF LIMITATION OF RESTRICTIONS AFFECTING LANDS OWNED OR CONVEYED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately clarify and fix with certainty our intent with respect to the applicability of certain of our statutes 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. Statement of legislative purpose:
The general court notes that the insertion in the General Laws of section thirty-one A of chapter two hundred and sixty by chapter two hundred and fifty-eight of the acts of nineteen hundred and fifty-six, the addition of sections twenty-seven and twenty-eight to chapter one hundred and eighty-four, and the amendment of section three of chapter one hundred and eighty-four A by chapter four hundred and forty-eight of the acts of nineteen hundred and sixty-one, have, contrary to the legislative intent thereof, created the misapprehension that they applied to lands owned and conveyed by the commonwealth subject to certain limitations. The general court further notes that, despite the longstanding canon of statutory construction that a procedural statute has retrospective as well as prospective effect, some misapprehension exists as to the proper construction of said section thirty-one A, as amended by chapter four hundred ninety-six of the acts of nineteen hundred and sixty-eight. In order that the original intent of the legislature might now be clarified and the inapplicability of the above mentioned statutes to commonwealth grants and conveyances might be fixed with certainty, the general court deems it necessary and in the public interest to enact this clarifying legislation.

SECTION 2. Section 27 of chapter 184 of the General Laws, as most recently amended by section 4 of chapter 666 of the acts of 1969, is hereby further amended by adding the following paragraph:—

The provisions of this section shall not be construed to apply to, and do not apply to, lands owned and conveyed by the commonwealth, notwithstanding any lapse of time or the passage of any prior law.

SECTION 3. Section 28 of said chapter 184, added by section 1 of chapter 448 of the acts of 1961, is hereby amended by adding the following paragraph:—

The provisions of this section shall not be construed to apply to, and do not apply to, lands owned and conveyed by the commonwealth, notwithstanding any lapse of time or the passage of any prior law.

SECTION 4. The provisions of section thirty-one A of chapter two hundred and sixty of the General Laws, as most recently amended by chapter four hundred and ninety-six of the acts of nineteen hundred and sixty-eight, shall not be construed to apply to,

and do not apply to, reversionary interests upon fee simple determinables or fee simples subject to the right of entry or condition broken of the commonwealth, whether created before or after the effective date of the passage of this act, in lands owned and conveyed by the commonwealth, notwithstanding any lapse of time or the passage of any prior law.

SECTION 5. If any of the provisions of this act shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this act are declared to be severable.

SECTION 6. This act shall be retrospective as well as prospective in its application, applying to all grants by the commonwealth whether created before or after its effective date.

Approved July 12, 1974.

Chap. 528. AN ACT ESTABLISHING AN ARCHITECTURAL BARRIERS BOARD IN THE DEPARTMENT OF PUBLIC SAFETY AND ABOLISHING THE BOARD TO FACILITATE THE USE OF PUBLIC BUILDINGS BY THE PHYSICALLY HANDICAPPED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by striking out section 13A, as most recently amended by section 1 of chapter 827 of the acts of 1971, and inserting in place thereof the following section:—

Section 13A. There shall be in the department a board to be known as the architectural barriers board, which shall consist of the secretary of the executive office of public safety or his designee, the secretary of the executive office of elder affairs or his designee, and five members appointed by the secretary of the executive office of public safety, with the approval of the governor, three of whom shall be selected from a list of nominees submitted by advocacy groups in behalf of the physically handicapped. The members initially appointed by said secretary shall serve for one, two, three and four years, respectively, according to the terms of their respective appointments. Upon the expiration of the term of a member appointed by said secretary, his successor shall be appointed for a term of four years. Any vacancy in the office of a member appointed by the secretary of public safety shall be filled for the unexpired term. At all times, at least three members of the board shall be physically handicapped persons and the chairman of the board shall be elected annually by the members. Employees of the board shall not be subject to the provisions of chapter thirty-one.

Each board member appointed by said secretary shall be paid for each day while in the actual performance of official functions at such rate as shall be approved by the commissioner of administration and shall also receive from the commonwealth all expenses necessarily incurred in connection with such official functions. Any board member appointed by said secretary absent from three consecutive board meetings, which absence is not for reasons of health, may be removed from membership by said secretary upon request of a majority of the members of the board.

The board shall make and from time to time alter, amend, and repeal, in accordance with the provisions of chapter thirty A, rules and regulations designed to make public buildings accessible to, functional for, and safe for use by physically handicapped persons and shall cause the dissemination of said rules and regulations, any amendments or revisions thereof, and other information, to persons requesting such information, including but not limited to, design and building professionals, architects, engineers, contractors, each state and local building inspector and building commissioner, state and local public works officials, each chief executive of cities and towns, and handicapped persons. All public newspaper solicitations for bids on projects regulated by this section shall state the requirement of conformity to rules and regulations of the board. Said rules and regulations shall be deemed to be a specialized code as referred to in section nineteen of chapter twenty-three B, the violation of which shall be subject to the provisions of section seventeen of said chapter, and which shall constitute gross negligence for the purposes of clause (*d*) of section sixty G of chapter one hundred and twelve. In addition to the penalties provided for violations of the state building code, the board shall have the power of local and state inspectors in the enforcement of its rules and regulations, including but not limited to, the right to enter all public buildings as defined by this section, and the power to institute and prosecute proceedings in the superior court to compel such compliance. In any such proceedings, the board or any member thereof may appear *pro se* or be represented by the attorney general or by counsel employed or designated by it for such purpose. The board shall not be required to pay any entry fee in connection with the institution of any such proceedings.

There shall be no construction, reconstruction, alteration or remodeling of a public building except in conformity with said rules and regulations, nor shall the use of any building be changed to a use in which the building is open to and used by the public as defined in this section until such building so conforms, nor until a copy of the plans and specifications have been approved as provided in this section and in section three W of chapter one hundred and forty-three, showing compliance with said rules and regulations; provided, however, that if the said board determines that compliance with said rules and regulations is impracticable in the particular case, it may

provide for modification of, or substitution for, such rule or regulation.

Five per cent of the units in lodging or residential facilities for hire, rent or lease, containing twenty or more units, shall be of accessible, functional and safe units for physically handicapped persons.

The board shall receive complaints of noncompliance with this section or any rule or regulation promulgated hereunder from any person. The board shall investigate each such complaint and take such action thereon as is consistent with this section. The board shall, within sixty days of receipt of any such complaint, give notice in writing to the complaining party of its actions or proposed actions.

The following words, as used in this section, shall have the following meanings:—

"Alteration", external or internal rehabilitation or renovation for which a building permit is needed or for which the cost of such rehabilitation or renovation equals or exceeds five per cent of the full and fair cash value of the building or, any work determined to be alteration by a state or local building inspector.

"Board", the architectural barriers board established by this section.

"Construction", work for which a building permit is required, work determined to be construction by a state or local building inspector, or work for which a certificate of occupancy is necessary upon completion.

"Physically handicapped person", a person confined to a wheelchair; a person who, because of the use of braces or crutches or because of the loss of a foot or leg, or because of an arthritic, spastic, pulmonary or cardiac condition, walks with difficulty or insecurity; a person who, due to a brain, spinal or peripheral nerve injury, suffers from faulty coordination or palsy; a person who is blind or whose sight is so impaired that, functioning in a public area, he is insecure or exposed to danger; a person whose hearing is so impaired that he is unable to hear warning signals; and a person whose mobility, flexibility, coordination, and perceptiveness are significantly reduced by aging.

"Public building", buildings constructed by the commonwealth or any political subdivision thereof with public funds and open to public use, including but not limited to those constructed by public housing authorities, the Massachusetts Port Authority, the Massachusetts Parking Authority, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, or building authorities of any public educational institution, or their successors; and privately financed buildings that are open to and used by the public.

Buildings that are open to and used by the public shall include but not be limited to the following buildings: transportation terminals, institutional buildings, commercial buildings exceeding two stories in

height in which more than forty persons are employed, buildings having places of assembly of a capacity of more than one hundred and fifty persons, hotels, motels, dormitories, public parking garages or lots with a capacity of twenty-five or more automobiles, public sidewalks and ways, public areas of apartment buildings and condominiums containing twelve or more units and of funeral homes, and rest rooms and public areas of shopping centers and restaurants.

"Reconstruction", the tearing down, removal, demolition or replacement of a public building or part of a public building.

"Remodeling", modification beyond an interior decoration or involving any structural change, or the refurbishing, updating or redecorating of a public building for which the cost of such refurbishing, updating or redecorating equals or exceeds five per cent of the full and fair cash value of the building.

SECTION 2. All books, papers, records, documents, equipment, facilities and other property, both personal and real, which immediately prior to the effective date of this act are in the custody of the board to facilitate the use of public buildings by the physically handicapped, are hereby transferred to the architectural barriers board established by this act.

All monies heretofore appropriated for the board to facilitate the use of public buildings by the physically handicapped which remain unexpended on the effective date of this act are hereby transferred to, and shall be available for, expenditure by said architectural barriers board.

All duly existing contracts, leases and obligations of the board to facilitate the use of public buildings by the physically handicapped which are in force immediately prior to the effective date of this act, shall thereafter be performed by the architectural barriers board.

All orders, rules and regulations duly made, and all licenses, permits, certificates and approvals duly granted by the board to facilitate the use of public buildings by the physically handicapped which are in force immediately prior to the effective date of this act, shall continue in force, and the provisions thereof shall thereafter be enforced until superseded, revised, rescinded or cancelled in accordance with law by the architectural barriers board.

All questions regarding the identification of any of the above shall be determined by the commissioner of administration.

SECTION 3. The provisions of section thirteen A of chapter twenty-two of the General Laws, as amended by section one of this act, shall not apply to construction of new buildings, the general contracts for which are executed prior to three months after the effective date of this act.

Approved July 12, 1974.

Chap. 529. AN ACT FURTHER REGULATING THE USE OF FLARES AT LOCATIONS ON WAYS WHERE CERTAIN VEHICLES ARE DISABLED.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 14B of chapter 85 of the General Laws, as most recently amended by section 1 of chapter 234 of the acts of 1953, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— The word "flare" as used in this section shall mean either a lighted pot torch, a lighted red electric lamp, or a warning device meeting the requirements of Federal Motor Vehicle Safety Standard No. 125.

SECTION 2. The last sentence of the first paragraph of section fourteen B of chapter eighty-five of the General Laws, as amended by section one of this act, shall not apply to those flares meeting legal standards in effect prior to January first, nineteen hundred and seventy-five and properly placed on commercial vehicles in accordance with the provisions of said section fourteen B, but shall apply to all flares used to replace such flares.

SECTION 3. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved July 12, 1974.

Chap. 530. AN ACT FURTHER REGULATING THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*a*) of section 25D of chapter 138 of the General Laws, as appearing in chapter 706 of the acts of 1966, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:— There shall be filed with, and when filed shall be deemed part of, the schedule filed for a brand of alcoholic beverages pursuant to section twenty-five B an affirmation duly verified by the owner of such brand of alcoholic beverage, or by the wholesaler designated as agent for the purpose of filing such schedule if the owner of the brand of alcoholic beverage is not licensed by the commission, that the bottle and case price of alcoholic beverages to wholesalers set forth in such schedule is not higher than the lowest price at which such item of alcoholic beverage will be sold by such brand owner or such wholesaler designated as agent, or any related person, to any wholesaler anywhere in any other state of the United States or in the District of Columbia, or to any state or state agency which owns and operates retail alcoholic beverage stores at any time during the calendar month for which such schedule shall be in effect, and if a like affirmation has been filed at least once but was not filed during the calendar month immediately preceding the month in which such schedule is filed, then also at any time during the calendar months not exceeding six months immediately preceding the month in which such schedule shall be in effect and

succeeding the last calendar month during which a like affirmation was in effect.

SECTION 2. Said section 25D of said chapter 138 is hereby further amended by striking out paragraph (*b*), as so appearing, and inserting in place thereof the following paragraph:—

(*b*) There shall be filed with, and when filed shall be deemed part of, any other schedule filed for a brand of alcoholic beverage pursuant to section twenty-five B an affirmation duly verified by the person filing such schedule that the bottle and case price of alcoholic beverages to wholesalers set forth in such schedule is no higher than the lowest price at which such item of alcoholic beverage will be sold by such person to any wholesaler anywhere in any other state of the United States or in the District of Columbia, or to any state or state agency which owns and operates retail alcoholic beverage stores at any time during the calendar month for which such schedule shall be in effect, and if a like affirmation has been filed at least once but was not filed during the calendar month immediately preceding the month in which such schedule is filed, then also at any time during the calendar months not exceeding six months immediately preceding the month in which such schedule shall be in effect and succeeding the last calendar month during which a like affirmation was in effect.

Approved July 12, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
July 24, 1974

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 530 of the Acts of 1974, entitled "AN ACT FURTHER REGULATING THE SALE OF ALCOHOLIC BEVERAGES." and the enactment of which received my approval on July 12, 1974, 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 unnecessary economic instability in the industry and to prevent certain product shortages from developing, it is essential that the provisions of this Act become effective forthwith.

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

OFFICE OF THE SECRETARY, Boston, July 24, 1974.

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

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

Chap. 531. AN ACT PROHIBITING UNLAWFUL DISCRIMINATION BY EMPLOYERS REGARDING THE USE OF CERTAIN CRIMINAL RECORDS OF EMPLOYEES OR APPLICANTS FOR EMPLOYMENT.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 9, as amended by chapter 428 of the acts of 1972, and inserting in place thereof the following subsection:—

9. For an employer, himself or through his agent, in connection with an application for employment, or the terms, conditions, or privileges of employment, or the transfer, promotion, bonding, or discharge of any person, or in any other matter relating to the employment of any person, to request any information, to make or keep a record of such information, to use any form of application or application blank which requests such information, or to exclude, limit or otherwise discriminate against any person by reason of his or her failure to furnish such information through a written application or oral inquiry or otherwise regarding: (*i*) an arrest, detention, or disposition regarding any violation of law in which no conviction resulted, or (*ii*) a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray, or disturbance of the peace, or (*iii*) any conviction of a misdemeanor where the date of such conviction or the completion of any period of incarceration resulting therefrom, whichever date is later, occurred five or more years prior to the date of such application for employment or such request for information, unless such person has been convicted of any offense within five years immediately preceding the date of such application for employment or such request for information.

No person shall be held under any provision of any law to be guilty of perjury or of otherwise giving a false statement by reason of his failure to recite or acknowledge such information as he has a right to withhold by this subsection.

Nothing contained herein shall be construed to affect the application of section thirty-four of chapter ninety-four C, or of chapter two hundred and seventy-six relative to the sealing of records.

Approved July 12, 1974.

Chap. 532. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ANNUAL TOWN MEETING OF THE TOWN OF WESTMINSTER HELD IN THE YEAR NINETEEN HUNDRED AND SEVENTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Westminster at the annual town meeting held on May fourth, nineteen hundred and seventy-four, and the town election of May eleventh, nineteen hundred and seventy-four, and all acts done in pursuance thereof, are hereby in all respects validated, ratified and confirmed to the same extent as if the notice of the meeting and election in a newspaper having general circulation in said town as required by the by-laws of said town had been given.

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

Approved July 15, 1974.

Chap. 533. AN ACT PROVIDING PUBLIC ASSISTANCE TO RESIDENTS OF CERTAIN DISASTER AREAS.

Be it enacted, etc., as follows:

Chapter 117 of the General Laws is hereby amended by inserting after section 2 the following section:—

Section 2A. Notwithstanding the requirements of any section of this chapter to the contrary, the department, subject to appropriation, may assist any applicant residing in an area which has been designated a disaster area as determined by the President of the United States pursuant to section 102 of the Disaster Relief Act of 1970, 42 U.S.C. 4402(1) where such assistance is not immediately available through other federal, state or local agencies.

For the purposes of this section the department shall establish application procedures to most readily facilitate the furnishing of such assistance to residents of a disaster area and shall establish standards for assistance to best alleviate the hardship of such applicants.

The department may require reimbursement from recipients whose losses have been compensated for by insurance or otherwise to the extent to which the recipients themselves have been reimbursed. The department may also seek funds from federal agencies or programs, where available, as reimbursement for funds expended in this section.

Approved July 15, 1974.

Chap. 534. AN ACT PROVIDING FOR THE ASSIGNMENT OF SPECIAL JUSTICES OF DISTRICT COURTS TO SIT IN JUVENILE COURTS AND REMOVING A LIMITATION ON THOSE DISTRICT COURT JUSTICES WHO MAY BE ASSIGNED TO SIT THEREIN.

Be it enacted, etc., as follows:

Section 58 of chapter 218 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 16 of chapter 731 of the acts of 1972, and inserting in place thereof the following paragraph:—

The chief justice of the district courts may, upon request of the justice, or of the clerk in his absence, of the Boston, the Worcester, the Bristol county or the Springfield juvenile court, assign a justice or special justice of any district court to sit in any such juvenile court.

Approved July 15, 1974.

Chap. 535. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO BEAUTIFY CERTAIN PARCELS OF LAND ALONG STATE HIGHWAY ROUTE 128.

Be it enacted, etc., as follows:

The department of public works is hereby authorized to screen any unsightly area located along state highway route 128 from the junction of said route 128 and state highway route 1A in the city of Beverly to the end of said route 128 in the city of Gloucester. For said purposes, said department is further authorized to utilize any land acquired for the construction of said route 128 in said area for the purpose of planting trees, shrubbery or for any other use necessary to carry out the provisions of this act.

Approved July 15, 1974.

Chap. 536. AN ACT PROVIDING FOR THE PERMANENT APPOINTMENT OF LESTER A. BRADBURY AND ARTHUR D. COLETTI AS REGULAR FIRE FIGHTERS IN THE TOWN OF ABINGTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, Lester A. Bradbury and Arthur D. Coletti incumbents in the position of regular members of the fire department of the town of Abington shall be subject to the provisions of chapter thirty-one of the General Laws, and the tenure of office of said incumbents shall be subject to a qualifying examination prescribed by the director of civil service for such position. Each incumbent who passes said examination shall be certified for such position and shall be deemed to be permanently appointed thereto subject to serving a

probationary period from the date of such appointment. Each incumbent who fails to pass said examination shall be terminated forthwith as a regular member of the fire department of said town but may serve as a provisional fire fighter if so appointed and provided further that the date of employment of said Lester A. Bradbury on said department shall for civil service purposes be November twenty-first, nineteen hundred and seventy-two.

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

Approved July 15, 1974.

Chap. 537. AN ACT FURTHER REGULATING THE REMOVAL OF MOTOR VEHICLES PARKED OR STANDING ON PRIVATE WAYS OR UPON IMPROVED OR ENCLOSED PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 266 of the General Laws is hereby amended by inserting after section 120C the following section:—

Section 120D. No person shall remove a motor vehicle which is parked or standing on a private way or upon improved or enclosed property unless the operator of such vehicle has been forbidden so to park or stand, either directly or by posted notice, by the person who has lawful control of such way or property. No vehicle shall be removed from such way or property without the consent of the owner of such vehicle unless the person who has lawful control of such way or property shall have notified the chief of police or his designee in a city or town, or, in the city of Boston the police commissioner, or a person from time to time designated by said police commissioner, that such vehicle is to be removed. Such notification shall be made before any such vehicle shall be removed, and shall be in writing unless otherwise specified by such chief of police or police commissioner and shall include the address from which the vehicle is to be removed, the address to which the vehicle is to be removed, the registration number of the vehicle, the name of the person in lawful control of the way or property from which such vehicle is being removed, and the name of the person or company or other business entity removing the vehicle. Vehicles so removed shall be stored in a convenient location. Neither the city or town, nor its chief of police or police commissioner or his designee, shall be liable for any damages incurred during the removal or storage of any such vehicle removed under this section. Any person who, without notifying the chief of police or his designee, or the police commissioner or his designee, or without obtaining the consent of the owner, removes a vehicle from a private way or from improved or enclosed property as aforesaid, shall, in addition to any other penalty of law, be punished by a fine of not more than one hundred dollars. The employer of such person if any, shall also be punished by a fine of not more than one hundred dollars.

Any person who purports to authorize the removal of a vehicle

from a way or property as aforesaid without having fully complied with the provision of this section shall be punished by a fine of not more than one hundred dollars.

In addition to any other penalty provided by law, the registered owner of a vehicle illegally parked or standing on a private way or upon improved or enclosed property shall be liable for charges for the removal and storage of such vehicle; provided, however, that the liability so imposed shall not exceed amounts authorized for removal and storage of vehicles by the department of public utilities, and provided further, that the vehicle has been removed after compliance with the provisions of this section. A person lawfully holding a vehicle removed under this section may hold such vehicle until the registered owner pays the removal and storage charges.

Any person who is called to remove by towing a vehicle illegally parked or standing on a private way or upon improved or enclosed property may, at his discretion, if the owner appears to remove said vehicle before the towing is completed, charge said owner one half of the fee usually charged for such towing.

Any person who removes a vehicle illegally parked or standing on a private way or upon improved or enclosed property, or holds such a vehicle after its removal, and who has not complied in full with the provisions of this section, shall release such vehicle to its owner without assessing any charges for its removal or storage.

SECTION 2. Chapter three hundred and fifty-one of the acts of nineteen hundred and sixty-one, as amended by chapter two hundred and twenty-one of the acts of nineteen hundred and seventy, is hereby repealed.

Approved July 16, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
July 19, 1974

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 537 of the Acts of 1974, entitled "AN ACT FURTHER REGULATING THE REMOVAL OF MOTOR VEHICLES PARKED OR STANDING ON PRIVATE WAYS OR UPON IMPROVED OR ENCLOSED PROPERTY." and the enactment of which received my approval on July 16, 1974, 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 enhance public safety and further protect private property, it is appropriate that the provisions of this act may be implemented forthwith.

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

OFFICE OF THE SECRETARY, Boston, July 19, 1974.

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

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

Chap. 538. AN ACT RELATIVE TO THE APPOINTMENT OF A CRIMINAL PROCEEDINGS CLERK IN THE SUPERIOR COURT FOR THE COUNTY OF BRISTOL.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by striking out section 6H, inserted by chapter 635 of the acts of 1972, and inserting in place thereof the following section:—

Section 6H. The clerk of 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 four, 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 four, a sum equivalent to ten per cent of the salary of the clerk.

Approved July 16, 1974.

Chap. 539. AN ACT PROVIDING FOR THE CERTIFICATION OF A CERTAIN CIVIL SERVICE LIST FOR PROMOTION TO POLICE LIEUTENANT IN THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the division of civil service shall certify to the town of Braintree the civil service list for promotion to police lieutenant in said town which was

requested by said town on February twenty-eighth, nineteen hundred and seventy-four and by error or other causes was not submitted to said town until March fourteenth, nineteen hundred and seventy-four; and provided that said certification for appointment shall be that which was in effect on March fourth, nineteen hundred and seventy-four; and provided further that the said town may appoint one person on said list to the position of police lieutenant in said town.

Approved July 16, 1974.

Chap. 540. AN ACT FURTHER REGULATING APPEALS IN CRIMINAL CASES TO THE APPEALS AND SUPREME JUDICIAL COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 278 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:— Exceptions may be alleged by a defendant in a criminal case who is aggrieved by an opinion, ruling, direction or judgment of the superior court rendered upon any question of law arising in any proceedings or trial in such case or upon a motion for a new trial; but not upon a plea in abatement; provided that exceptions, alleged in any proceedings or trial upon an indictment for murder or manslaughter, or, on request of either party made within twenty days after verdict or the disposition of a motion for a new trial as the case may be, upon an indictment or complaint for any other felony or misdemeanor tried with such felony, shall be governed by sections thirty-three A to thirty-three H, inclusive, and no bill of exceptions shall be entered or considered in the appeals court or in the supreme judicial court in any such proceedings or trial or motion for a new trial.

SECTION 2. The second paragraph of section 33A of said chapter 278, as appearing in section 1 of chapter 352 of the acts of 1955, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— In any proceeding or trial or motion for a new trial upon an indictment for murder or manslaughter or, at the request of either party as provided in section thirty-one, upon an indictment or complaint for any other felony, and a misdemeanor tried with such felony governed by this and the seven following sections, the evidence taken as above provided shall be transcribed in such number of copies as the court may direct.

Approved July 16, 1974.

Chap. 541. AN ACT FURTHER REGULATING THE INSPECTION OF BUILDINGS AND THE QUALIFICATIONS OF CERTAIN INSPECTORS UNDER THE JURISDICTION OF THE STATE BUILDING CODE COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the further regulation of the inspection of buildings and the qualification of certain inspectors under the state building code commission, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 4A of chapter 22 of the General Laws, as appearing in section 4 of chapter 802 of the acts of 1972, is hereby amended by inserting after the letter "B", in line 13, the following words:— ; provided, that no order or action of the commissioner shall reverse, modify, annul, or contravene any order, action, determination, interpretation or any decision by the state building code commission or the state building code appeals board.

SECTION 2. The eighth paragraph of section 16 of chapter 23B of the General Laws, as appearing in section 1 of said chapter 802, is hereby amended by striking out, in lines 2 and 4, the word "secretary" and inserting in place thereof, in each instance, the word:— director.

SECTION 3. Clause (*f*) of section 17 of said chapter 23B, as so appearing, is hereby amended by striking out, in line 4, the word "secretary" and inserting in place thereof the word:— director.

SECTION 4. Said chapter 23B is hereby further amended by striking out section 20, as so appearing, and inserting in place thereof the following section:—

Section 20. Except for the specialized codes, as defined by section nineteen, which codes shall be amended only by those respective boards, commissions, departments or agencies authorized to do so by law, the state building code may be amended at any time by an affirmative vote of the majority of all the members at a regular or special meeting of the commission. In addition, 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, in order to provide a regularly scheduled forum for any person to propose amendments to the state building code. The commission shall vote within ninety days of such public hearing on any amendment proposed to the commission at the May or October meetings.

The commission shall send a copy of any amendments to the state building code which are adopted to each inspector of buildings or building commissioner, as defined by section one of chapter one hundred and forty-three, and to the commissioners of public safety and of community affairs, as well as to the boards of selectmen in towns and to mayors in cities within a reasonable time after filing said amendments with the state secretary.

SECTION 5. The second paragraph of section 21 of said chapter 23B, as so appearing, is hereby amended by striking out, in line 6, the words "selectmen of mayor" and inserting in place thereof the words:— selectmen or mayor.

SECTION 6. Section eight of chapter eight hundred and two of the acts of nineteen hundred and seventy-two is hereby repealed.

SECTION 7. Section nine of said chapter eight hundred and two is hereby repealed.

SECTION 8. The second paragraph of section 34 of chapter 121B of the General Laws is hereby amended by striking out the third sentence, as appearing in section 11 of chapter 1215 of the acts of 1973.

SECTION 9. Section 37 of said chapter 121B, as appearing in section 9 of chapter 802 of the acts of 1972, is hereby amended by striking out the second paragraph.

SECTION 10. The paragraph defining "Structure" in section 1 of chapter 143 of the General Laws, as appearing in section 12 of said chapter 802, is hereby amended by striking out, in line 2, the word "a" and inserting in place thereof the words:— as a.

SECTION 11. The paragraph defining "Inspector" in said section 1 of said chapter 143, as so appearing, is hereby amended by inserting after the word "district", in line 4, the words:— , unless otherwise provided in this chapter.

SECTION 11A. The first sentence of the first paragraph of section 3 of said chapter 143, as appearing in section 1 of chapter 1152 of the acts of 1973, is hereby amended by striking out, in line 1, the word "executive" and inserting in place thereof the word:— administrative.

SECTION 12. Said chapter 143 is hereby further amended by striking out section 3A, as most recently amended by section 16 of chapter 802 of the acts of 1972, and inserting in place thereof the following section:—

Section 3A. Unless otherwise provided by the provisions of the state building code, the local inspector shall enforce the state building code as to any building or structure within the city or town from which he is appointed, including any building or structure owned by any authority established by the legislature but not owned by the commonwealth. The inspector shall enforce the state building code as to any building or structure within any city or town that is owned by the commonwealth or any departments, commissions, agencies or authorities of the commonwealth. The inspector shall have all the powers of a local inspector under this chapter and under the state building code as to such buildings or structures that are owned by the commonwealth or any of its departments, agencies, commissions or authorities.

The inspector may review any order or decision of a local inspector. The inspector shall supervise the enforcement of the state building code, make periodic reviews of all local building inspection practices and make recommendations for improvement of such practices. Reports of such reviews shall be filed with the commission.

SECTION 13. The second paragraph of section 3R of said chapter 143, as appearing in section 21 of said chapter 802, is hereby amended by adding the letter:— B.

SECTION 14. Section 62 of said chapter 143, as most recently amended by section 43 of said chapter 802, is hereby further amended by inserting after the word "information", in line 8, the word:— as.

SECTION 15. Section 28 of chapter 148 of the General Laws is hereby amended by striking out paragraph I, as appearing in section 56 of said chapter 802, 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 such terms are defined by the state building code, and docks, wharves, and warehouses.

SECTION 16. Sections sixty-six and sixty-six A of said chapter eight hundred and two are hereby repealed.

SECTION 17. Section 70 of said chapter 802 is hereby amended by inserting, after the word "inspectors", in line 3, the words:— as defined in this chapter.

SECTION 18. Said section 70 of said chapter 802 is hereby further amended by inserting after the word "department", in line 9, the words:— of community affairs.

SECTION 19. Section 73 of said chapter 802 is hereby amended by striking out, in lines 2 to 4, inclusive, the words "section twenty-two of chapter twenty-three B of the General Laws, inserted by section one of this act," and inserting in place thereof the words:— section four A of chapter twenty-two of the General Laws.

SECTION 20. Section 75 of said chapter 802 is hereby amended by inserting after the word "towns", in line 1, the words:— or regulations promulgated by any state boards, commissions, agencies or departments or any special acts or any specific regulations promulgated by a local official under section twenty-eight of chapter one hundred and forty-eight of the General Laws.

SECTION 21. Notwithstanding any general or special law to the contrary, any local building code board of appeals established by any special act of the legislature in any city or town or established by ordinance or by-law or otherwise in any city or town under the authority of chapter one hundred and forty-three of the General Laws, which board of appeals also acts as a local zoning board of appeals shall continue to qualify and act as a local zoning board of appeals.

SECTION 22. The first paragraph of section 2 of chapter 1152 of the acts of 1973 is hereby amended by striking out, in line 1, the word "executive" and inserting in place thereof the word:— administrative.

SECTION 23. Notwithstanding any provision of any general or special law to the contrary, all inspectors of buildings, building commissioners and local inspectors presently in office shall be

deemed to satisfy the qualifications contained in chapter one thousand one hundred and fifty-two of the acts of nineteen hundred and seventy-three.

SECTION 24. Sections one, eight, nine, ten, eleven, eleven A, twelve, thirteen, fourteen and fifteen shall take effect on January first, nineteen hundred and seventy-five.

Approved July 17, 1974.

Chap. 542. AN ACT EXEMPTING POLITICAL SUBDIVISIONS OF THE COMMONWEALTH FROM THE PAYMENT OF THE FEE FOR THE ISSUANCE OF A CERTIFICATE OF AN INSPECTOR OF PLACES OF ASSEMBLY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to exempt immediately political subdivisions of the commonwealth from the payment of a fee for the issuance of a certificate of an inspector of a place of assembly, 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 28 of chapter 143 of the General Laws is hereby amended by striking out the third sentence, inserted by section 60 of chapter 684 of the acts of 1972, and inserting in place thereof the following sentence:— No such certificate shall be issued until there shall have been paid to the commissioner a fee of twenty-five dollars; provided, however, that no fee shall be required for the issuance of such certificate to a political subdivision of the commonwealth.

Approved July 17, 1974.

Chap. 543. AN ACT AUTHORIZING THE TOWN OF WEST BRIDGEWATER TO CONVEY A CERTAIN PARCEL OF LAND TO THE SAMOSET ROD AND GUN CLUB, INC., IN EXCHANGE FOR CERTAIN OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of section fifteen A of chapter forty of the General Laws or any other contrary provision of law, the town of West Bridgewater, acting through its board of selectmen, is hereby authorized to convey to the Samoset Rod and Gun Club, Inc., a certain parcel of land being a part of Lot #69 as shown on Plan H5 of the assessors' map and being held for conservation purposes bounded and described as follows:—

Beginning at a concrete bound on the northerly side of Matfield Street at the southwest corner of land of the Samoset Rod and Gun Club, Inc., it being the southeast corner of the parcel to be conveyed;

Thence, S 71° 36' 00" W 126.12 feet by the northerly line of Matfield Street to a point;

Thence, N 26° 03' 00" W 178.68 feet by the land of the West Bridgewater Conservation Commission to a point;

Thence, N 49° 54' 00" W 380.64 feet still by land of the West Bridgewater Conservation Commission to a point;

Thence, N 57° 36' 00" E 131.07 feet by land of Raymond A. Mucci and Gerald J. Kelleher to a stone bound;

Thence, S 49° 54' 00" E 367.63 feet still by land of Raymond A. Mucci and Gerald J. Kelleher to a concrete bound, it being the northwest corner of the Samoset Rod and Gun Club, Inc.;

Thence, S 26° 03' 00" E 221.87 feet by land of Samoset Rod and Gun Club to a concrete bound and the point of beginning.

Said parcel contains 71,801 square feet.

Said conveyance shall however contain the following restrictions:

1. That if said grantee corporation is dissolved, title to the said land shall revert to the town of West Bridgewater to be used for conservation purposes.

2. That the Samoset Rod and Gun Club, Inc., may transfer ownership of said land only with the consent of said town.

In consideration of the conveyance of the above described land held for conservation purposes and a contemporaneous conveyance of another parcel of land not held for conservation purposes to the said Samoset Rod and Gun Club, Inc., by the said town of West Bridgewater, said Samoset Rod and Gun Club, Inc., shall convey to the said town of West Bridgewater, the following described parcels of land to be used for conservation purposes and to be administered by the conservation committee of said town, containing 4.56 acres and being shown as Lot #10 on Plan D6 of the assessors' map.

A certain parcel of land lying in the town of West Bridgewater, containing four acres more or less and bounded westerly by the highway; southerly by land of Francis W. Wood; Easterly by land now or formerly of James Copeland; northerly by land formerly of Japhet Packard and separated therefrom by a stone wall.

Also another lot of land adjoining the above and bounded:
Beginning at the northeast corner of the land now or formerly of Clinton P. Howard which was formerly a part of the late James Ames estate; thence N 45° by a wall eight rods and twenty links; thence 6° 45' W about twenty-four rods to a stake at a corner of David Bartlett's land by a wall; thence westerly by said wall and Bartlett's land to one Packard's land; thence by said Packard's land to land of Clinton P. Howard.

Also a certain parcel of land situated on the westerly side of Stony Road in said West Bridgewater bounded as follows:
Beginning at the southwesterly corner of the within described parcel at the northwest corner of land of F. W. Wood; thence easterly by land of said Wood to a stone wall; thence northerly by the wall to a stake; thence westerly by a line parallel to the first named course to the said Stony Road; thence southerly by said road to the point of beginning.

Being that same land as is described in deed to the grantor herein recorded at Plymouth County Registry of Deeds, book 2258 Page 170.

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

Approved July 17, 1974.

Chap. 544. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY THE EMPLOYEES OF THE MUNICIPAL ICE SKATING ARENA IN SAID TOWN AN EIGHT PER CENT SALARY INCREASE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Watertown may grant an increase of eight per cent in salary from July first, nineteen hundred and seventy-four, through June thirtieth, nineteen hundred and seventy-five, to the employees of the municipal ice skating arena under chapter ten of the by-laws, classification and compensation plan of said town at a special town meeting.

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

Approved July 17, 1974.

Chap. 545. AN ACT RELATIVE TO THE RECORDING OF TAX LIENS UPON LAND CLASSIFIED AS FOREST LAND.

Be it enacted, etc., as follows:

Section 1 of chapter 61 of the General Laws is hereby amended by inserting after the first sentence, as appearing in section 1 of chapter 873 of the acts of 1969, the following four sentences:— In the case of each application which has been approved, the board of assessors shall forthwith cause to be recorded in the registry of deeds of the county or district in which the city or town is situated a statement of its action which shall constitute a lien upon the land covered by such application for such taxes as may be levied under the provisions of this chapter. The statement shall name the owner or owners and shall include a description of the land adequate for identification. Unless such a statement is recorded, the lien shall not be effective with respect to a bonafide purchaser or other transferee without actual knowledge of such lien. Discharge of said lien shall be accomplished by the board of assessors in a similar manner.

Approved July 17, 1974.

Chap. 546. AN ACT FURTHER REGULATING THE RELEASE OF INFORMATION CONTAINED IN ORIGINAL RECORDS OF ADOPTION.

Be it enacted, etc., as follows:

The fifth paragraph of section 13 of chapter 46 of the General Laws is hereby amended by striking out the third sentence and inserting in place thereof the following three sentences:— If the clerk furnishes a

copy of such a record, he shall certify to the facts contained therein as corrected, amended or supplemented. Except as provided in the following sentence, said clerk or other official responsible for the keeping of such records shall, upon proper judicial order, or when requested by a person seeking his own birth record, or by a person whose official duties, in the opinion of the clerk, entitle him to the information contained in the original record, release said information contained in such original record. If such original record has been amended following adoption in accordance with this section, the clerk or other official responsible for the keeping of such records shall issue information contained in the original record only upon receipt of an order of the probate court for the county in which said adoption was granted, or in the case of an adoption granted outside the commonwealth, upon order of the probate court for the county in which said birth occurred, instructing said clerk or other official responsible for the keeping of such records, to release the information contained in such original record.

Approved July 17, 1974.

Chap. 547. AN ACT RELATIVE TO THE RECOMMENDATIONS OF SCHOOL COMMITTEES REGARDING INSURANCE COVERAGE ON SCHOOL BUILDINGS AND CONTENTS.

Be it enacted, etc., as follows:

Clause (1) of section 5 of chapter 40 of the General Laws is hereby amended by inserting after the word "commonwealth,", in line 27, as appearing in chapter 173 of the acts of 1964, the words:— subject, however, to the recommendations of the school committee with respect to the nature and extent of such insurance of buildings and personal property under its control,.

Approved July 17, 1974.

Chap. 548. AN ACT REGULATING INVESTMENTS OF THE PROCEEDS OF BONDS AND NOTES ISSUED BY A REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

The third sentence of section 55 of chapter 44 of the General Laws, as appearing in chapter 545 of the acts of 1971, is hereby amended by striking out, in line 1, the words "or district" and inserting in place thereof the words:— , district or regional school district.

Approved July 17, 1974.

Chap. 549. AN ACT AUTHORIZING THE COMMISSIONER OF BANKS TO PETITION THE SUPERIOR COURT TO ENFORCE CERTAIN DIRECTIONS, RECOMMENDATIONS OR ORDERS.

Be it enacted, etc., as follows:

Chapter 167 of the Gereral Laws is hereby amended by striking out section 2A, as amended by chapter 47 of the acts of 1958, and inserting in place thereof the following section:—

Section 2A. Whenever the commissioner deems it expedient he may cause a meeting of the board of directors or board of trustees of a bank to be held in such manner and at such time and place as he may direct. Any report of an examination of the affairs of such a bank under section two, any conclusions drawn therefrom by the commissioner and any directions, recommendations or orders made by him relative thereto and any other matters concerning the operation or condition of such bank may be presented to such board by the commissioner in person or by such assistant as he may designate, and the person having custody of the records of such bank, hereinafter referred to as the recording officer, shall forthwith incorporate such directions, recommendations or orders in the records of such meeting. Each director or trustee of such bank, who is present at such meeting shall forthwith sign a certificate or other acknowledgment in such form as may be prescribed by the commissioner that he has heard the directions, recommendations or orders of the commissioner or read the records containing the same. The recording officer of such bank shall within seven days after the date of such meeting transmit to the commissioner the said certificates or other form of acknowledgment signed as aforesaid and also an attested copy of the records of such meeting. The recording officer shall also within such period mail by registered mail an attested copy of the records of such meeting and a blank form for said certificate or other form of acknowledgment to each director or trustee who is absent therefrom, and each such director or trustee, unless excused by the commissioner for physical and mental incapacity or absence from the commonwealth, shall sign and return as soon as may be to the recording officer such certificate or other form of acknowledgment. The commissioner may make rules and regulations relative to the filing of such certificates or other form of acknowledgment by absent directors or trustees and relative to their transmission to him. The commissioner may require at least a monthly report from the recording officer relative to the execution of, and compliance with, the directions, recommendations or orders set forth at such meeting. The superior court shall have jurisdiction in equity to enforce any lawful order made by the commissioner, under the provisions of this section, upon the application of said commissioner.

Approved July 17, 1974.

Chap. 550. AN ACT AUTHORIZING THE TOWN OF MAYNARD TO BORROW MONEY FOR THE CONSTRUCTION OF A REFUSE TRANSFER FACILITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a refuse transfer facility, the town of Maynard may borrow from time to time such sums as may be necessary, not exceeding in the aggregate the sum of sixty-three thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Town of Maynard Refuse Transfer Facility Loan, Act of 1974. Each authorized issue shall constitute a separate loan and each such loan shall be payable in not more than five years from its date. Indebtedness incurred under this act shall be within the statutory limit but shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws exclusive of any limitation contained in the first paragraph of section two thereof.

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

Approved July 18, 1974.

Chap. 551. AN ACT AUTHORIZING THE CITY OF HAVERHILL TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Haverhill is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay the following unpaid bills:—

Haverhill Grain & Coal	$ 953.55
Eastern Plate Glass	397.20
E. A. Wilson Co.	8,592.75
Harvey Lumber Co.	2,793.53
Lavoie Construction	1,965.00
Tyler Construction	7,686.00
Richard Selenas	197.00
Regal Electrical	996.10
E. A. Wilson Co.	733.54
W. A. Kraft Co.	8,355.94
Donovan Spring & Equipment Co.	3,575.00
Sportcraft Co.	3,866.05
Arcata Microfilm	14,410.50
B. & C. Heating	485.88
Francis H. Maroney, Inc.	3,390.52
Helfrich Brothers Boiler Works	1,630.30
Stryk's Electric Shop	1,182.66
Edward A. Prince, Inc.	17.20
Powers Regulator Co.,	6,036.00

for services and materials rendered to said city in the years nineteen

hundred and seventy-one and nineteen hundred and seventy-two, which bills are legally unenforceable against said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bill 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 of this act which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

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

Approved July 18, 1974.

Chap. 552. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF LAKEVILLE.

Be it enacted, etc., as follows:

The department of public health, in the name and on behalf of the commonwealth, is hereby authorized to sell and convey to James Leo Tees a parcel of land situated in said town forty feet in width running through the land of said James Leo Tees, which parcel was taken by eminent domain on April thirteenth, nineteen hundred and twenty-six, and is no longer needed for the purpose of supplying water to the Lakeville hospital, said parcel being bounded and described as follows:

Beginning at a point in the property line now or late of the heirs or devisees of Ezra Fillmore, located about 1,050 feet southeasterly from Rhode Island Road, so-called; thence North 87° 31' East 309 feet, more or less, to a point in the property line now or late of Abraham L. Stockley; thence South 29° 30' East 44.9 feet, more or less, along said property line of Abraham L. Shockley to a point; thence south 87° 31' West, 309 feet, more or less, to a point in the property line now or late of Sarah I. and Grace I. Paun; thence North 29° 30' West 44.9 feet, more or less, along said property line of Sarah I. and Grace I. Paun to point of beginning. Containing 0.28 of an acre, more or less, being a strip 40 feet in width and a part of property now or late of the heirs or devisees of Ezra Fillmore. Being same land and rights appurtenant thereto taken by department of public health by order of taking dated April 13, 1926, and recorded in Plymouth county registry of deeds in Book 1504, Page 83.

Approved July 18, 1974.

Chap. 553. AN ACT AUTHORIZING THE CITY OF BOSTON TO GRANT A CERTAIN PENSION TO RICHARD G. MACEACHERN.

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, Richard G. MacEachern, 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 November thirteenth, nineteen hundred and seventy-one. Such pension shall be equal to the annual rate of regular compensation which would have been paid to him had he continued in service in the grade held by him at the time of his retirement.

Upon his death leaving a widow 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 widow by said Richard G. MacEachern until such time as each such child has attained age eighteen and such payment shall continue for the benefit of each such child who is over age eighteen and physically or mentally incapacitated from earning. In the event of the remarriage of said widow, there shall be paid to the legal guardian for the benefit of each such child, the sum of five hundred and twenty dollars until such time as each such child has attained age eighteen and such payment shall continue for the benefit of each such child who is over age eighteen and physically or mentally incapacitated from earning. Upon his death there shall also be paid to the legal guardian of each other child of Richard G. MacEachern the sum of five hundred and twenty dollars for the benefit of each such other child until such time as each such child has attained age eighteen and such payment shall continue for the benefit of each such child who is over age eighteen and physically or mentally incapacitated from earning.

SECTION 2. Upon the retirement of said Richard G. MacEachern 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 Richard G. MacEachern 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. The pension and annuities referred to in section one shall not continue beyond December thirty-first, nineteen hundred and seventy-eight unless the Boston retirement board, after such proof as it may require, including in any event an examination by the medical panel provided for in subdivision three of section six of

chapter thirty-two of the General Laws, and a certification by such panel that Richard G. MacEachern is mentally or physically incapacitated for substantial gainful employment, and that such incapacity is likely to remain permanent determines that Richard G. MacEachern is so incapacitated. In the event that the board has not made a determination as aforesaid prior to December thirty-first, nineteen hundred and seventy-eight, such pension and annuities shall continue until a determination by the board that Richard G. MacEachern is not so incapacitated. The city of Boston, acting by its director of administrative services, shall not less than six months prior to December thirty-first, nineteen hundred and seventy-eight inform in writing the secretary of the Boston retirement board and Richard G. MacEachern, the latter by certified mail to his last known address on file with the Boston retirement board, that such pension and annuities shall not continue beyond December thirty-first, nineteen hundred and seventy-eight unless the Boston retirement board makes the aforesaid determination. A copy of this statute shall be enclosed in such notice.

SECTION 5. Nothing contained herein shall be construed in any way to abrogate any rights which Richard G. MacEachern has or will have at any future date under chapter thirty-two of the General Laws or any other law.

Approved July 18, 1974.

Chap. 554. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND THE METROPOLITAN DISTRICT COMMISSION TO MAKE PRICE ADJUSTMENTS FOR CERTAIN INCREASES IN THE COSTS OF LIQUID ASPHALT USED IN BITUMINOUS CONCRETE AS A RESULT OF THE ENERGY CRISIS, SO-CALLED.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the department of public works and the metropolitan district commission, with the approval of the secretary of the executive office of transportation and construction and the commissioner of administration may adjust unit prices for liquid asphalt used in bituminous concrete in construction contracts awarded on or before December thirty-first, nineteen hundred and seventy-three; provided, that the cost f.o.b. the supplier has increased more than twenty-five per cent between the date the bids were publicly opened and read and the date the liquid asphalt was purchased, and that the increase in cost of said asphalt was the result of national shortages as a result of the energy crisis, so-called.

Price adjustments authorized by this act shall be computed to compensate the contractor only for the difference in cost of liquid asphalt between said dates with no allowance for overhead or profit. In arriving at the adjusted unit price, the determination of the

department or commission shall be final as to (1) which unit prices are to be adjusted as a result of the energy crisis, so-called, (2) the cost of liquid asphalt at the date the bids were opened, (3) the cost of liquid asphalt at the date of purchase, (4) the quantity to be adjusted, and (5) the price adjustment due the contractor.

Approved July 18, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
July 18, 1974

The Honorable John F. X. Davoren
Secretary of the Commonwealth
State House
Boston, Massachusetts 02133

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 554 of the Acts of 1974, entitled "AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND THE METROPOLITAN DISTRICT COMMISSION TO MAKE PRICE ADJUSTMENTS FOR CERTAIN INCREASES IN THE COSTS OF LIQUID ASPHALT USED IN BITUMINOUS CONCRETE AS A RESULT OF THE ENERGY CRISIS, SO-CALLED." and the enactment of which received my approval on July 18, 1974, should take effect forthwith.

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

It is in the public interest that the processes for the adjustment of certain unit prices for liquid asphalt, as permitted by this act, may be initiated without any unnecessary delay.

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

OFFICE OF THE SECRETARY, Boston, July 18, 1974.

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

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

Chap. 555. AN ACT REQUIRING CERTAIN MIRRORS ON SCHOOL BUSES.

Be it enacted, etc., as follows:

Section 7B of chapter 90 of the General Laws is hereby amended by adding after clause (11), added by chapter 497 of the acts of 1973, the following clause:—

(12) Every school bus shall be equipped with at least one interior mirror, approved by the registrar, which gives the operator a view of the rear in accordance with regulations issued by the registrar. Every school bus shall be equipped with at least two flat-surfaced rectangular exterior mirrors, approved by the registrar, one situated on each side of the bus forward of the operator, and each of said rectangular mirrors shall be mounted on the bus with a side angle adjustable convex mirror to provide an additional close-in field of vision to the operator but so as not to reduce the visual field of the flat-surfaced mirror below fifty square inches. Every school bus shall also be equipped with one convex mirror, with a diameter of at least seven and one-half inches, firmly mounted on the bus so that the seated operator may observe a reflection of the road from the front bumper forward to a point where direct observation is possible, and one convex mirror, with a diameter of at least seven and one-half inches, firmly mounted at the right front corner of the vehicle so that the seated operator may observe a reflection of the ground surface along the entire right hand side of the bus.

Approved July 18, 1974.

Chap. 556. AN ACT REGULATING THE APPLICATION OF FUNDS OF CREDIT CARDHOLDERS BY CARD ISSUERS TO SATISFY DEBTS ARISING FROM THE USE OF SUCH CARDS.

Be it enacted, etc., as follows:

Chapter 140C of the General Laws is hereby amended by inserting after section 6B, inserted by section 2 of chapter 783 of the acts of 1972, the following section:—

Section 6C. A person issuing a credit card shall not apply any funds of the cardholder held for any purpose by the issuer of the card in order to satisfy a debt arising from the use of such credit card unless such action was previously authorized by the cardholder in a separately signed agreement whereby the cardholder agrees to pay debts incurred in his open end credit account by permitting the card issuer to deduct periodically all or a portion of such debt from the cardholder's deposit account; provided, however, that such action shall not be taken with respect to a disputed item if the cardholder so requests. This agreement shall contain the following statement appearing conspicuously on the face thereof:

YOU DO NOT HAVE TO SIGN THIS AGREEMENT
IN ORDER TO OBTAIN A CREDIT CARD.

House of Representatives, July 10, 1974.
Approved July 18, 1974.

Chap. 557. AN ACT INCREASING THE AMOUNT OF MONEY THAT THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY 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, as amended by chapter 267 of the acts of 1972, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— Beginning with the fiscal year commencing on January first, nineteen hundred and sixty-five, to meet the expenses incurred under this act there may annually be expended from the treasury of Barnstable county, subject to appropriation, sums not exceeding sixteen thousand dollars for the first fiscal year and not exceeding one hundred and six thousand dollars annually thereafter.

Approved July 18, 1974.

Chap. 558. AN ACT PROVIDING COST-OF-LIVING SALARY ADJUSTMENTS FOR THE JUSTICES AND CERTAIN OTHER EMPLOYEES OF THE COURTS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide cost-of-living salary adjustments for the justices and certain other employees of the courts of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 185 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 856 of the acts of 1973, and inserting in place thereof the following sentence:— The judge and associate judges of the land court shall each receive a salary of thirty-six thousand two hundred and three dollars and each shall annually receive, upon the certificate of the judge, the amount of expenses incurred by him in the discharge of his duties, to be paid by the commonwealth.

SECTION 2. Section 22 of chapter 211 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of said chapter 856, and inserting in place thereof the following sentence:— The chief justice of the court shall receive a salary of forty-two thousand two hundred and thirty-six dollars and each associate justice, a salary of forty thousand seven hundred and eighty-eight dollars; and the chief justice and each associate justice shall annually receive from the commonwealth, upon certificate of the chief justice, the amount of expenses incurred by them in the discharge of their duties.

SECTION 3. Section 2 of chapter 211A of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 3 of said chapter 856, and inserting in place thereof the following sentence:— The chief justice shall receive a salary of thirty-nine thousand two hundred and twenty dollars and each associate justice, a salary of thirty-seven thousand seven hundred and seventy-one 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.

SECTION 4. The first sentence of section 14E of chapter 212 of the General Laws is hereby amended by striking out the words "one hundred and fourteen", inserted by section 4 of said chapter 856, and inserting in place thereof the words:— one hundred and twenty-one.

SECTION 5. Section 27 of said chapter 212 is hereby amended by striking out the first sentence, as appearing in section 5 of said chapter 856, and inserting in place thereof the following sentence:— The chief justice shall receive a salary of thirty-seven thousand seven hundred and seventy-one dollars and each associate justice, a salary of thirty-six thousand two hundred and three 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.

SECTION 6. Chapter 217 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 6 of said chapter 856, and inserting in place thereof the following section:—

Section 34. The salaries of all judges of probate shall be paid by the commonwealth and, except for the salary of the judge of probate designated under section two A to have and perform the duties described in section eight, are hereby established as follows:—

COUNTY	SALARIES
Suffolk	$31,738
Middlesex	31,738
Norfolk	31,738
Essex	31,738
Hampden	31,738
Worcester	31,738
Bristol	31,738
Plymouth	31,738
Barnstable	31,738
Berkshire	31,738
Franklin	31,738
Hampshire	31,738
Nantucket	31,738
Dukes	11,343

The judge designated under section two A shall, irrespective of the county in which he serves as a judge of probate, receive a salary of thirty-two thousand nine hundred and forty-four dollars for his combined services as chief judge and judge of probate.

SECTION 6A. Section 35A of said chapter 217 is hereby amended by striking out the second sentence, as most recently amended by

section 7 of said chapter 856, and inserting in place thereof the following sentence:— The salaries of the registers of probate in the counties of Dukes County and Nantucket shall be nine thousand two hundred and ninety-three dollars.

SECTION 7. The second paragraph of section 6 of chapter 218 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 8 of said chapter 856, and inserting in place thereof the following sentence:— He shall receive a salary of thirty-one thousand seven hundred and thirty-eight dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 8. The fourth paragraph of said section 6 of said chapter 218 is hereby amended by striking out the first sentence, as most recently amended by section 9 of said chapter 856, and inserting in place thereof the following sentence:— Special justices of the district courts other than the municipal court of the city of Boston, and special justices of the Boston juvenile court shall be paid by the county sixty-one dollars for each day's services, or at the rate by the day of the salary of the justices of the same court, whichever is the greater amount.

SECTION 9. Said chapter 218 is hereby further amended by striking out section 75, as most recently amended by section 10 of said chapter 856, and inserting in place thereof the following section:—

Section 75. The salary of the chief justice of the municipal court of the city of Boston shall be thirty-one thousand seven hundred and thirty-eight dollars and the salary of each of the associate justices shall be thirty thousand one hundred and sixty-eight dollars.

SECTION 9A. Said chapter 218 is hereby further amended by striking out section 75A, as most recently amended by section 1 of chapter 887 of the acts of 1973, and inserting in place thereof the following section:—

Section 75A. The salary of the clerk of the municipal court of the city of Boston for civil business, the salary of the clerk of said court for criminal business, and the salary of the clerk of the Boston juvenile court shall be twenty-two thousand eight hundred and fifty-four dollars.

SECTION 10. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 11 of chapter 856 of the acts of 1973, and inserting in place thereof the following section:—

Section 76. The salary of the justice of the Boston juvenile court shall be thirty-one thousand seven hundred and thirty-eight dollars.

SECTION 11. Said chapter 218 is hereby further amended by striking out section 76A, as most recently amended by section 12 of said chapter 856, 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-six thousand five hundred and forty-nine dollars.

SECTION 12. Section 77A of said chapter 218 is hereby amended by striking out the first paragraph, as most recently amended by section 13 of said chapter 856, and inserting in place thereof the following paragraph:—

The salaries of the justices of the
first district court of Barnstable,
second district court of Barnstable,
district court of central Berkshire,
first district court of Bristol,
second district court of Bristol,
third district court of Bristol,
fourth district court of Bristol,
district court of Franklin,
district court of Lawrence,
first district court of Essex,
district court of eastern Essex,
district court of southern Essex,
central district court of northern Essex,
district court of Peabody,
district court of Springfield,
district court of western Hampden,
district court of Holyoke,
district court of eastern Hampden,
district court of Hampshire,
first district court of eastern Middlesex,
second district court of eastern Middlesex,
third district court of eastern Middlesex,
fourth district court of eastern Middlesex,
first district court of southern Middlesex,
district court of Lowell,
district court of central Middlesex,
first district court of northern Middlesex,
district court of Marlborough,
district court of Newton,
district court of Somerville,
municipal court of Brookline,
district court of southern Norfolk,
district court of northern Norfolk,
district court of East Norfolk,
district court of western Norfolk,
district court of Brockton,
second district court of Plymouth,
third district court of Plymouth,
fourth district court of Plymouth,
municipal court of the Brighton district,
municipal court of the Charlestown district,
district court of Chelsea,
municipal court of the Dorchester district,
East Boston district court,
municipal court of the Roxbury district,

municipal court of the South Boston district,
municipal court of the West Roxbury district,
central district court of Worcester,
first district court of eastern Worcester,
second district court of eastern Worcester,
first district court of southern Worcester,
second district court of southern Worcester,
third district court of southern Worcester,
first district court of northern Worcester,
and district court of Fitchburg shall be
thirty thousand one hundred and sixty-eight dollars each.

SECTION 13. Section 77B of said chapter 218 is hereby amended by striking out the second paragraph, as most recently amended by section 14 of said chapter 856, and inserting in place thereof the following paragraph:—

Special justices, when sitting at the order of the chief justice of the district courts, shall receive from the county in which they sit payment computed at the rate by the day of the salary of the justice of the district court in which they sit, or sixty-one dollars per day, whichever is greater.

SECTION 14. Section 78 of said chapter 218 is hereby amended by striking out the first paragraph, as most recently amended by section 15 of said chapter 856, and inserting in place thereof the following paragraph:—

The salary of the justice of each of the following district courts
district court of Newburyport,
district court of Chicopee,
shall be twelve thousand one hundred and eighty-nine dollars; the salary of the justice of each of the following district courts
district court of Leominster,
district court of northern Berkshire,
district court of Natick,
district court of western Worcester,
second district court of Essex,
fourth district court of Berkshire,
district court of eastern Hampshire,
district court of southern Berkshire,
district court of Lee,
shall be ten thousand six hundred and nineteen dollars; the salary of the justice of each of the following district courts
third district court of Essex,
district court of Winchendon,
district court of eastern Franklin,
district court of Williamstown,
shall be nine thousand one hundred and seventy-one dollars; and the salary of the justices of each of the following district courts
district court of Nantucket,
district court of Dukes County,
shall be ten thousand and sixteen dollars.

SECTION 15. 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 772 of the acts of 1973, 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, 1974

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment
1	$12,373.40	$12,911.60	$13,449.80	$13,988.00	$14,526.20	$15,064.40	$15,602.60	$538.20
2	13,049.40	13,631.80	14,214.20	14,796.60	15,379.00	15,961.40	16,543.80	582.40
3	13,813.80	14,440.40	15,067.00	15,693.60	16,320.20	16,946.80	17,573.40	626.60
4	14,648.40	15,295.80	15,943.20	16,590.60	17,238.00	17,885.40	18,532.80	647.40
5	15,410.20	16,107.00	16,803.80	17,500.60	18,197.40	18,894.20	19,591.00	696.80
6	16,263.00	17,006.60	17,750.20	18,493.80	19,237.40	19,981.00	20,724.60	743.60
7	17,183.40	17,947.80	18,712.20	19,476.60	20,241.00	21,005.40	21,769.80	764.40
8	18,038.80	18,844.80	19,650.80	20,456.80	21,262.80	22,068.80	22,874.80	806.00
9	18,894.20	19,747.00	20,599.80	21,452.60	22,305.40	23,158.20	24,011.00	852.80
10	19,656.00	20,550.40	21,444.80	22,339.20	23,233.60	24,128.00	25,022.40	894.40
11	20,576.40	21,499.40	22,422.40	23,345.40	24,268.40	25,191.40	26,114.40	923.00

SECTION 16. Notwithstanding any provisions of this act to the contrary, the provisions of section fourteen of chapter one hundred and eighty-five, section twenty-two of chapter two hundred and eleven, section two of chapter two hundred and eleven A, sections fourteen E and twenty-seven of chapter two hundred and twelve, sections thirty-four and thirty-five A of chapter two hundred and seventeen, sections six, seventy-five, seventy-six, seventy-six A, seventy-seven A, seventy-seven B, seventy-eight, seventy-nine and eighty of chapter two hundred and eighteen of the General Laws, in effect immediately prior to the effective date of this act, shall remain in effect and apply to appointments to the offices referred to therein which are made on or after said effective date.

SECTION 17. Section 18 of chapter 428 of the acts of 1973 is hereby amended by striking out, in line 9, the words "and seventy-eight" and inserting in place thereof the words:— seventy-eight, seventy-nine and eighty.

SECTION 18. Section 16 of chapter 856 of the acts of 1973 is hereby amended by striking out, in line 8, the words "and seventy-eight" and inserting in place thereof the words:— , seventy-eight, seventy-nine and eighty.

SECTION 19. Sections seventeen and eighteen of this act shall take effect as of January first, nineteen hundred and seventy-three; provided, that no salary being paid to a clerk or assistant clerk on the date of the passage of this act shall be reduced as a result of such passage.

SECTION 20. Sections one to sixteen, inclusive, of this act shall take effect as of January first, nineteen hundred and seventy-four.

Approved July 18, 1974.

Chap. 559. AN ACT INCREASING THE COMPENSATION OF MEMBERS OF THE BOSTON REDEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 14A of chapter 652 of the acts of 1960, inserted by chapter 488 of the acts of 1967, is hereby amended by striking out, in line 2, the word "three" and inserting in place thereof the word:— five.

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

Approved July 18, 1974.

Chap. 560. AN ACT PROVIDING THAT PUBLIC ACCOUNTANTS MAY PREPARE CERTAIN DOCUMENTS FOR AGENCIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 33 of chapter 13 of the General Laws is hereby amended by adding the following paragraph:—

Whenever any statute or rule or regulation of a state agency, requires that any reports, financial statements, audits, and other documents for any department, division, board, commission or agency of the commonwealth be prepared by certified public accountants, such requirements shall be construed to mean public accountants or certified public accountants.

Approved July 18, 1974.

Chap. 561. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO CONTRACT WITH CAPE-ISLANDS HOME CARE, INC. FOR THE PURCHASE OF HOME CARE SERVICES FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Barnstable county are hereby authorized to pay such funds as may be appropriated therefor to the Cape-Islands Home Care, Inc. for the purchase of home care services for the elderly.

SECTION 2. Quarterly financial reports, on forms provided by the county treasurer, shall be submitted to the county commissioners by Cape-Islands Home Care, Inc., documenting the expenditure of all funds provided by said county to carry out the provisions of section one of this act.

SECTION 3. Any monies appropriated for the purposes of this act may be used by said Cape-Islands Home Care, Inc. for the nonfederal share of grants under Title III and Title VII of the Older Americans Act of 1945.

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

Approved July 19, 1974.

Chap. 562. AN ACT FURTHER REGULATING THE REQUIREMENTS OF NOTICE TO HEIRS, NEXT OF KIN AND RESIDUARY DEVISEES AND LEGATEES IN PROCEEDINGS FOR APPLICATION OF CHARITABLE GIFTS CY PRES AND PERMITTING DEVIATION FROM THE TERMS OF A CHARITABLE GIFT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by inserting after section 8J the following section:—

Section 8K. A gift made for a public charitable purpose shall be deemed to have been made with a general intention to devote the property to public charitable purposes, unless otherwise provided in a written instrument of gift.

SECTION 2. Chapter 214 of the General Laws is hereby amended by inserting after section 10A the following section:—

Section 10B. Upon a petition commenced after the death of the donor for the application cy pres to similar public charitable purposes of a gift for a public charitable purpose which has become impossible or impracticable of fulfillment, the court may exercise jurisdiction without requiring that the heirs or next of kin of the donor or others who would be entitled to take upon failure of any charitable gift be joined as parties. Upon any such petition notice shall be given to persons not joined as parties who would be entitled to take upon failure of any charitable gift, unless the provisions of section eight K of chapter twelve is applicable, or, if the provisions of said section are not applicable, unless, upon a petition commenced more than twenty years after the death of the donor, the court expressly finds that the donor by written instrument manifested a general intention to devote the property to public charitable purposes. Such notice, where required, shall be given by publication or otherwise, as the court shall determine to be practicable in the circumstances.

Upon a petition to permit reasonable deviation from any of the subordinate terms of a charitable gift of a donor who has died, the court may exercise jurisdiction without requiring that those who would be entitled to take upon failure of such gift be joined as parties or notified of the proceeding. Nothing in this section shall preclude the joinder as a party in any such petition of a person who would be entitled to take upon failure of any charitable gift. The provisions of section eight G of chapter twelve shall be applicable to all such petitions.

SECTION 3. Section one shall apply to gifts made after the effective date of this act. Section two shall apply to gifts whether made before or after the effective date of this act.

Approved July 19, 1974.

Chap. 563. AN ACT REQUIRING THE USE OF MEAN PER ACRE VALUE IN THE CERTIFICATION OF FOREST LAND.

Be it enacted, etc., as follows:

Section 1 of chapter 61 of the General Laws, as appearing in section 1 of chapter 873 of the acts of 1969, is hereby amended by inserting after the second sentence the following two sentences:— For the purpose of determination of this certification, neither the state forester nor the assessors shall assign a higher value to front land employed in forest production than they assign to back land employed in forest production. They shall use the mean per acre value, based upon forest use, of the aggregate acres of the parcel, which are employed in forest production.

Approved July 19, 1974.

Chap. 564. AN ACT TO PROVIDE PENSIONS FOR WIDOWS AND CHILDREN OF FIREFIGHTERS KILLED IN THE PERFORMANCE OF DUTY.

Be it enacted, etc., as follows:

Section 100 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 685 of the acts of 1973, and inserting in place thereof the following sentence:— Notwithstanding any provision of this chapter or any other law, if a firefighter while in the performance of his duties and as the result of an accident while responding to or returning from an alarm of fire or any emergency, or as the result of an accident involving a fire department vehicle, which the firefighter is operating or in which he is riding, or while at the scene of a fire or any emergency is killed or sustains injuries which result in his death, or if a police officer while in the performance of his duties and as the result of an assault on his person or as a result of an accident involving a police department vehicle which he is operating or in which he is riding in the performance of his duties as a police officer is killed or sustains injuries which result in his death, or if a corrections officer while in the performance of his duties and as a result of an assault on his person is killed or sustains injuries which result in his death, there shall be paid to the widow of such firefighter, police officer or corrections officer an annual amount of pension which shall be equal to the amount of salary which would have been paid to such firefighter, police officer or corrections officer had he continued in service in the position held by him at the time of his death; provided, however, that the amount of pension immediately payable shall be equal to the maximum salary set for the position whether or not such firefighter, police officer or corrections officer had reached the maximum at the time of his death.

Approved July 19, 1974.

Chap. 565. AN ACT FURTHER REGULATING THE PAYMENT OF ALIMONY AND THE ASSIGNMENT OF PROPERTY IN LIBELS FOR DIVORCE.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by striking out section 34, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 34. Upon a divorce or upon petition at any time after a divorce, the court may order either of the parties to pay alimony to the other. In addition to or in lieu of an order to pay alimony, the court may assign to either the husband or wife all or any part of the estate of the other. In determining the amount of alimony, if any, to be paid, or in fixing the nature and value of the property, if any, to be so assigned, the court, after hearing the witnesses, if any, of each party, shall consider the length of the marriage, the conduct of the parties during the marriage, the age, health, station, occupation, amount and sources of income, vocational skills, employability, estate, liabilities and needs of each of the parties and the opportunity of each for future acquisition of capital assets and income. The court may also consider the contribution of each of the parties in the acquisition, preservation or appreciation in value of their respective estates.

Approved July 19, 1974.

Chap. 566. AN ACT REVOKING THE TOWN OF PLYMOUTH'S ACCEPTANCE OF THE PROVISIONS OF THE LAW RELATIVE TO THE APPROPRIATION OF FUNDS FOR LIFE AND HEALTH INSURANCE FOR RETIRED TEACHERS.

Be it enacted, etc., as follows:

Notwithstanding the acceptance of section eleven E of chapter thirty-two B of the General Laws by the board of selectmen in the town of Plymouth, the provisions of said section shall not be applicable to said town.

Approved July 19, 1974.

Chap. 567. AN ACT DIRECTING THE ESSEX COUNTY RETIREMENT BOARD TO CREDIT CHESTER L. BOYD WITH A CERTAIN PERIOD OF EMPLOYMENT AS FULL-TIME EMPLOYMENT FOR PENSION PURPOSES.

Be it enacted, etc., as follows:

The Essex county retirement board shall credit to Chester L. Boyd of the town of Essex, as full-time creditable service for retirement purposes, the period from March, nineteen hundred and twenty-eight to July first, nineteen hundred and forty-seven. Said retirement

board shall recompute the retirement allowance of the said Chester L. Boyd, retroactive to July thirty-first, nineteen hundred and seventy-two, and shall include all cost-of-living increases granted since said date.

Approved July 19, 1974.

Chap. 568. AN ACT AUTHORIZING THE TOWN OF SHARON TO BORROW MONEY TO ACQUIRE LAND AND BUILDINGS AND TO IMPROVE SAID PROPERTY, AND TO ALLOCATE PORTIONS OF SAID PROPERTY TO DIFFERENT MUNICIPAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Sharon is hereby authorized to acquire by purchase or eminent domain or otherwise for outdoor recreation, library, police or municipal office purposes the land and buildings designated as Parcels A, B, C, D, E and F as shown on a plan entitled "Plot Plan of Sacred Heart Property, Sharon, Mass." dated June 1973, by the Sharon Engineering Department, and described in Article 2 and Article 3 of the special town meeting of said town held April twenty-second, nineteen hundred and seventy-four, and after such acquisition the town may improve such property and demolish, 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, construct parking lots and construct and reconstruct athletic fields and related improvements thereon.

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 and the emergency finance board of said town, 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, five hundred and fifty-four thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Sharon Land and Building Acquisition Loan, Act of 1974. 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 included within the statutory limit, and shall be subject to chapter forty-four of the General Laws.

SECTION 3. Said property shall be allocated for use in accordance with votes of the town passed April twenty-second, nineteen hundred and seventy-four. 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 the particular municipal purposes for which the parcel "F" on said plan shall be used. Each determination made by the selectmen under this section shall be in writing and shall be filed with the town clerk.

SECTION 4. With respect to the property to be acquired for outdoor recreation purposes, the town may apply for state reimburse-

ment 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 said 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, which are issued by the town to finance the acquisition of land allocated to outdoor recreation purposes.

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

Approved July 22, 1974.

Chap. 569. AN ACT PROVIDING THAT EMPLOYEES OF THE MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY MAY 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 insurance for the employees of the Massachusetts State College Building Authority and reimbursement to the commonwealth for contributions made on behalf of its 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 is hereby amended by inserting after the word "insurance", inserted by section 1 of chapter 770 of the acts of 1973, the words:— , the Massachusetts State College Building Authority.

SECTION 2. Section 8 of said chapter 32A is hereby amended by striking out paragraph (*c*), as most recently amended by section 2 of said chapter 770, 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, the division of savings bank life insurance, the Massachusetts State College Building Authority, 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 22, 1974.

Chap. 570. AN ACT REQUIRING CERTIFICATION OF TESTS FOR EQUINE INFECTIOUS ANEMIA IN IMPORTED EQUINE ANIMALS.

Be it enacted, etc., as follows:

Chapter 129 of the General Laws is hereby amended by adding after section 43 the following section:—

Section 44. No person shall import into the commonwealth any equine animal without a certificate relative to such animal from a laboratory approved by the United States Department of Agriculture, dated within six months from the time of such importation certifying a negative agar gel immunodiffusion test, commonly known as the Coggins test, for equine infectious anemia. Whoever violates any provisions of this section, or of any rule or regulation promulgated hereunder, shall be punished for a first offense by a fine of not more than one hundred dollars and for any subsequent offense 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 22, 1974.

Chap. 571. AN ACT ESTABLISHING A STATE PROGRAM FOR MATCHING CITY OR TOWN FUNDS FOR THE PROPAGATION OF SHELLFISHERIES.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by inserting after section 20 the following section:—

Section 20A. The director shall assist and cooperate with coastal cities and towns for the purpose of establishing and maintaining a program of self-help to said cities and towns for the cultivation, propagation and protection of shellfish. Funds to carry out the purposes of this section shall annually be appropriated from the Tourism and Industrial Promotion Fund. The director may expend such sums as may be appropriated from said fund, but such sums as are expended therefor shall be conditional upon the expenditure of an equal amount of money by said cities and towns.

The treasurer of each participating city or town shall certify to the director annually the amounts so appropriated by said city or town, which for the purposes of this act shall be equal to the total shellfish department budget.

The director, with the approval of the commissioner, shall certify to the state treasurer on an annual basis all sums pledged to the aforesaid purpose by said cities and towns. Family use areas and recreational shellfish areas set aside pursuant to section fifty-two

which are cultivated, propagated or protected under the funding or provisions of this section shall be open to all inhabitants of the commonwealth upon payment of a reasonable fee.

Approved July 22, 1974.

Chap. 572. AN ACT STANDARDIZING THE COMMON CARRIER PLATE FEES.

Be it enacted, etc., as follows:

Section 10B of chapter 159B of the General Laws, as amended by chapter 440 of the acts of 1954, is hereby further amended by striking out, in line 23, the word "five" and inserting in place thereof the word:— ten.

Approved July 22, 1974.

Chap. 573. AN ACT PROVIDING A CERTAIN PENSION FOR THE WIDOW OF THE LATE EDWARD J. DEVER, A FORMER JUSTICE OF THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, Dorothy Dever, the widow of the late Edward J. Dever, a former justice of the third district court of eastern Middlesex, shall be paid such pension as she would have been eligible to receive under the provisions of section sixty-five C of chapter thirty-two of the General Laws, had said Edward J. Dever been eligible for retirement under the provisions of section sixty-five A of said chapter thirty-two as of the date of his death.

Approved July 22, 1974.

Chap. 574. AN ACT AUTHORIZING CITIES AND TOWNS TO ERECT AND MAINTAIN TRAFFIC SIGNS AND DEVICES.

Be it enacted, etc., as follows:

Section 2 of chapter 85 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in section 1 of chapter 646 of the acts of 1951, and inserting in place thereof the following sentence:— No rule, regulation, order, ordinance or by-law of a city or town hereafter made or promulgated relative to or in connection with such signs, lights, signal systems, traffic devices, parking meters or markings on any way within its control shall take effect until approved in writing by the department, or be effective after said approval is revoked; provided, however, that if said approval, or a denial in writing, is not issued by the department within sixty days after receipt of written application by registered mail for approval by

the city or town, the municipality may install such traffic control devices which shall conform to the department's current manual on Uniform Traffic Control Devices; and provided further, that if any city or town installs and maintains any of the aforesaid traffic control devices without either requesting or obtaining such approval or after being notified of such disapproval, the department shall withhold, or withdraw the unexpended balance of, any funds assigned to it under the provisions of section thirty-four of chapter ninety or sections twenty-five and twenty-six of chapter eighty-one.

Approved July 22, 1974.

Chap. 575. AN ACT PROVIDING THAT CERTAIN PROVISIONS OF CERTAIN RENTAL AGREEMENTS SHALL BE DEEMED TO BE AGAINST PUBLIC POLICY AND VOID.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 186 of the General Laws, as appearing in section 1 of chapter 445 of the acts of 1945, is hereby amended by striking out, in lines 12 and 13, the words ", and not within the exclusive control of the lessee or tenant."

SECTION 2. Said chapter 186 is hereby further amended by inserting after section 15E the following section:—

Section 15F. Any provision of a lease or other rental agreement relating to residential real property whereby the tenant agrees to waive his right to trial by jury in any subsequent litigation with the landlord, or agrees that no action or failure to act by the landlord shall be construed as a constructive eviction, shall be deemed to be against public policy and void.

If a tenant is removed from the premises or excluded therefrom by the landlord or his agent except pursuant to a valid court order, the tenant may recover possession or terminate the rental agreement and, in either case, recover three months' rent or three times the damages sustained by him, and the cost of suit, including reasonable attorney's fees.

Any agreement or understanding between a landlord and a tenant which purports to exempt the landlord from any liability imposed by this section shall be deemed to be against public policy and void.

Approved July 22, 1974.

Chap. 576. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

PLYMOUTH COUNTY.

Item	*Subtotal*	*Total*
1. For interest on county debt		$173,952 50
2. For reduction of county debt		655,000 00
3. For county commissioners, salaries and expenses		75,300 52
1. Personal services	$66,302 52	
2. Contractual services	3,800 00	
3. Supplies and materials	3,500 00	
4. Current charges and obligations	1,198 00	
5. Equipment	500 00	
4. For transportation and expenses of county and acting commissioners		1,000 00
5. For clerk of courts, salary and expenses		272,912 55
1. Personal services	240,144 24	
2. Contractual services	10,000 00	
3. Supplies and materials	8,000 00	
4. Current charges and obligations	7,105 00	
5. Equipment	7,663 31	
6. For county treasurer, salaries and expenses		75,699 12
1. Personal services	67,389 12	
2. Contractual services	5,000 00	
3. Supplies and materials	2,000 00	
4. Current charges and obligations	700 00	
5. Equipment	610 00	
7. For sheriff, salary and expenses		19,788 00
1. Personal services	17,776 00	
2. Contractual services	350 00	
3. Supplies and materials	700 00	
4. Current charges and obligations	832 00	
5. Equipment	130 00	
8. For registry of deeds, salaries and expenses		443,709 65

1. Personal services	$358,845 13	
2. Contractual services	40,170 00	
3. Supplies and materials	19,200 00	
4. Current charges and obligations	20,671 00	
5. Equipment	4,823 52	
8a. For registry of probate, salaries and expenses		$36,061 52
1. Personal services	5,872 32	
2. Contractual services	10,400 00	
3. Supplies and materials	8,500 00	
4. Current charges and obligations	4,850 00	
5. Equipment	6,439 20	
9. For law library, salaries and expenses		18,864 38
1. Personal services	6,364 38	
3. Supplies and materials	200 00	
4. Current charges and obligations	12,000 00	
5. Equipment	300 00	
10. For highways, including state highways, bridges and land damages		406,190 00
2. Contractual services	351,850 00	
3. Supplies and materials	1,000 00	
4. Current charges and obligations	30,300 00	
5. Equipment	3,040 00	
12. For superior court costs		673,863 10
1. Personal services	292,189 66	
2. Contractual services	364,925 00	
3. Supplies and materials	7,100 00	
4. Current charges and obligations	5,310 00	
5. Equipment	4,338 44	
13. For civil expenses in probate court		126,709 25
1. Personal services	55,726 45	
2. Contractual services	67,000 00	
3. Supplies and materials	2,375 00	
4. Current charges and obligations	15 00	
5. Equipment	1,592 80	
14. For district courts, salaries and expenses		
District Court of Brockton		722,505 96
1. Personal services	594,291 33	
2. Contractual services	26,828 00	
3. Supplies and materials	13,150 00	
4. Current charges and obligations	75,000 00	
5. Equipment	13,236 63	
Second District Court of Plymouth		448,582 12
1. Personal services	408,052 23	
2. Contractual services	20,610 00	
3. Supplies and materials	11,550 00	
4. Current charges and obligations	4,153 40	
5. Equipment	4,216 49	
Third District Court of Plymouth		322,655 55
1. Personal services	294,542 65	
2. Contractual services	12,266 00	
3. Supplies and materials	8,050 00	
4. Current charges and obligations	3,275 00	
5. Equipment	4,521 90	
Fourth District Court of Plymouth		290,510 77
1. Personal services	234,616 27	
2. Contractual services	21,275 00	

3. Supplies and materials	$6,550 00	
4. Current charges and obligations	23,416 50	
5. Equipment	4,653 00	
District Court - Juvenile Division		$179,491 80
1. Personal services	173,577 80	
2. Contractual services	4,000 00	
3. Supplies and materials	1,200 00	
4. Current charges and obligations	415 00	
5. Equipment	299 00	
15. For medical examiners and commitments of insane		78,700 00
16. For jail and house of correction, maintenance and operation		437,716 50
1. Personal services	79,513 14	
2. Contractual services	126,782 00	
3. Supplies and materials	175,988 42	
4. Current charges and obligations	24,767 50	
5. Equipment	30,665 44	
18. For court houses and registry buildings, maintenance and operation		364,808 30
1. Personal services	187,738 30	
2. Contractual services	109,300 00	
3. Supplies and materials	48,345 00	
4. Current charges and obligations	14,660 00	
5. Equipment	4,765 00	
19. For construction of county buildings and purchase of land		15,000 00
20. For agricultural school or county cooperative extension service		168,114 24
1. Personal services	139,083 84	
2. Contractual services	13,415 00	
3. Supplies and materials	5,000 00	
4. Current charges and obligations	2,650 00	
5. Equipment	7,965 40	
24. For noncontributory pensions		100,000 00
25. For contributory retirement system and supervisory expenses		293,972 00
26. For miscellaneous and contingent expenses		18,192 25
27. For unpaid bills of previous years		30,000 00
28. For reserve fund		100,000 00
28a. For reserve for salary increases		435,000 00
28d. For reserve for counsel for indigent defendants		109,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		100,000 00
31. For police radio system		1,550 00
32a. For maintenance of forest fire apparatus		2,030 00
33. For police training school and bureau of criminal investigation		85,449 97
38. For county airplane		4,575 00
39. For group insurance		111,265 48
Total amount of appropriations		$7,398,170 53
Less estimated amount available for reduction of county tax		1,265,452 61

And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the fiscal year, in the manner provided by law, the sum of $6,132,717 92

The following sum is hereby appropriated for said fiscal year from federal revenue sharing funds subject to the provisions of law regulating the disbursement of county funds and the approval thereof.

16. For jail and house of correction
1. Personal services $705,000 00

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

Approved July 22, 1974.

Chap. 577. AN ACT INDEMNIFYING TRUSTEES OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

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

Section 19B. The commonwealth shall indemnify a trustee of a public institution of higher education against loss by reason of the liability to pay damages to a party for any claim arising out of any official judgment, decision, or conduct of said trustee; provided, that said trustee has acted in good faith and without malice; and provided further, that the defense or settlement of such claim shall have been made by the attorney general or his designee or by an attorney employed by the governing board of said institution of higher learning. If a final judgment or decree is entered in favor of a party other than said trustee, the clerk of the court where such judgment or decree is entered shall, within twenty-one days after the final disposition of the claim, provide said trustee with a certified copy of such judgment or entry of decree, showing the amount due from said trustee, who shall transmit the same to the comptroller who shall forthwith notify the governor; and the governor shall draw his warrant for such amount on the state treasurer, who shall pay the same from any appropriations made for the purpose by the general court.

Approved July 22, 1974.

Chap. 578. AN ACT RELATIVE TO THE APPOINTMENT OF A DIRECTOR OF PARKS AND RECREATION AND DIVISION HEADS IN THE PARK AND RECREATION COMMISSION OF THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

Section 4 of chapter 13 of the acts of 1963 is hereby amended by striking out the third sentence and inserting in place thereof the

following sentence:— Said director or division head shall not be subject to the civil service law and rules and may be appointed for a term of one or three years and shall serve until the qualification of their respective successors and may be removed at any time by the commission when, in the judgment of the commission, the public interest so requires, and any vacancy from any cause may be filled by appointment by the commission for the remainder of the unexpired term.

Approved July 22, 1974.

Chap. 579. AN ACT RELATIVE TO THE APPOINTMENT OF DIRECTORS OF ENGINEERING SERVICES AND DIRECTORS OF BUSINESS SERVICES IN THE SOLDIERS' HOME IN MASSACHUSETTS.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by striking out section 42, as most recently amended by chapter 720 of the acts of 1970, and inserting in place thereof the following section:—

Section 42. Appointments of treasurers, stewards, business managers, directors of engineering services at the soldiers' home in Massachusetts, directors of business services at the soldiers' home in Massachusetts, adjutants and assistant adjutants in the institutional service of the commonwealth may be made in accordance with the provisions of this chapter, or, at the discretion of the appointing authority, as appointments exempt from the provisions of this chapter.

If an appointing authority proposes to fill a vacancy in the office of treasurer, steward, business manager, director of engineering services at the soldiers' home in Massachusetts, director of business services at the soldiers' home in Massachusetts, adjutant or assistant adjutant at any institution of the commonwealth, as an appointment exempt from the provisions of this chapter, he shall certify to the director the name of a person believed to be competent by reason of training and experience to fill the vacancy and shall give the director such information concerning the proposed appointee as the director may require. The director shall immediately make a careful inquiry into the qualifications of the proposed appointee and if he is satisfied that the appointee is a competent person, with the requisite qualifications, he shall notify the appointing authority that the appointment is approved. Upon receipt of such notice the appointment shall take effect, subject to the provisions of law relating to the filing of bonds by the treasurers of institutions. If the director does not, within thirty days after the appointee is certified to him, notify the appointing authority of his approval, the appointment shall be void. No person appointed under this section in accordance with the appointing authority's discretionary powers to exempt the appointment from the provisions of this chapter shall be classified under the civil service law and rules, and if said person has permanent civil

service status in a position in the department at the time of such exempt appointment, he shall be notified in writing by the appointing authority that his civil service status is terminated. A copy of such notification shall be filed with the director.

Approved July 22, 1974.

Chap. 580. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO BORROW MONEY TO CONSTRUCT AND EQUIP AN ADDITION TO THE REGISTRY AND PROBATE BUILDING AND TO ALTER, REPAIR, RENOVATE AND EQUIP THE ESSEX COUNTY SUPERIOR COURT HOUSE, THE HEATING PLANT BUILDING, THE REGISTRY AND PROBATE BUILDING AND THE COUNTY COMMISSIONERS BUILDING IN THE CITY OF SALEM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate and complete accommodations and facilities for the probate court, the registry of deeds, the registry of probate and for the superior court, the heating plant building and the county commissioners' building, the county commissioners of Essex county are hereby authorized to renovate the present buildings and to construct additions to the present registry and probate building on land now owned by said county in the city of Salem and shall furnish and equip the same. Said commissioners are further authorized to cause plans and specifications to be prepared for the construction and renovation of said facilities; provided, that such plans and specifications shall be so drawn that the total cost for the construction, renovation and equipping of said facilities, including architect's fees and expenses connected therewith, shall not exceed four million seven hundred and fifty thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized in 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, four million seven hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Essex County Superior Court House, Heating Plant Building, Registry and Probate Building and the County Commissioners Building Loan, Act of 1974. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than fifteen years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall,

except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved July 22, 1974.

Chap. 581. AN ACT ESTABLISHING A METHOD OF REPORTING AND PROSECUTING THE CRIME OF RAPE AND COUNSELLING OF VICTIMS OF RAPE.

Be it enacted, etc., as follows:

SECTION 1. Section 118 of chapter 6 of the General Laws, as appearing in section 2 of chapter 564 of the acts of 1964, is hereby amended by adding the following sentence:— No municipal police training school shall be approved unless it provides for training members of the rape prevention and prosecution unit established by section ninety-seven B of chapter forty-one.

SECTION 2. The second sentence of the third paragraph of section 156 of said chapter 6, as most recently amended by section 2 of chapter 1021 of the acts of 1973, is hereby further amended by inserting after the word "states", in line 15, the words:— ; and shall encourage the effective training of rape prevention and prosecution units in the cities and towns of the commonwealth.

SECTION 3. Chapter 41 of the General Laws is hereby amended by inserting after section 97A the following three sections:—

Section 97B. There shall be within the police department of every city and town, or grouping of cities and towns with the approval of the secretary of the executive office of public safety, a rape reporting and prosecution unit which shall be designed to improve the quality of rape reporting, counselling, and prosecution. Said units shall consist of police investigators who shall have completed a course of training in the counselling of victims of rape and the prosecution of alleged perpetrators of the crime of rape which shall be approved and funded by the Massachusetts criminal justice training council established by section one hundred and sixteen of chapter six. Each department shall make efforts to employ women police officers to serve in said units. Each unit shall in addition make use of such counselors, attorneys, and medical personnel as are necessary to provide a broad range of therapeutic services for victims of rape.

Section 97C. Each rape reporting and prosecution unit shall, in addition to the services provided in section ninety-seven B, establish a special telephone exchange for the reporting of rape which may be utilized at any hour of day or night and shall widely publicize this number and information concerning the activities of the unit throughout the city or town.

Section 97D. All reports of rape and sexual assault or attempts to commit such offenses and all conversations between police officers and victims of said offenses shall not be public reports and shall be maintained by the police departments in a manner which will assure their confidentiality. Whoever violates any provision of this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars, or both.

SECTION 4. The third paragraph of section 6A of chapter 280 of the General Laws, as appearing in section 2 of chapter 241 of the acts of 1974, is hereby amended by striking out, in line 10, the word "and" — , and by inserting after the word "institute", in line 11, the words:— ; and 4, for the counselling of the victims of rape and for the reporting and counselling of the crimes of rape and sexual abuse.

Approved July 22, 1974.

Chap. 582. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

MIDDLESEX COUNTY.

Item	*Subtotal*	*Total*
1. For interest on county debt		$2,123,705 00
2. For reduction of county debt		3,145,000 00
3. For county commissioners, salaries and expenses		713,500 99
1. Personal services	$438,562 99	
2. Contractual services	113,785 00	
3. Supplies and materials	139,755 00	
4. Current charges and obligations	15,898 00	
5. Equipment	5,500 00	
4. For transportation and expenses of county and acting commissioners		1,500 00
5. For clerk of courts, salaries and expenses		942,586 37
1. Personal services	905,591 37	
2. Contractual services	18,315 00	
3. Supplies and materials	11,050 00	
4. Current charges and obligations	7,630 00	
6. For county treasurer, salaries and expenses		215,468 60
1. Personal services	169,144 86	
2. Contractual services	40,000 00	
3. Supplies and materials	4,570 00	
4. Current charges and obligations	1,753 74	

7. For sheriff, salary and expenses		$20,169 30
1. Personal services	$19,869 30	
4. Current charges and obligations	300 00	
8. For registries of deeds, salaries and expenses		
Northern District		359,811 73
1. Personal services	329,131 33	
2. Contractual services	16,330 00	
3. Supplies and materials	4,674 80	
4. Current charges and obligations	4,775 60	
5. Equipment	4,900 00	
Southern District		1,519,168 25
1. Personal services	1,406,404 15	
2. Contractual services	35,500 00	
3. Supplies and materials	44,500 00	
4. Current charges and obligations	32,054 10	
5. Equipment	710 00	
8a. For registry of probate, salaries and expenses		88,439 20
1. Personal services	6,531 20	
2. Contractual services	14,225 00	
3. Supplies and materials	47,265 00	
4. Current charges and obligations	17,895 00	
5. Equipment	2,523 00	
9. For law libraries, salaries and expenses		
Cambridge		76,567 70
1. Personal services	41,837 70	
2. Contractual services	50 00	
3. Supplies and materials	600 00	
4. Current charges and obligations	34,080 00	
Lowell		61,977 14
1. Personal services	29,008 30	
2. Contractual services	570 00	
3. Supplies and materials	175 00	
4. Current charges and obligations	32,060 00	
5. Equipment	163 84	
10. For highways, including state highways, bridges and land damages		911,608 80
1. Personal services	832,078 80	
2. Contractual services	14,700 00	
3. Supplies and materials	13,500 00	
4. Current charges and obligations	1,100 00	
5. Equipment	230 00	
6. All other	50,000 00	
12. For superior court costs		2,838,313 89
1. Personal services	1,215,463 64	
2. Contractual services	1,611,892 25	
3. Supplies and materials	5,650 00	
4. Current charges and obligations	5,308 00	
13. For civil expenses in probate court		175,784 59
1. Personal services	88,829 59	
2. Contractual services	83,205 00	
3. Supplies and materials	2,325 00	
4. Current charges and obligations	975 00	
5. Equipment	450 00	
14. For district courts, salaries and expenses		
District Court of Lowell		807,485 01

1. Personal services	$766,139 01	
2. Contractual services	21,475 00	
3. Supplies and materials	16,492 00	
4. Current charges and obligations	3,335 00	
5. Equipment	44 00	
District Court of Somerville		$709,471 35
1. Personal services	667,654 47	
2. Contractual services	22,545 00	
3. Supplies and materials	14,350 00	
4. Current charges and obligations	4,531 88	
5. Equipment	390 00	
District Court of Newton		360,387 70
1. Personal services	335,774 70	
2. Contractual services	14,850 00	
3. Supplies and materials	4,050 00	
4. Current charges and obligations	4,468 00	
5. Equipment	1,245 00	
District Court of Marlborough		254,700 27
1. Personal services	238,137 57	
2. Contractual services	9,175 00	
3. Supplies and materials	5,025 00	
4. Current charges and obligations	1,578 30	
5. Equipment	784 40	
District Court of Natick		168,697 55
1. Personal services	151,532 55	
2. Contractual services	4,625 00	
3. Supplies and materials	1,750 00	
4. Current charges and obligations	10,415 00	
5. Equipment	375 00	
First District Court of Eastern Middlesex		625,015 40
1. Personal services	598,075 40	
2. Contractual services	14,075 00	
3. Supplies and materials	9,000 00	
4. Current charges and obligations	3,865 00	
Second District Court of Eastern Middlesex		457,057 67
1. Personal services	437,536 67	
2. Contractual services	10,625 00	
3. Supplies and materials	4,375 00	
4. Current charges and obligations	3,375 00	
5. Equipment	1,146 00	
Third District Court of Eastern Middlesex		1,332,978 63
1. Personal services	1,295,021 63	
2. Contractual services	16,550 00	
3. Supplies and materials	16,300 00	
4. Current charges and obligations	3,646 00	
5. Equipment	1,461 00	
Fourth District Court of Eastern Middlesex		631,573 88
1. Personal services	601,018 88	
2. Contractual services	19,715 00	
3. Supplies and materials	6,000 00	
4. Current charges and obligations	3,915 00	
5. Equipment	925 00	
First District Court of Northern Middlesex		354,375 32

1. Personal services	$342,388 32	
2. Contractual services	7,675 00	
3. Supplies and materials	3,175 00	
4. Current charges and obligations	1,137 00	
First District Court of Southern Middlesex		$733,790 03
1. Personal services	697,540 03	
2. Contractual services	17,725 00	
3. Supplies and materials	8,625 00	
4. Current charges and obligations	5,750 00	
5. Equipment	4,150 00	
District Court of Central Middlesex		495,448 79
1. Personal services	471,717 79	
2. Contractual services	16,450 00	
3. Supplies and materials	3,465 00	
4. Current charges and obligations	2,816 00	
5. Equipment	1,000 00	
District Court—Juvenile Division		305,062 16
1. Personal services	285,490 56	
2. Contractual services	15,900 00	
3. Supplies and materials	1,600 00	
4. Current charges and obligations	2,071 60	
15. For medical examiners and commitments of insane		148,600 00
17. For training school		130,673 30
1. Personal services	95,520 10	
2. Contractual services	10,850 00	
3. Supplies and materials	13,900 00	
4. Current charges and obligations	10,403 20	
18. For court houses and registry buildings, maintenance and operation		3,665,208 56
1. Personal services	1,992,679 56	
2. Contractual services	1,146,175 00	
3. Supplies and materials	199,475 00	
4. Current charges and obligations	244,287 00	
5. Equipment	22,592 00	
6. All other	80,000 00	
20. For agricultural school or county cooperative extension service		263,298 61
1. Personal services	242,007 31	
2. Contractual services	14,855 00	
3. Supplies and materials	4,000 00	
4. Current charges and obligations	486 20	
5. Equipment	1,950 10	
21. For state reservation, maintenance and operation (Walden Pond)		125,862 26
1. Personal services	119,468 46	
2. Contractual services	2,970 00	
3. Supplies and materials	2,760 00	
4. Current charges and obligations	663 80	
24. For noncontributory pensions		376,148 24
25. For contributory retirement system and supervisory expenses		1,218,640 93
26. For miscellaneous and contingent expenses		212,842 00
27. For unpaid bills of previous years		228,897 32
28. For reserve fund		140,000 00
28a. For reserve salary increases		1,573,557 35
28c. For reserve for Cambridge jail		563,908 53

28d. For reserve for counsel for indigent defendants		$360,000 00
28. For reserve for child care		50,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		37,700 00
39. For group insurance		785,305 80
Total amount of appropriations		$30,310,288 22
Less estimated amount available for reduction of county tax		2,850,000 00
And the county commissioners Middlesex county are hereby authorized to levy as the county tax of said county for the fiscal year, in the manner provided by law, the sum of		$27,460,288 22

The following sums are hereby appropriated for said fiscal year from federal revenue sharing funds subject to the provisions of law regulating the dispersement of county funds and the approval thereof:

16. For jail and house of correction		
Billerica		$1,907,846 10
1. Personal services	$1,303,004 20	
2. Contractual services	105,745 00	
3. Supplies and materials	438,490 00	
4. Current charges and obligations	47,924 40	
5. Equipment	10,182 50	
6. All other	2,500 00	
Cambridge		941,726 06
1. Personal services	941,726 06	

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved July 22, 1974.

Chap. 583. AN ACT AUTHORIZING THE CITY OF LAWRENCE TO EXPEND CERTAIN SUMS FOR THE BESSIE M. BURKE MEMORIAL HOSPITAL AND TO CONTINUE TO OPERATE SAID HOSPITAL.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty-five C of chapter one hundred and eleven of the General Laws, the city of Lawrence is hereby authorized to expend such sums of money as were authorized by chapter five hundred and ninety-six of the acts of nineteen hundred and seventy-one to remodel, reconstruct, enlarge, make extraordinary repairs to, re-equip and refurnish the Bessie M. Burke Memorial Hospital and may continue the operation of said hospital until the general court determines otherwise.

(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, July 22, 1974, and, in concurrence, by the Senate, July 22, 1974, the objections of the Governor not-

withstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 584. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO REIMBURSE GEORGE EARL ROSS FOR MONIES EXPENDED BY HIM IN PREPARING PLANS FOR A NEW DOG POUND IN THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

SECTION 1. The town of Braintree is hereby authorized to appropriate and pay to George Earl Ross the sum of nine hundred and thirty-six dollars and thirty-two cents as reimbursement for monies expended by him in excess of appropriation to prepare plans for the construction of a new dog pound in said town.

SECTION 2. No bill shall be approved by the town accountant of said town 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, and services for which said bill was submitted were ordered by an official or an employee of said town or that such materials were delivered and actually received by said town or that such services were rendered to said town, 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 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 July 24, 1974.

Chap. 585. AN ACT EXEMPTING THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF FRANKLIN FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of town accountant of the town of Franklin shall be exempt from the provisions of chapter thirty-one of the General Laws.

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

Approved July 24, 1974.

Chap. 586. AN ACT AUTHORIZING THE TREASURER OF THE TOWN OF BERKLEY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of the town of Berkley is hereby authorized to pay, from any available funds, unpaid bills in the amount of three thousand one hundred and twenty dollars and twenty-two cents to Carl E. Stonstrom and eight hundred and eighty-eight dollars and fifty cents to Sanford Electrical Company, Inc. for materials furnished to and labor performed for said town during the fiscal year ending June thirtieth, nineteen hundred and seventy-four, 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 town accountant of said town for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said town accountant, stating under the penalties of perjury that the materials or work for which said bill has been submitted were ordered by an official or an employee of said town and that such materials and work were delivered and performed 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 labor 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 July 24, 1974.

Chap. 587. AN ACT REPEALING THE EXEMPTION ALLOWED CERTAIN AGRICULTURAL LANDS UNDER LAWS RELATING TO THE TAXATION OF FOREST LANDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make consistent the exemption allowed certain agricultural land under laws relating to taxation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter sixty-one of the General Laws is hereby repealed.

SECTION 2. This act shall apply to taxes levied for the fiscal year commencing on July first, nineteen hundred and seventy-four.

Approved July 24, 1974.

Chap. 588. AN ACT DIRECTING THE WATER RESOURCES COMMISSION TO GRANT CERTAIN EASEMENTS TO THE TOWN OF NORTHBOROUGH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the construction and operation of a certain sanitary sewer system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted, etc., as follows:

The water resources commission is hereby authorized and directed to grant to the town of Northborough, acting by and through its board of selectmen, permanent and temporary easements in a certain parcel of land, located in said town and the city of Marlborough, for the purpose of the installation, construction, maintenance and operation of a sanitary sewer system, and being bounded and described as follows:—

Northeasterly by Boundary Street 700 feet, more or less;

Southeasterly by the Assabet River 50 feet, more or less;

Southwesterly by a line parallel to and fifty feet southwesterly of Boundary Street 700 feet, more or less;

Northwesterly by Hudson Street 50 feet, more or less.

The above described parcel contains .8 acres more or less and is a portion of the land taken by the water resources commission in an order dated June 14, 1972 and recorded at the southern district registry of deeds in Middlesex county on June 15, 1972 in Book 12225 page 52 and at the Worcester District Registry of Deeds on June 15, 1972 in Book 5229 Pages 108 and 125. Said tracts of land were taken by the water resources commission by virtue of the authority and in the exercise of the powers conferred by chapter six hundred and sixty-nine of the acts of nineteen hundred and sixty, as amended, for the purpose of flood prevention and related purposes.

The location and design of said sanitary sewer system shall be subject to the approval of the water resources commission.

Approved July 24, 1974.

Chap. 589. AN ACT MAKING CERTAIN CORRECTIVE CHANGES TO THE PUBLIC EMPLOYEE COLLECTIVE BARGAINING LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to make certain corrective changes to the public employee collective bargaining 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 first paragraph of section 7 of chapter 150E of the General Laws, as appearing in section 2 of chapter 1078 of the acts of 1973, is hereby amended by adding after the word "commission', in line 5, the words:— by the employer.

SECTION 2. Section 10 of said chapter 150E, as so appearing, is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph:—

(*b*) It shall be a prohibited practice for an employee organization or its designated agent to:

(1) Interfere, restrain, or coerce any employer or employee in the exercise of any right guaranteed under this chapter;

(2) Refuse to bargain collectively in good faith with the public employer, if it is an exclusive representative, as required in section six;

(3) Refuse to participate in good faith in the mediation, fact finding and arbitration procedures set forth in sections eight and nine.

SECTION 3. The fourth paragraph of section 11 of said chapter 150E, as so appearing, is hereby amended by inserting after the second sentence the following sentence:— The commission may institute appropriate proceedings in the superior court for the county wherein the prohibited practice has occurred for enforcement of its order or orders.

Approved July 24, 1974.

Chap. 590. AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF OXFORD TO APPOINT ROBERT A. GILES AS A PERMANENT MEMBER OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The division of civil service shall place the name of Robert A. Giles on the list of those eligible for appointment as police officers and shall certify him, in the manner prescribed by law, and the board of selectmen of the town of Oxford may thereafter appoint Robert A. Giles as a permanent police officer of said town, notwithstanding the fact that he fails to meet the age requirements for said position, provided he meets all other requirements.

SECTION 2. The said Robert A. Giles shall, upon his appointment as a permanent member of the police department of said town, be subject to chapter thirty-one of the General Laws.

Approved July 24, 1974.

Chap. 591. AN ACT TRANSFERRING CERTAIN EMPLOYEES OF THE DEPARTMENT OF PUBLIC SAFETY TO THE CRIMINAL HISTORY SYSTEMS BOARD.

Be it enacted, etc., as follows:

SECTION 1. Upon control of the computer section at the department of public safety being vested in the criminal history systems board, the employees in the department of public safety whose work is directly related to projects to be administered by the board, shall be transferred to said board.

SECTION 2. All employees of the department of public safety who, immediately prior to the effective date of this act, held positions classified under chapter thirty-one of the General Laws or had tenure in their positions by reason of section nine A of chapter thirty of the General Laws and who are hereby transferred to the criminal history systems board, shall be so transferred without impairment of civil service status, seniority, retirement and other rights of the employees, without interruption of their service within the meaning of said chapter thirty-one or said section nine A of said chapter thirty, and without reduction in their compensation and salary grades. All such employees who, immediately prior to the effective date of this act, are not classified under the provisions of said chapter thirty-one, or are not subject to said section nine A of said chapter thirty, shall continue to serve in their respective offices or positions without impairment of their retirement, seniority or other rights and they shall not be lowered in rank or compensation.

Approved July 24, 1974.

Chap. 592. AN ACT PROVIDING FOR THE SLAUGHTERING OF HOGS AFFECTED WITH BRUCELLOSIS AND THE PAYMENT BY THE COMMONWEALTH TO CERTAIN OWNERS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 129 of the General Laws is hereby amended by inserting after section 14C the following section:—

Section 14D. All hogs which are affected with, or have been exposed to brucellosis shall be quarantined and tested by the director or his agent, or by an agent of the animal health division of the United States department of agriculture. The director may, in his discretion, slaughter any such hogs and their carcasses shall be disposed of in such manner as he may determine. No person shall transport hogs into the commonwealth until said hogs have been inspected and passed as healthy. Said inspection shall include certification of a negative brucellosis test within thirty days of importation into the commonwealth and a certificate of health by a veterinarian inspector of the animal health division of the United States department of agriculture or a veterinarian of the state of origin, authorized by said state and approved by said animal health division.

SECTION 2. Until January first, nineteen hundred and seventy-six, the commonwealth shall pay to the owner of each hog slaughtered pursuant to section fourteen D of chapter one hundred and twenty-nine of the General Laws, inserted by section one of this act, the sum of twenty-five dollars. Said payment shall be made from amounts appropriated therefor from the Agricultural Purposes Fund. No payment shall be made as herein provided until the director of animal health has determined that the owner or his representative has not, in the opinion of the director, by willful act or neglect, contributed to the spread of brucellosis.

Approved July 24, 1974.

Chap. 593. AN ACT VALIDATING CERTAIN TAX TITLES.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the provisions of section fifty-two of chapter sixty of the General Laws, as most recently amended by chapter two hundred and forty-nine of the acts of nineteen hundred and seventy-three, shall not affect any tax title assigned and transferred subsequent to the effective date of said chapter two hundred and forty-nine, if prior to said effective date notice had been given by the treasurer of any city or town of the intended assignment of such a tax title.

Approved July 24, 1974.

Chap. 594. AN ACT INCREASING THE PROCESSING FEE FOR DECALS ISSUED TO CERTAIN INTERSTATE CARRIERS OF PROPERTY DOMICILED IN RECIPROCAL STATES.

Be it enacted, etc., as follows:

The seventh paragraph of section 10 of chapter 159B of the General Laws, as appearing in chapter 798 of the acts of 1972, is hereby amended by inserting after the words "states", in line 11, the words:— , except that each such interstate carrier shall pay a fee of fifty cents for verification and processing of each interstate distinguishing plate or vehicle-identification device issued.

Approved July 24, 1974.

Chap. 595. AN ACT INCREASING THE FEE FOR NON-RECIPROCAL INTERSTATE DECALS FOR CERTAIN INTERSTATE CARRIERS OF PROPERTY.

Be it enacted, etc., as follows:

Section 10 of chapter 159B of the General Laws, as most recently amended by chapter 798 of the acts of 1972, is hereby further amended by striking out the second and third paragraphs and inserting in place thereof the following two paragraphs:—

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 for verification per plate or device, together with a fee of five dollars for each plate or device issued. Such 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 shall be carried in the cab of the vehicle, and shall be 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. Said certificate 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. 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.

Approved July 24, 1974.

Chap. 596. AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE SOUTHEASTERN MASSACHUSETTS UNIVERSITY TO GRANT AN EASEMENT TO THE TOWN OF DARTMOUTH FOR THE PURPOSE OF LAYING, INSTALLING AND MAINTAINING A DRAINAGE SYSTEM.

Be it enacted, etc., as follows:

The board of trustees of the Southeastern Massachusetts University may, in the name of the commonwealth, grant to the town of Dartmouth, a perpetual right and easement for the purpose of laying, installing and maintaining a drainage system, including all pipes, culverts, drains, connections, manholes and other appurtenances thereto, under, over, across and through a strip of land in said town, bounded and described as follows:

Beginning at a point located on the southerly side line of Old Westport Road, said point of beginning being a stone bound; thence at S 04° 07' 00" E 265.04 feet by the westerly boundary line of the grantor's land to a point for a corner; thence at S 42° 54' 00" E 54.02 feet by the said westerly boundary line of the grantor's land to a concrete bound for a corner; thence at S 00° 11' 10" E approximately 115 feet by the said westerly property line of the grantor's land to a point located on the northerly edge of the Cedar Dell Lake (formerly Lambs Pond), to a point for a corner; thence northerly parallel to and 20 feet from the first, second and third course described to a point located on the said Old Westport Road for a corner; thence S 79° 04' 00" W approximately 20 feet by the said southerly side line of Old Westport Road to the stone bound and point of beginning, containing about 8,680 square feet, more or less.

The above described being part of lot #4 as shown on a plan entitled "copy of part of plan filed in Land Registration Office", dated August 6, 1956, C. M. Anderson, Engineer for Court Plan #11034D filed with the southern district registry of deeds in Bristol county in Book 51 Page 201.

A grant of any such perpetual right and easement shall be recorded by the board of selectmen of said town with the southern district registry of deeds in Bristol county.

Approved July 24, 1974.

Chap. 597. AN ACT PROVIDING FOR THE APPOINTMENT OF A DEPUTY ASSISTANT REGISTER AND CLERK FOR THE PROBATE COURTS FOR THE COUNTIES OF DUKES COUNTY AND NANTUCKET.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by inserting after section 29 the following two sections:—

Section 29A. The register for the county of Dukes county may, with the approval of the judges of probate for said county, appoint a clerk who may administer such oaths required in probate proceedings as are not prescribed by law to be administered by the judge or register, and shall perform such clerical and other duties as may be required by the register, with the approval of the judges, and who may be removed by the register at his pleasure. Said register may, with the approval of said judges, designate one employee as deputy assistant register and may revoke any such designation at pleasure.

Section 29B. The register for Nantucket county may, with the approval of the judges of probate for said county, appoint a clerk who may administer such oaths required in probate proceedings as are not prescribed by law to be administered by the judge or register, and shall perform such clerical and other duties as may be required by the register, with the approval of the judges, and who may be removed by the register at his pleasure. Said register may, with the approval of said judges, designate one employee as deputy assistant register and may revoke any such designation at pleasure.

Approved July 24, 1974.

Chap. 598. AN ACT PROVIDING FOR THE ADMISSIBILITY OF MEDICAL REPORTS OF INCAPACITATED, DISABLED OR DECEASED PHYSICIANS IN PROCEEDINGS BEFORE THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by inserting after section 20A the following section:—

Section 20B. In proceedings before the industrial accident board,

the medical report of an incapacitated, disabled or deceased physician who attended or examined the plaintiff, including expressions of medical opinion, shall, at the discretion of the member, be admissible as evidence, but nothing therein contained which has reference to the question of liability shall be so admissible.

Approved July 24, 1974.

Chap. 599. AN ACT INCREASING THE AMOUNT THAT THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING AND ADVERTISING THE RECREATIONAL, INDUSTRIAL, AGRICULTURAL AND HISTORICAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 169 of the acts of 1956 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 15 of the acts of 1973, and inserting in place thereof the following sentence:— The county commissioners of Plymouth county may, for the purpose of promoting and advertising the recreational, industrial, agricultural and historical advantages of said county, expend such sums, not exceeding, in the aggregate, one hundred twelve thousand and five hundred 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 purposes aforesaid.

Approved July 24, 1974.

Chap. 600. AN ACT ESTABLISHING A MUNICIPAL GOLF COURSE COMMISSION IN THE TOWN OF LUDLOW.

Be it enacted, etc., as follows:

SECTION 1. The town of Ludlow is hereby authorized to operate and maintain a municipal golf course on property now or formerly known as Westover Air Force Base, including any recreation and picnic areas adjoining said golf course.

SECTION 2. There is hereby established in the town of Ludlow a municipal golf course commission, hereinafter called the commission, for the maintenance, promotion, development and administration of a municipal golf course including any recreation and picnic areas adjoining said golf course. The commission shall consist of seven members, of whom three shall be the park commissioners of said town and four shall be appointed by the board of selectmen of said town. When the commission is first established the terms of the four appointed commissioners shall be for one, two, three and four years respectively and thereafter when the term of a member expires, his

successor shall be appointed for a term of four years. Any appointed member of the commission may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairman of the park commissioners shall act as temporary chairman at the first meeting of the commission, at which time a permanent chairman shall be elected by majority vote of the commission. Thereafter, at the first meeting in February of each year, a chairman shall be elected by majority vote of the commission.

Each member of the commission shall be a resident of the town of Ludlow. Each member shall continue in office after expiration of his term until his successor is duly elected or appointed and qualified. Four members of the commission shall constitute a quorum, and an affirmative vote of four members shall be necessary for any action taken by the commission. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission.

The members of the commission shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall be subject to all laws governing the conduct of municipal officials, committees and departments and shall file an annual report of its activities for each calendar year with the board of selectmen.

SECTION 3. The commission is hereby authorized and empowered:

(*a*) to adopt by-laws for the regulation of its affairs and the conduct of its business;

(*b*) to insure, maintain, repair and improve such golf course and recreation and picnic areas and operate the same for use by the public;

(*c*) to provide through its employees, or by the grant of one or more concessions, or in part through its employees and in part by the grant of one or more concessions, for the furnishing of services and things for the accommodation of persons admitted to or using the golf course and adjoining facilities, which concessions may be allowed to serve alcoholic beverages in compliance with chapter one hundred and thirty-eight of the General Laws;

(*d*) to establish rules and regulations, and fix policies for the use of such golf course and adjoining facilities;

(*e*) to fix from time to time and charge and collect fees for admission to or the use of the golf course or any part thereof, and for the grant of concessions therein and for things furnished, or services rendered by the commission. The commission may fix such fees as in its judgment are best adapted to insure sufficient income to meet expenses of operating and maintaining the golf course and adjoining facilities; such fees shall be subject to the provisions of section fifty-three of chapter forty-four of the General Laws;

(*f*) to make all contracts and agreements for a term of not more than three years necessary or incidental to the performance of its

duties and the execution of its powers under this act, to employ such agents and employees as may be necessary in its judgment, and to fix their compensation, and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act; provided, that the provisions of chapter thirty-one of the General Laws shall not apply to any such employees.

SECTION 4. This act shall take effect upon its acceptance by the town of Ludlow.

Approved July 24, 1974.

Chap. 601. AN ACT RELATIVE TO REPAIR OF HIGHWAYS AND TOWN WAYS.

Be it enacted, etc., as follows:

Chapter 84 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. Highways and town ways, including railroad crossings at grade with such highways and town ways, shall be kept in repair at the expense of the town in which they are situated, so that they may be reasonably safe and convenient for travelers, with their horses, teams, vehicles and carriages at all seasons. A city or town shall submit a letter of request for such repair and for approval by the state department of public works. Upon receipt of such approval, the city or town shall be reimbursed by the commonwealth from monies which may be appropriated therefor by the commonwealth and the federal government to defray expenses of such repairs for safety programming. Such reimbursement will not create liability, of any kind, either civil or criminal on the part of the commonwealth or the federal government.

Approved July 24, 1974.

Chap. 602. AN ACT PROVIDING FOR THE INVENTORY, MEASURING AND RESEARCHING OF THE QUALITY AND QUANTITY OF THE GROUND WATER OF BARNSTABLE COUNTY, AND AUTHORIZING THE COUNTY COMMISSIONERS OF SAID COUNTY TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Barnstable county are hereby authorized to inventory, measure and research the quantity and quality of the ground water of Barnstable county and for such purposes may expend such sums as may be necessary, not exceeding five hundred thousand dollars. Any sums received from the federal government or gifts, grants and donations for the purposes of this act shall be included in, and considered part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purpose aforesaid the county treasurer of said county, with the approval of the county commissioners, may borrow, from time to time, on the credit of said county, such sums as may be necessary, but not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds and notes of the county therefor, which shall bear on their face the words, Barnstable County Water Inventory Loan, Act of 1974. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. This act shall be submitted to the voters of Barnstable county at the biennial state election to be held in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election:— "Shall an act passed by the general court in the current year entitled 'An Act providing for the inventory, measuring and researching of the quality and quantity of the ground water of Barnstable county, and authorizing the county commissioners of said county to borrow money therefor', be accepted?"

YES	
NO	

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

Approved July 24, 1974.

Chap. 603. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF MASSACHUSETTS NATIONAL GUARD WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15AA, inserted by chapter 158 of the acts of 1974, the following section:—

Section 15BB. The governor shall annually issue a proclamation setting apart that week preceding Armed Forces day as Massachusetts National Guard week and recommending that said week be observed in an appropriate manner by the people. The state secretary shall send a copy of said proclamation to each Army and National Guard unit within the commonwealth.

Approved July 24, 1974.

Chap. 604. AN ACT TEMPORARILY EXEMPTING THE TOWN OF BRAINTREE FROM CERTAIN PROVISIONS OF THE STATE BUILDING CODE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the provisions of chapter one hundred and forty-five of the General Laws, relative to tenement houses in towns, shall continue to apply in the town of Braintree until January first, nineteen hundred and seventy-five.

Approved July 24, 1974.

Chap. 605. AN ACT AUTHORIZING THE COUNTY TREASURER OF PLYMOUTH COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law the county treasurer of Plymouth county with the approval of the county commissioners shall pay, subject to appropriation, unpaid bills in the amount of five hundred and sixty dollars to the Lawyers Co-operative Publishing Company of Rochester, New York for law books sold and delivered in the year nineteen hundred and seventy-two and in the amount of two hundred and eighty-four dollars to the West Publishing Company of Mineola, New York for law books sold and delivered in the years nineteen hundred and seventy, nineteen hundred and seventy-one and nineteen hundred and seventy-two which bills are legally unenforceable against said county by reason of their having been incurred in excess of available appropriation.

SECTION 2. No bill shall be approved by the county commissioners of said county for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with the county treasurer, stating under the penalties of perjury that the goods for which said 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.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives payment for goods which were not received by 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 24, 1974.

Chap. 606. AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE BICENTENNIAL CELEBRATION OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Franklin may appropriate money

annually from and including the year nineteen hundred and seventy-four to and including the year nineteen hundred and seventy-eight for said town's anniversary celebration to be known as the "Bicentennial Celebration".

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 under the provisions of this act. Any and all such funds received by the town treasurer shall be kept separate from any other moneys, funds, or property of said town, and the principal and interest thereof may, from time to time, be expended for the purposes of this act. Any surplus remaining in said special fund after such celebration is concluded shall be transferred by said treasurer into the treasury of said town.

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

Approved July 25, 1974.

Chap. 607. AN ACT DIRECTING THE DEPARTMENT OF MENTAL HEALTH TO PERMIT THE CITY OF GARDNER TO CONNECT ITS WATER MAIN TO THE WATER MAIN OF THE GARDNER STATE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The city of Gardner is hereby authorized to install a pipe line to connect with the water supply system of the Gardner State Hospital and to construct a meter pit and install a meter, if and when required, and do all other things as may be necessary to provide an auxiliary water supply for city purposes. Said city may construct, lay and maintain said pipe line and other works on the property of the Gardner State Hospital in such a manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying and maintaining said pipe and for all purposes of this act, said city may dig up said hospital grounds in such a manner as to cause the least hindrance to its use and shall restore said hospital grounds to the condition in which they were found prior to the installation of said pipe line; provided, that the manner in which all things are done upon said hospital grounds shall be subject to the approval of the department of mental health.

SECTION 2. For the purpose of paying the cost of constructing the pipe line referred to in this act, said city may expend the amount appropriated for the auxiliary water supply system.

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

Approved July 25, 1974.

Chap. 608. AN ACT INCREASING THE FEES FOR PERMITS TO TRANSPORT AND DELIVER ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 22 of chapter 138 of the General Laws is hereby amended by striking out the second

sentence and inserting in place thereof the following sentence:— The permit fee for each vehicle shall be ten dollars.

SECTION 2. Said section 22 of said chapter 138 is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:—

Any railroad or car corporation or the owner or operator of any vessel or shipping company or any common carrier by air may, if authorized by a permit issued by the commission, transport and deliver alcoholic beverages or alcohol; and the fee for such a permit covering all the cars, vessels or aircraft thereof shall be three hundred dollars.

SECTION 3. The fourth paragraph of said section 22 of said chapter 138 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— The fee for such a permit shall be twenty-five dollars.

SECTION 4. Said section 22 of said chapter 138 is hereby further amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:—

Certified copies of any permit issued under this section shall be furnished at five dollars each.

SECTION 5. Said section 22 of said chapter 138 is hereby further amended by striking out the eighth paragraph and inserting in place thereof the following paragraph:—

Whoever knowingly transports within the commonwealth any alcoholic beverage or alcohol except as authorized by this section shall be punished by a fine of not more than two thousand five hundred dollars or by imprisonment for not more than six months, or both.

Approved July 25, 1974.

Chap. 609. AN ACT INCREASING THE SALARIES OF CERTAIN OFFICERS OF DEPARTMENTS WITHIN THE EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 23 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 34 of chapter 422 of the acts of 1974, and inserting in place thereof the following section:—

Section 2. Upon the expiration of the term of office of a commissioner, an assistant commissioner or an associate commissioner, his successor shall be appointed by the governor for a term coterminous with that of the governor. The commissioner shall receive a salary of twenty-six thousand and thirty-nine dollars, the associate commissioner who is appointed to serve as chairman of the board of conciliation and arbitration shall receive a salary of twenty-one thousand two hundred and forty dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of fifteen thousand nine hundred and thirty dollars and the other associate commissioner shall receive a salary of thirteen thousand ninety-nine dollars.

SECTION 2. Section 9I of said chapter 23, as most recently amended by section 30 of chapter 426 of the acts of 1973, is hereby further amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph:—

(*b*) The director shall receive a salary of thirty-one thousand eight hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 3. Section 9P of said chapter 23 is hereby amended by striking out the first sentence, as most recently amended by section 32 of said chapter 426, and inserting in place thereof the following two sentences:— The chairman shall receive a salary of twenty-three thousand dollars, and each of the other members shall receive a salary of twenty-one thousand dollars. Members shall devote their whole time to the work of the commission and shall not engage in any profession, practice or business.

SECTION 4. The first sentence of section 15B of said chapter 23, as appearing in chapter 727 of the acts of 1972, is hereby amended by striking out, in lines 6, 7 and 8, the words "salaries not exceeding eighteen thousand one hundred twenty-six dollars each, as the governor and council shall determine" and inserting in place thereof the words:— the same salary as that paid to other members of the board.

SECTION 5. Notwithstanding the provisions of section fifteen B of chapter twenty-three of the General Laws, in effect prior to the effective date of this act, the temporary members of the industrial accident board, appointed under said section fifteen B, shall receive salaries of twenty-three thousand dollars retroactive to December eighteenth, nineteen hundred and seventy-three.

Approved July 25, 1974.

EMERGENCY LETTER — July 31, 1974 at 2:28 P.M.

Chap. 610. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW PROVIDING FOR THE ACCEPTANCE BY CITIES, TOWNS AND FIRE DISTRICTS OF THE LAW RELATIVE TO THE COMPENSATION OF POLICE AND FIRE CHIEFS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 415 of the acts of 1974 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. Section 57G of chapter 48 of the General Laws, inserted by chapter 1082 of the acts of 1971, is hereby amended by adding the following paragraph:—

The provisions of this section relative to a city, town or fire district shall be in effect only in a city, town or fire district which accepts this section.

SECTION 2. This act shall take effect as of June twenty-sixth, nineteen hundred and seventy-four.

Approved July 25, 1974.

Chap. 611. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS FOR HIGHWAY PURPOSES IN THE CITY OF NEWBURYPORT.

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 1, 1973", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing and are identified as follows:

In the city of Newburyport approximately 4.9 acres of city owned land for the reconstruction of a portion of Route I-95 and the Hale Street overpass.

Approved July 25, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
July 26, 1974

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 611 of the Acts of 1974, entitled "AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS FOR HIGHWAY PURPOSES IN THE CITY OF NEWBURYPORT." and the enactment of which received my approval on July 25, 1974, should take effect forthwith.

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

It is essential, in order to promote public safety, that the provisions of this Act take effect forthwith to permit the prompt acquisition of the described property and assure the orderly progress of the I-95 construction project.

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

OFFICE OF THE SECRETARY, Boston, July 26, 1974.

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 thirty-eight 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 eleven of the acts of nineteen hundred and seventy-four.

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

Chap. 612. AN ACT INCREASING THE NUMBER OF ASSISTANT CLERKS OF COURTS FOR THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

Section 5 of chapter 221 of the General Laws is hereby amended by striking out the fifth paragraph, as amended by chapter 293 of the acts of 1971, and inserting in place thereof the following paragraph:—

Plymouth, a second assistant, a third assistant, a fourth assistant, and a fifth assistant, subject to approval of a justice of the supreme judicial or superior court.

Approved July 25, 1974.

Chap. 613. AN ACT AUTHORIZING THE BOARD OF EDUCATION TO ESTABLISH STANDARDS AND GUIDELINES FOR REGULATING SCHOOL BUDGET PROCEDURES AND FORMS.

Be it enacted, etc., as follows:

Section 1G of chapter 15 of the General Laws is hereby amended by inserting after the seventh paragraph the following paragraph:—

The board shall establish standards and guidelines relative to the preparation of school budgets based on programs and objectives and to the form and content of said budgets.

Approved July 25, 1974.

Chap. 614. AN ACT AUTHORIZING CERTAIN COURTS TO PLACE CERTAIN PERSONS IN CARE OF PROBATION OFFICERS.

Be it enacted, etc., as follows:

Chapter 276 of the General Laws is hereby amended by striking out section 87, as most recently amended by section 81 of chapter 925 of the acts of 1973, and inserting in place thereof the following section:—

Section 87. The superior court, any district court and any juvenile court may place on probation in the care of its probation officer any person before it charged with an offense or a crime for such time and upon such conditions as it deems proper, with the defendant's consent, before trial and before a plea of guilty, or in any case after a finding or verdict of guilty: 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 any district court or of any 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 B 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 eighteen years of age or older 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.

Approved July 25, 1974.

Chap. 615. AN ACT DIRECTING THE DEPARTMENT OF YOUTH SERVICES AND THE DEPARTMENT OF MENTAL HEALTH TO TRANSFER CONTROL OF CERTAIN LAND IN THE CITY OF BOSTON TO THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The department of youth services is hereby authorized and directed to transfer to the metropolitan district commission the care and control of a certain parcel of land, located in the Roslindale district of the city of Boston bounded on the south by American Legion highway, on the east four hundred and seventy-five feet more or less by land of the department of mental health, on the north by other land under the control of the department of youth services as described in section two of chapter five hundred and eighty-two of the acts of nineteen hundred and fifty-three, and on the west by a line four hundred feet more or less, and being a part of the land shown on a plan made by the New England Survey Service, Inc. dated June 5, 1953, a copy of which is on file in the office of the commissioner of mental health. Said commission is hereby authorized to erect buildings, develop, use, and maintain said land for such purposes as it may from time to time deem expedient.

SECTION 2. The department of mental health is hereby authorized and directed to transfer to the metropolitan district commission the care and control of a certain parcel of land, located in the Roslindale section of the city of Boston bounded on the north by Canterbury street, on the east by Morton street, on the south by American Legion highway and on the west by land transferred to the control of the department of youth services by section two of chapter five hundred and eighty-two of the acts of nineteen hundred and fifty-three. Said commission is hereby authorized to erect buildings, develop, use, and maintain said land for such purposes as it may from time to time deem expedient.

Approved July 25, 1974.

Chap. 616. AN ACT AUTHORIZING THE CITY OF WORCESTER TO PAY A SUM OF MONEY TO MILDRED O'TOOLE.

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester is hereby authorized to appropriate and pay to Mildred O'Toole the sum of five hundred and twenty-four dollars and nine cents for services rendered by her during the period from February fifteenth, nineteen hundred and seventy, through December thirty-first, nineteen hundred and seventy-two, payment for which was computed incorrectly.

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

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

Approved July 25, 1974.

Chap. 617. AN ACT ESTABLISHING A PARK AND RECREATION COMMISSION IN THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general law, town charter, special law or by-law, there shall be in the town of Dedham a park and recreation commission, hereinafter called the commission, consisting of five members to be elected at large and by official ballot for terms of three years.

If the town votes to accept the provisions of this act, in accordance with Section six, it shall, at the next annual meeting, elect one commissioner for one year, two for two years and two for three years, and thereafter shall elect them for terms of three years.

SECTION 2. Upon the initial election and qualification of the members of the commission, the selectmen shall cease to act as the board of park commissioners and the recreation commission in said town shall be abolished, the terms of office of the members of said recreation commission shall terminate, and all of the powers, duties and trusts conferred or imposed by law on the selectmen acting as a board of park commissioners and on said recreation commission shall be transferred to, and exercised by, the commission established under section one.

SECTION 3. All employees of the recreation commission and those employees of the public works department, whose work duties relate exclusively to park and recreation areas, maintenance and improvement shall, subject to chapter thirty-one of the General Laws, upon the initial election and qualification of the members of the commission, be transferred to and become employees of the commission, withouth loss of pay, seniority, retirement or pension rights, or any other privileges.

SECTION 4. The commission may appoint a superintendent of parks and recreation, hereinafter called the superintendent, and a program director who shall have such powers and responsibilities as the commission may, from time to time, impose or assign. Said superintendent and program director shall not be subject to the civil service law and rules, but shall be appointed annually by the commission for a term of one year and until the qualification of their respective successors, and may be removed by the comission at any time when, in the judgment of the commission the public interest so requires; and any vacancy for any cause may be filled by appointment by the commission for the remainder of the unexpired term.

SECTION 5. No contracts or liabilities existing at the time of the initial election and qualification of the members of the commission shall be affected thereby, but the commission shall be in all respects and for all purposes whatsoever the lawful successor to the selectmen, acting as a board of park commissioners, and the recreation commission.

SECTION 6. This act shall be submitted to the voters of the town of Dedham for acceptance at an annual town meeting within two years after the passage of this act, 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 such meeting:— "Shall an act passed by the general court in the year nineteen hundred and seventy-four entitled, 'An Act establishing a park and recreation commission in the town of Dedham', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect upon the election of commissioners in accordance with section one, but not otherwise.

Approved July 25, 1974.

Chap. 618. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN PARCELS OF LAND IN THE CITIES OF MALDEN AND MELROSE TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND TO GRANT PERMANENT EASEMENTS FOR DRAINAGE PURPOSES AND A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES IN SAID CITIES.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to convey in the name and on behalf of the commonwealth, to the Massachusetts Bay Transportation Authority, the land owned by the commonwealth and under control of said commission, situated in the cities of Malden and Melrose and being a portion of the Spot Pond Culvert reservation in the said cities and described as follows:

A certain parcel of land situated in Malden, (Middlesex County), Massachusetts and described as follows:

Beginning at a point being the intersection of the northerly sideline of Winter Street and the easterly sideline of the Metropolitan District Commission easement for Spot Pond Brook;

thence running N 87° 49' 23.3" W a distance of sixty two and 000/1000 (62.000') feet to a point;

thence turning and running N 02° 10' 46.5" E a distance of ninety and 003/1000 (90.003') feet to a point;

thence turning and running N 27° 49' 13.2" W a distance of seventy and 000/1000 (70.000') feet to a point;

thence turning and running N 07° 10' 46.3" E a distance of three hundred thirty one and 000/1000' (331.000') feet to a point;

thence turning and running N 20° 10' 46.9" E a distance of one hundred ninety seven and 950/1000 (197.950') feet to a point;

thence turning and running N 07° 34' 13.5" W a distance of three hundred eighty seven and 061/1000 (387.061') feet to a point;

thence turning and running S 10° 12' 52.5" E a distance of two hundred eighty and 603/1000 (280.603') feet to a point of curvature;

thence continuing on a curve to the right of radius four hundred twenty four and 000/1000 (424.000') feet a length of one hundred seventy seven and 467/1000 (177.467') feet to a point of tangency:

thence turning and running S 13° 46' 01.0" W a distance of three hundred seventeen and 234/1000 (317.234') feet to a point of curvature;

thence continuing on a curve to the left of radius two hundred seventy six and 000/1000 (276.000') feet a length of one hundred thirteen and 627/1000 (113.627') feet to a point of tangency;

thence turning and running S 09° 49' 16.7" E a distance of one hundred forty two and 580/1000 (142.580') feet to a point of curvature;

thence continuing on a curve to the left of radius thirty four and 000/1000 (34.000') feet a length of forty five and 162/1000 (45.162') feet to a point of tangency;

thence turning and running S 85° 55' 34.1" E a distance of fifteen and 104/1000 (15.104') feet to a point;

thence turning and running S 17° 05' 45.9" W a distance of nine and 719/1000 (9.719') feet to the point of beginning;

containing fifteen thousand eight hundred five and 5/10 (15,805.5) square feet as shown on a plan entitled "Oak Grove Station—M.D.C. Land Takings and Easements", prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 1 of 2.

A certain parcel of land situated in Melrose, (Middlesex County), Massachusetts, bounded and described as follows:

Commencing at a land court bound at the intersection of the southerly sideline of Banks Place and the easterly sideline of the Boston and Maine Railroad right-of-way;

thence running S 10° 49' 36.0" E a distance of one hundred seventy and 557/1000 feet (170.557') to a point of beginning;

thence turning and running S 00° 12' 41.2" E a distance of sixty-nine and 101/1000 feet (69.101') to a point of curvature;

thence continuing on a curve to the right of radius one thousand two hundred twenty and 000/1000 feet (1220.000') a length of one hundred seventy-one and 260/1000 feet (171.260') to a point of tangency;

thence turning and running S 07° 49' 55.4" W a distance of one hundred fifty-eight and 187/1000 feet (158.187') to a point of curvature;

thence continuing on a curve to the right of radius three thousand nine hundred eighty and 000/1000 feet (3980.000') a length of two hundred forty-seven and 419/1000 feet (247.419') to a point of tangency;

thence turning and running S 04° 16' 12.5" W a distance of one hundred seventy and 429/1000 feet (170.429') to a point of curvature;

thence continuing on a curve to the left of radius seven hundred eighty and 000/1000 feet (780.000') a length of sixty-eight and 101/1000 feet (68.101') to a point;

thence turning and running N 07° 34' 20.4" W a distance of one hundred thirty nine and 318/1000 feet (139.318') to a point;

thence turning and running N 04° 19' 59.2" E a distance of one hundred thirty-one and 983/1000 feet (131.983') to a point of curvature;

thence continuing on a curve to the right of radius one thousand two hundred ten and 000/1000 feet (1210.000') a length of one hundred ninety-nine and 168/1000 feet (199.168') to a point of common curvature;

thence continuing on a curve to the left of radius one thousand one hundred ninety and 000/1000 feet (1190.000') a length of two hundred five and 790/1000 feet (205.790') to a point of tangency;

thence turning and running N 04° 18' 46.3" E a distance of two hundred twelve and 387/1000 feet (212.387') to the point of beginning;

containing twelve thousand three hundred thirty-seven and 4/10

(12,337.4) square feet as shown on a plan entitled "Oak Grove Station—M.D.C. Land Takings and Easements", prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 2 of 2.

A certain parcel of land situated in Melrose (Middlesex County), Massachusetts bounded and described as follows:

Commencing at a land court bound at the intersection of the southerly sideline of Banks Place and the easterly sideline of the Boston and Maine Railroad right-of-way;

thence running S 85° 28' 29.0" E a distance of twenty-eight and 530/1000 feet (28.530') to a point of beginning;

thence turning and running S 85° 39' 32.3" E a distance of twenty-three and 293/1000 feet (23.293') to a point;

thence turning and running southwesterly on a curve to the left of radius thirty and 000/1000 feet (30.000') a length of thirty-seven and 174/1000 feet (37.174') to a point of tangency;

thence turning and running S 00° 12' 39.8" E a distance of thirty-nine and 999/1000 feet (39.999') to a point;

thence turning and running N 02° 38' 51.7" W a distance of seventy and 275/1000 feet (70.275') to the point of beginning;

containing two hundred seventy-five and 6/10 (275.6) square feet, as shown on a plan entitled, "Oak Grove Station—M.D.C. Land Takings and Easements", prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 2 of 2.

SECTION 2. The metropolitan district commission is hereby authorized and directed to convey in the name and on behalf of the commonwealth to the Massachusetts Bay Transportation Authority a temporary construction easement in certain land owned by the commonwealth and under control of said commission, situated in the city of Malden and being a portion of the Spot Pond Culvert reservation in said city and described as follows:

A certain parcel of land situated in Malden (Middlesex County), Massachusetts bounded and described as follows:

Commencing at a point being the intersection of the northerly sideline of Winter Street and the easterly sideline of the Metropolitan District Commission easement for Spot Pond Brook;

thence running N 17° 05' 45.9" E a distance of nine and 719/1000 feet (9.719') to the point of beginning;

thence turning and running N 85° 55' 34.1" W a distance of fifteen and 104/1000 feet (15.104') to a point of curvature;

thence continuing on a curve to the right of radius thirty four and 000/1000 feet (34.000') a length of forty five and 162/1000 feet (45.162') to a point of tangency;

thence turning and running N 09° 49' 16.7" E a distance of one hundred and 201/1000 feet (100.201') to a point;

thence turning and running S 46° 40' 55.3" E a distance of ninety two and 220/1000 feet (92.220') to a point of curvature;

thence continuing on a curve to the left of radius two hundred seventy five and 000/1000 feet (275.000') a length of sixteen and 192/1000 feet (16.192') to a point;

thence turning and running S 17° 05' 45.9" W a distance of fifty five and 027/1000 feet (55.027') to a point of beginning;

Containing five thousand sixty two and 1/10 (5062.1) square feet, as shown on a plan entitled, "Oak Grove Station—M.D.C. Land and Takings and Easements" prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 1 of 2.

SECTION 3. The metropolitan district commission is hereby authorized and directed to convey in the name and on behalf of the commonwealth, to the Massachusetts Bay Transportation Authority permanent easements for drainage purposes in certain lands owned by the commonwealth and under control of said commission, situated in the cities of Malden and Melrose and being a portion of the Spot Pond Culvert reservation in the said cities and described as follows:

A certain parcel of land situated in Malden (Middlesex County), Massachusetts bounded and described as follows:

Commencing at a point being the intersection of the northerly sideline of Winter Street and the easterly sideline of the Metropolitan District Commission easement for Spot Pond Brook;

thence turning and running N 17° 05' 45.9" E a distance of nine and 719/1000 feet (9.719') to a point;

thence turning and running N 85° 55' 34.1" W a distance of fifteen and 104/1000 feet (15.104') to a point of curvature;

thence continuing on a curve to the right of radius thirty four and 000/1000 feet (34.000') a length of forty five and 162/1000 feet (45.162') to a point of tangency;

thence turning and running N 09° 49' 16.7" W a distance of thirty eight and 654/1000 feet (38.654') to the point of beginning;

thence running N 09° 49' 16.7" W a distance of twenty one and 727/1000 feet (21.727') to a point;

thence turning and running N 57° 10' 43.4" E a distance of eighty five and 465/1000 feet 85.465') to a point;

thence turning and running S 17° 05' 45.9" W a distance of thirty one and 061/1000 feet (31.061') to a point;

thence turning and running S 57° 10' 43.4" W a distance of seventy and 189/1000 feet (70.189') to the point of beginning;

Containing one thousand five hundred fifty six and 5/10 (1556.5) square feet as shown on a plan entitled "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 1 of 2.

A certain parcel of land situated in Malden, (Middlesex County), Massachusetts bounded and described as follows:

Commencing at a point being the intersection of the northerly sideline of Winter Street and the easterly sideline of the Metropolitan District Commission easement for Spot Pond Brook;

thence running N 17° 05' 45.9" E a distance of nine and 719/1000 feet (9.719') to a point;

thence turning and running N 85° 55' 34.1" W a distance of fifteen and 104/1000 feet (15.104') to a point of curvature;

thence continuing on a curve to the right of radius thirty four and

000/1000 feet (34.000') a length of forty five and 162/1000 feet (45.162") to a point of tangency;

thence turning and running N 09° 49' 16.7" W a distance of one hundred forty-two and 580/1000 feet (142.580') to a point of curvature;

thence continuing on a curve to the right of radius two hundred seventy six and 000/1000 feet (276.000' a length of one hundred thirteen and 627/1000 feet (113.627') to a point of tangency;

thence turning and running N 13° 46' 01.0" E a distance of one hundred twelve and 570/1000 feet (112.570') to the point of beginning;

thence running N 13° 46' 01.0" E a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and running S 76° 13' 59.0" E a distance of thirty five and 000/1000 feet (35.000') to a point;

thence turning and running S 13° 46' 01.0" W a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and running N 76° 13' 59.0" W a distance of thirty five and 000/1000 feet (35.000') to the point of beginning;

Containing seven hundred and 0/10 (700.0) square feet as shown on a plan entitled, "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 1 of 2.

A certain parcel of land situated in Malden (Middlesex County) Massachusetts bounded and described as follows:

Commencing at a point being the intersection of the northerly sideline of Winter Street and the easterly sideline of the Metropolitan District Commission easement for Spot Pond Brook;

thence running N 17° 05' 45.9" E a distance of nine and 719/1000 feet (9.719') to a point;

thence turning and running N 85° 55' 34.1" W a distance of fifteen and 104/1000 feet (15.104') to a point of curvature;

thence continuing on a curve to the right of radius thirty four and 000/1000 feet (34.000') a length of forty five and 162/1000 feet (45.162') to a point of tangency;

thence turning and running N 09° 49' 16.7" W a distance of one hundred forty two and 580/1000 feet (142.580') to a point of curvature;

thence continuing on a curve to the right of radius two hundred seventy six and 000/1000 feet (276.000') a length of one hundred thirteen and 627/1000 feet (113.627') to a point of tangency;

thence turning and running N 13° 46' 01.0" E distance of three hundred seventeen and 234/1000 feet (317.234') to a point of curvature;

thence continuing on a curve to the left of radius four hundred twenty-four and 000/1000 feet (424.000') a length of seventy and 101/1000 feet (70.101') to the point of beginning;

thence continuing on a curve to the left of radius four hundred twenty four and 000/1000 feet (424.000') a length of twenty and 002/1000 feet (20.002') to a point;

thence turning and running S 87° 03' 28.2" E a distance thirty five and 118/1000 feet (35.118') to a point;

thence turning and running S 02° 56' 31.8" W a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and runnin N 87° 03' 28.2" W a distance of thirty five and 118/1000 feet (35.118') to the point of beginning;

Containing seven hundred and 8/10 (700.8) square feet as show on a plan entitled, "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 1 of 2.

A certain parcel of land situated in Malden (Middlesex County) Massachusetts, bounded and described as follows:

Commencing at a point being the intersection of the northerly sideline of Winter Street and the easterly sideline of the Metropolitan District Commission easement for Spot Pond Brook;

thence running N 17° 05' 45.9" E a distance of nine and 719/1000 feet (9.719') to a point;

thence turning and running N 85° 55' 34.1" W a distance of fifteen and 104/1000 feet (15.104') to a point of curvature;

thence continuing on a curve to the right of radius thirty four and 000/1000 feet (34.000') a length of forty five and 162/1000 feet (45.162') to a point of tangency;

thence turning and running N 09° 49' 16.7" W a distance of one hundred forty two and 580/1000 feet (142.580') to a point of curvature;

thence continuing on a curve to the right of radius two hundred seventy six and 000/1000 feet (276.000') a length of one hundred thirteen and 627/1000 feet (113.627') to a point of tangency;

thence turning and running N 13° 46' 01.0" E a distance of three hundred seventeen and 234/1000 feet (317.234') to a point of curvature;

thence continuing on a curve to the left of radius four hundred twenty four and 000/1000 feet (424.000') a length of one hundred seventy seven and 467/1000 feet (177.467') to a point of tangency;

thence turning and running N 10° 12' 52.5" E a distance of two hundred eighty and 603/1000 feet (280.603') to a point;

thence turning and running N 07° 34' 13.5" W a distance of thirty two and 362/1000 feet (32.362') to the point of beginning;

thence turning and running N 07° 34' 13.5" W a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and running N 82° 25' 46.5" E a distance of forty four and 000/1000 feet (44.000') to a point;

thence turning and running S 07° 34' 13.5" E a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and running S 82° 25' 46.5" W a distance of forty four and 000/1000 feet (44.000') to the point of beginning;

Containing eight hundred eighty and 0/10 (880.0) square feet as shown on a plan entitled, "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the

Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 1 of 2.

A certain parcel of land situated in Melrose (Middlesex County) Massachusetts bounded and described as follows:

Commencing at a Land Court bound at the intersection of the southerly sideline of Banks Place and the easterly sideline of the Boston & Maine Railroad right-of-way:

thence running S 10° 49' 36.0" E a distance of one hundred seventy and 557/1000 feet (170.557') to a point;

thence turning and running S 00° 12' 41.2" E a distance of sixty nine and 101/1000 feet (69.101') to a point of curvature;

thence continuing on a curve to the right of radius one thousand two hundred twenty and 000/1000 feet (1220.000') a length of one hundred seventy one and 260/1000 feet (171.260') to a point of tangency;

thence turning and running S 07° 49' 55.4" W a distance one hundred fifty eight and 187/1000 feet (158.187') to a point of curvature;

thence continuing on a curve to the left of radius three thousand nine hundred eighty and 000/1000 feet (3980.000') a length of two hundred forty seven and 419/1000 feet (247.419') to a point of tangency;

thence turning and running S 04° 16' 12.5" W a distance of one hundred nine and 209/1000 feet (109.209') to the point of beginning;

thence turning and running S 85° 43' 47.5" E a distance of twenty eight and 000/1000 feet (28.000') to a point;

thence turning and running S 04° 16' 12.5" W a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and running N 85° 43' 47.5" W a distance of twenty eight and 000/1000 feet (28.000') to a point;

thence turning and running N 04° 16' 12.5" E a distance of twenty and 000/1000 feet (20.000') to the point of beginning;

Containing five hundred sixty and 0/10 (560.0) square feet as shown on a plan entitled, "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authoity dated March 8, 1974, sheet 2 of 2.

A certain parcel of land situated in Melrose (Middlesex County) Massachusetts bounded and described as follows:

Commencing at a Land Court bound at the intersection of the southerly sideline of Banks Place and the easterly sideline of the Boston & Maine Railroad right-of-way;

thence running S 10° 49' 36.0" E a distance of one hundred seventy and 557/1000 feet (170.557') to a point;

thence turning and running S 00° 12' 41.2" E a distance of sixty nine and 101/1000 feet (69.101') to a point of curvature;

thence continuing on a curve to the right of radius one thousand two hundred twenty and 000/1000 feet (1220.000') a length of one hundred seventy one and 260/1000 feet (171.260') to a point of tangency;

thence turning and running S 07° 49' 55.4" W a distance of one hundred eleven and 067/1000 feet (111.067') to the point of beginning;

thence turning and running S 82° 10' 04.6" E a distance of thirty five and 000/1000 feet (35.000') to a point;

thence turning and running S 07° 49' 55.4" W a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and running N 82° 10' 04.6" W a distance of thirty five and 000/1000 feet (35.000') to a point;

thence turning and running N 07° 49' 55.4" E a distance of twenty and 000/1000 feet (20.000') to the point of beginning;

Containing seven hundred and 0/10 (700.0) square feet as shown on a plan entitled "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 2 of 2.

A certain parcel of land situated in Melrose, (Middlesex County) Massachusetts bounded and described as follows:

Commencing at a Land Court bound at the intersection of the southerly sideline of Banks Place and the easterly sideline of the Boston and Maine Railroad right-of-way;

thence running S 10° 49' 36.0" E a distance of one hundred seventy and 557/1000 feet (170.557') to a point;

thence turning and running S 00° 12' 41.2" E a distance of forty seven and 621/1000 feet (47.621") to the point of beginning;

thence turning and running N 89° 47' 18.8" E a distance of thirty eight and 000/1000 feet (38.000') to a point;

thence turning and running S 00° 12' 41.2" E a distance of twenty and 000/1000 feet (20.000') to a point;

thence turning and running S 89° 47' 18.8" W a distance of thirty eight and 000/1000 feet (38.000') to a point;

thence turning and running N 00° 12' 41.2" W a distance of twenty and 000/1000 feet (20.000') to the point of beginning;

Containing seven hundred sixty and 0/10 (760.0) square feet as shown on a plan entitled, "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 2 of 2.

A certain parcel of land situated in Melrose (Middlesex County) Massachusetts bounded and described as follows:

Commencing at a Land Court bound at the intersection of the southerly sideline of Banks Place and the easterly sideline of the Boston and Maine Railroad right-of-way;

thence running S 85° 28' 29.0" E a distance of twenty eight and 530/1000 feet (28.530') to a point;

thence turning and running S 02° 38' 51.7" E a distance of seventy and 275/1000 feet (70.275') to a point;

thence turning and running N 00° 12' 39.8" W a distance of thirty nine and 999/1000 feet (39.999') to the point of beginning and curvature;

thence continuing on a curve to the right of radius thirty and 000/1000 feet (30.000') a length of twenty and 616/1000 feet (20.616') to a point;

thence turning and running S 62° 12' 37.8" E a distance of forty one and 722/1000 feet (41.722') to a point;

thence turning and running S 01° 27' 38.2" E a distance of twenty two and 923/1000 feet (22.923') to a point;

thence turning and running N 62° 12' 37.8" W a distance of fifty and 000/1000 feet (50.000') to the point of beginning;

Containing nine hundred forty one and 0/10 (941.0) square feet as shown on a plan entitled, "Oak Grove Station—M.D.C. Land Takings and Easements", as prepared by H. W. Moore Associates, Inc. for the Massachusetts Bay Transportation Authority, dated March 8, 1974, sheet 2 of 2.

SECTION 4. In consideration of the conveyance of the land and rights as provided in this act, the Massachusetts Bay Transportation Authority shall pay fair market value of said land and rights to the metropolitan district commission after appraisal or shall convey to said commission lands in the town of Weston in the former Riverside recreation grounds or elsewhere.

Approved July 25, 1974.

Chap. 619. AN ACT REQUIRING MOTOR VEHICLE DEALERS TO INCLUDE CERTAIN CHARGES IN PRICES ADVERTISED FOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 93B of the General Laws is hereby amended by inserting after section 5 the following section:—

Section 5A. Any motor vehicle dealer advertising the price of vehicles shall include all charges of any type, except taxes, and shall include, without limitation, any charges for freight, handling or preparation necessary or usual prior to delivery to the consumer.

Approved July 25, 1974.

Chap. 620. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO LEASE CERTAIN LAND IN THE COUNTY OF NORFOLK TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

In order to provide pedestrian and vehicular access to the route 128 railroad station, the metropolitan district commission is hereby authorized to lease the following described parcels of land to the Massachusetts Bay Transportation Authority or to enter into an agreement relative thereto with said Authority:

Two certain parcels of land situated partly in Westwood, partly in

Dedham and partly in Canton, in the County of Norfolk and Commonwealth of Massachusetts shown as Parcel 1 containing 6.80 acres more or less and Parcel 2 containing 4.60 acres more or less, all as shown on a plan entitled "Commonwealth of Massachusetts Metropolitan District Commission, Parks Division, Neponset River Reservation, Canton-Dedham-Westwood, Plan showing Land proposed to be Leased to New York-New Haven & Hartford Railroad Company,* * * September 15, 1953, James Sampson, Acting Director of Park Engineering", being Plan Accession No. 31923-V.T.

Approved July 25, 1974.

Chap. 621. AN ACT PROVIDING THAT CERTAIN MEMBERS OF POLITICAL COMMITTEES MAY REMAIN MEMBERS IF REDISTRICTED TO ANOTHER WARD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately that certain members of political committees may remain members if redistricted to another ward, 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 2 of chapter 52 of the General Laws is hereby amended by adding the following paragraph:—

For the purposes of this chapter, notwithstanding the fact that ward lines in a city have been redistricted subsequent to a presidential primary, members of ward committees elected from wards in existence at the time of a presidential primary shall continue to represent said wards until their successors shall have been elected and organized under the redistricted ward lines at the presidential primary next following said redistricting.

Approved July 25, 1974.

Chap. 622. AN ACT DIRECTING THE BUILDING INSPECTOR OF THE TOWN OF BRAINTREE TO ISSUE A PERMIT TO THE BRAINTREE HOUSING AUTHORITY TO CONSTRUCT A MULTIPLE HOUSING PROJECT FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapters forty A and one hundred and forty-five of the General Laws, the building inspector of the town of Braintree shall issue a permit to the Braintree Housing Authority to construct a multiple housing project for the elderly of not more than ninety-six units, no building of which shall exceed two stories, on land in said town described as plots 5, 12, 16A and 19 on Boylston street; plots 45, 54A, 54B, 55, 55A, 59, 60 and 65 on Main street; plots 83, 85, 87, 95, 99, 116, 115, 112, 110, 108, 106, 102, 102a, 102b, 101A and 101B on Lincoln street of Assessor's Plan

No. 1061, containing approximately 4.24 acres, more or less. The erection of buildings on, and the use of, said parcel of land shall conform to the section III, residence C, district uses of the zoning by-laws of the town of Braintree, except where specific relief therefrom is granted by the zoning board of appeals, said project to be known as Braintree 667-3.

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

Approved July 25, 1974.

Chap. 623. AN ACT PROVIDING COST-OF-LIVING ADJUSTMENTS FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN, GENERAL RELIEF AND VETERANS' BENEFITS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 115 of the General Laws, as most recently amended by chapter 402 of the acts of 1968, is hereby further amended by adding the following paragraph:—

Effective July first of every year, subject to appropriation, cities and towns shall increase the basic budget of each eligible recipient, before taking into consideration any available income and resources, by a percentage amount equal to the percentage rise in the United States Consumer Price Index for January first of that year over the level of said index for January first of the previous year plus such additional percentage amount as is recommended annually by the commissioner and appropriated by the general court.

SECTION 2. Section 1 of chapter 117 of the General Laws, as most recently amended by chapter 569 of the acts of 1972, is hereby further amended by adding the following paragraph:—

Effective July first of every year, subject to appropriation, the department shall increase the total budget of each eligible recipient, before taking into consideration any available income and resources, by a percentage amount equal to the percentage rise in the United States Consumer Price Index for January first of that year over the level of said index for January first of the previous year plus such additional percentage amount as is recommended annually by the department and appropriated by the general court.

SECTION 3. Section 2 of chapter 118 of the General Laws, as most recently amended by section 18 of chapter 885 of the acts of 1969, is hereby further amended by adding the following paragraph:—

Effective July first of every year, subject to appropriation, the department shall increase the total budget of each eligible recipient, before taking into consideration any available income and resources, by a percentage amount equal to the percentage rise in the United States Consumer Price Index for January first of that year over the level of said index for January first of the previous year plus such additional percentage amount as is recommended annually by the department and appropriated by the general court.

SECTION 4. This act shall take effect July first, nineteen hundred and seventy-five.

Approved July 25, 1974.

Chap. 624. AN ACT AUTHORIZING BUSINESS AND INDUSTRY IN THE CENTRAL MASSACHUSETTS AIR POLLUTION CONTROL DISTRICT TO BURN WOOD WASTE MATERIAL AS FUEL FOR A LIMITED TIME.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and forty-two D of chapter one hundred and eleven of the General Laws or any other general or special law to the contrary, each business and industry within the Central Massachusetts air pollution control district is hereby authorized to burn wood waste material as fuel; provided such burning is in conformity with the Clean Air Act, (Pub. L. 88-206).

SECTION 2. This act shall cease to be operative on June first, nineteen hundred and seventy-five.

Approved July 25, 1974.

Chap. 625. AN ACT PROHIBITING THE ARBITRARY IMPOSITION OF CERTAIN FUEL CHARGES BY ELECTRIC COMPANIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for regulation by the department of public utilities of the imposition of certain fuel charges by electric companies, 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 164 of the General Laws is hereby amended by inserting after section 9F the following section:—

Section 94G. The department may approve an itemized fuel charge in rates filed by electric companies to reflect adjustments in the cost of fuels and power purchased by such companies.

The cost of any and all fossil fuel used in generating or supplying electricity to a customer shall be included in said itemized fuel charge and shall be billed at a single uniform rate per kilowatt-hour used by a customer. Such fuel charge shall be the fuel rate multiplied by the number of kilowatt-hours used by a customer. The fuel rate shall be uniform for all customers of any electric company, and said rate shall be calculated by dividing the total cost of fuel used in generating or supplying electricity which is applicable to a billing period by the total number of kilowatt-hours used by all customers. The department shall authorize only such rates as reflect the inclusion of all fuel costs in the fuel charge herein described.

The department shall establish regulations for the uniform calculation and billing of fuel charges by all electric companies, including provisions for the calculation of such charges by companies which purchase the major portion of their energy requirements from other electric companies. Whenever the department shall determine that it is in the public interest to incorporate in such uniform calculations the use of any factors in addition to the cost of the total amount of fuel consumed and the total kilowatt-hour usage, it shall do so only after public hearing and by a formal written opinion from the department; provided, however, that the department shall review not less than annually the method of calculating all such fuel charges. If an electric company bills customers bimonthly, the fuel charge shall be calculated by multiplying the average of the fuel charge rates applicable to the two months in the billing period by the total kilowatt-hours used in said billing period.

The department shall require electric companies to file monthly reports of fuel cost, purchased power charges, kilowatt-hour usages and income derived from said fuel charges. The department shall examine such reports from time to time and shall order rebates to customers if the total fuel charges billed to customers exceeds the amount required by companies to pay increases in the cost of fuel and purchased power.

In no event shall a fuel charge be billed to customers which has not been specifically approved by the department after a public hearing. Such hearing shall be held within fourteen days of a filing of an application by an electric company for the allowance of such fuel charge after notice of such application and hearing has been published at least seven days in a newspaper of general circulation in the area served by such company. All electric company contracts, invoices, and agreements with fuel suppliers shall be included with such application and shall be made part of the department records. The department shall render its decision on such application for a fuel charge within thirty days of such hearing.

SECTION 2. Section 119A of said chapter 164, as amended by section 1 of chapter 145 of the acts of 1939, is hereby further amended by adding the following sentence:— All fuel charges imposed by electric companies shall be itemized separately on all bills to customers.

SECTION 3. The department of public utilities shall investigate and examine the appropriateness of all fuel charges imposed by electric companies after January first, nineteen hundred and seventy-three. Said department shall report the results of such investigation to the general court by filing the same with the clerk of the senate on or before the first Wednesday in December, nineteen hundred and seventy-four, and shall order rebates to customers if said fuel charges billed between January first, nineteen hundred and seventy-three and the effective date of this act were not in accordance with the provisions of department of public utilities order 12096 of nineteen hundred and fifty-seven, or any other lawful order of the department then in effect.

SECTION 4. Notwithstanding the provisions of section one of this act, any fuel charge in effect on the effective date of this act shall remain in effect for sixty days thereafter or until such time as a fuel charge is approved by the department of public utilities pursuant to the provisions of section ninety-four G of chapter one hundred and sixty-four, inserted by section one of this act, whichever shall first occur.

Approved July 26, 1974.

Chap. 626. AN ACT CLARIFYING THE RETIREMENT RIGHTS OF CERTAIN MEMBERS OF THE CONTRIBUTORY RETIREMENT SYSTEM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify immediately the retirement rights to which certain members of the contributory retirement system are entitled, 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 (*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 1222 of the acts of 1973, and inserting in place thereof the following definition:—

Group 2. 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: coastal wardens in the department of natural resources; officials and employees of the department of public safety having police powers; employees of a municipal department who are employed as fire or police 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; employees of the commonwealth or of any county, regardless of any official classification, except the sheriff, master, deputy master, assistant deputy master and correction officers of county correctional facilities, 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 sec-

tion 3 of said chapter 32 is hereby further amended by striking out the definition of *Group 4*, as most recently amended by section 2 of said chapter 1222, 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: capitol police; 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 generating or distribution 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; 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, assistant deputy superintendent or supervising identification agent; employees who hold the position of state hospital steward in the department of correction; the sheriff, master, deputy master, assistant deputy master and correction officers of county correctional facilities; and the chief fire warden and district fire wardens in the department of natural resources.

SECTION 3. This act shall take effect as of November seventh, nineteen hundred and seventy-three.

Approved July 26, 1974.

Chap. 627. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO LEASE CERTAIN LAND SITUATED ON THE EAST MOUNTAIN STATE FOREST IN THE TOWN OF GREAT BARRINGTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the department of natural resources to grant the continued use of certain lands situated on the East Mountain state forest in the town of Great Barrington, 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 is hereby authorized to grant to the Billboard Publications, Inc., a corporation duly organized under the laws of the State of Ohio, with a principal office in the town of Great Barrington, its agents and assigns, a renewable ten-year lease, the terms and conditions of which shall be subject to the approval of the commissioner of natural resources, for the continued use of a site in East Mountain state forest for receiving, broadcasting, rebroadcasting and redistributing television and radio signals; provided, however, that said lease shall contain a fair rental fee, as determined by the said commissioner and that Billboard Publications, Inc. agrees that all subleases it may grant shall be subject to the prior approval of said commissioner and said Billboard Publications, Inc. agrees to assume all costs and liabilities that may arise from said use, including any and all expenses, damages and costs that may arise from any interference with communications systems the commonwealth may erect in the future in East Mountain state forest; and provided further, that said Billboard Publications, Inc. agrees that any and all additions shall be subject to the written approval of said commissioner. Said lands are bounded and described as follows:

A plot of land beginning at a stake in the Northwest corner of the locus, said stake being N-78°-40'-23"-W (on an approximate magnetic datum) 102.95 feet from the center of the tower on the plot, said tower having an approximate geographical position of N-42°-10'-21.10" and E-73°-18'-52.00"; thence N-67°-30'-03"-E 195.86 feet to a stake; thence S.-23°-01'-51" E 196.63 feet to a stake; thence S-68°-37'-21"-W 190.85 feet to a stake; thence N-24°-32'-20"-W 193.01 feet to the point of beginning, said plot contains 0.864 acres of land.

Together with a strip of land over which a power line and transmitting cable runs generally northerly leaving the northwest corner of a building within the locus, running within a few feet of the following courses: N-41°-20'-W 50 feet, N-18°-38'-E 41 feet, N-7°-06'W 104 feet, N-24-03'-W 120 feet, N-28°-28'-W 58 feet, N-7°-26'-W 83 feet, N-19°-33'-W 113 feet, N-24°-17'-W 269 feet, N-17°-15'-W 200 feet, N-6°-36'-W 356 feet, N-5°-43'-W 331 feet, N-4°-30'-W 320 feet thence N-12°-16'-W 280 feet to a point where the power line diverts westerly under the ski slope and runs northwesterly to land of Butternut

Basin, Inc., and the cable diverts northerly and northeasterly along the east side of the ski slope to land of Butternut Basin, Inc.

Approved July 26, 1974.

Chap. 628. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO USE A CERTAIN PORTION OF PARK AND PLAYGROUND LAND FOR THE WIDENING AND RECONSTRUCTION OF A CERTAIN STREET IN SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter seven hundred and five of the acts of nineteen hundred and sixty-eight, the following described parcel of land may be used by the city of Holyoke for the purpose of widening and reconstruction of Cherry street in said city:—

Beginning at a point on the northeasterly side of Cherry Street, said point being opposite station 60 + 80.20 ± as said station is shown on a plan on file at the City Engineer's Office.
thence northwesterly along the arc of a 671.39 foot radius a distance of about 195 feet to a point and land of the Holyoke Housing Authority.
thence easterly along said Holyoke Housing Authority land a distance of about 4 feet to a point.
thence southeasterly along the arc of a 630 foot radius a distance of about 160 feet to a point.
thence southeasterly along the arc of a 1990 foot radius a distance of 32.74 feet to a point.
thence S 13° 54' 45" W a distance of 19.08 feet to the point of beginning.

Said parcel contains 2000 square feet ± and is shown as Parcel Number 5 on a Land Taking plan on file in the office of the City Engineer of said city.

Approved July 26, 1974.

Chap. 629. AN ACT RELATIVE TO THE HIGHWAY ENGINEER INTERN PROGRAM AND THE CO-OPERATIVE ENGINEER PROGRAM OF THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. Section 4A of chapter 16 of the General Laws, inserted by chapter 897 of the acts of 1965, is hereby amended by striking out the second and third paragraphs and inserting in place thereof the following two paragraphs:—

The number of persons employed in the department as highway engineer interns shall at no time exceed seven, nor may such high-

way engineer interns employed by the department be placed in a salary grade higher than that of a junior civil engineer in the department.

No person shall be appointed or employed as a highway engineer intern except upon requisition made by the commissioner of public works and upon certification by the director of civil service from an eligible list prepared in accordance with the provisions of chapter thirty-one and the rules made thereunder; provided, that the director shall establish such eligible list before June first in each calendar year by holding a competitive examination which shall be open only to persons who, as candidates for the degree of bachelor of science in engineering are enrolled in at least the junior year as students in any college of the commonwealth, or are Massachusetts residents attending a college of recognized standing outside the commonwealth, and to persons who, within the four years next preceding, have been awarded the degree of bachelor of science in engineering from a college of recognized standing. The eligible list established each year shall expire upon the establishment of the eligible list in the following year. No person shall be certified for appointment as a highway engineer intern unless he has been awarded the degree of bachelor of science in engineering.

SECTION 2. Said chapter 16 is hereby further amended by striking out section 4B and inserting in place thereof the following section:—

Section 4B. The commissioner of public works may establish a co-operative engineer program and may enter into agreements with colleges of recognized standing within the commonwealth, including colleges which have summer programs, which have established a curriculum leading to a degree of bachelor of science in engineering on a so-called co-operative basis, contemplating regularly rotating work activity in the field of engineering and an equal period of classroom training. He may employ persons enrolled as candidates for the degree of bachelor of science in engineering in any such colleges to serve in the department in the position of student engineer, provided that the position of student engineer shall be in a grade lower than that of junior civil engineer in the department, and provided that at no time shall the number of persons employed in the department as student engineers exceed eight. Upon completion of not less than two years of employment as student engineer, a person shall be eligible to apply for the examination for highway engineer intern. No person shall be employed as a student engineer for more than six years.

Approved July 26, 1974.

Chap. 630. AN ACT RELATIVE TO THE LAW ESTABLISHING A PROCEDURE FOR DECLARATORY JUDGMENTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 2 of chapter 231A of

the General Laws, as appearing in section 1 of chapter 582 of the acts of 1945, is hereby amended by adding the following two sentences:— Said procedure under section one may be used in the superior court to enjoin and to obtain a determination of the legality of the administrative practices and procedures of any municipal, county or state agency or official which practices or procedures are alleged to be in violation of the Constitution of the United States or of the constitution or laws of the commonwealth, or are in violation of rules or regulations promulgated under the authority of such laws, which violation has been consistently repeated; provided, however, that this section shall not apply to the governor and council or the legislative and judicial departments. For the purpose of this section practices or procedures mean the customary and usual method of conducting municipal, county, state agency or official business.

SECTION 2. Section 3 of said chapter 231A, as so appearing, is hereby amended by inserting after the second sentence the following two sentences:— The failure to exhaust administrative relief prior to bringing an action under section one shall not bar the bringing of such action if the petition for declaratory relief is accompanied by an affidavit stating that the practice or procedure set forth pursuant to the provisions of section two is known to exist by the agency or official therein described and that reliance on administrative relief would be futile. For the purposes of this section practice or procedure means the customary and usual method of conducting agency or official business.

SECTION 3. Section 5 of said chapter 231A, as so appearing, is hereby amended by adding the following paragraph:—

In addition to the foregoing when a decree has already been entered declaring an administrative practice or procedure as defined in section two to be illegal, and a person not a party to the original action involving said practice or procedure is adversely affected by the same or similar practice or procedure by the same agency, said person may seek relief under this chapter by filing a petition for contempt against the agency or agent continuing said practice or procedure after the entry of said decree.

SECTION 4. Section 8 of said chapter 231A, as so appearing, is hereby amended by adding the following two paragraphs:—

Nothing set forth in this section shall bar the bringing of a class action for declaratory relief pursuant to the new rules of civil procedure.

Following entry of a final decree or order favorable to the petitioner or petitioners in a class suit, any member of said class thereafter aggrieved by any violation of said order or decree shall be entitled to compel compliance therewith by instituting contempt proceedings in said class suit.

Approved July 26, 1974.

Chap. 631. AN ACT CHANGING THE METHOD OF COMPUTING THE SALARIES OF THE ASSISTANT CLERKS OF THE SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY.

Be it enacted, etc., as follows:

Section 94 of chapter 221 of the General Laws is hereby amended by striking out the second, third, and fourth paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY, as appearing in section 1 of chapter 503 of the acts of 1972, and inserting in place thereof the following three paragraphs:—

Assistant Clerk. — A sum equivalent to seventy per cent of the salary of an associate justice of the supreme judicial court, of which the sum of three thousand eight hundred and seventy-seven dollars and fifty cents shall be paid by the commonwealth.

Second Assistant Clerk. — A sum equivalent to seventy per cent of the salary of an associate justice of the supreme judicial court, 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 per cent of the salary of an associate justice of the supreme judicial court, of which the sum of one thousand dollars shall be paid by the commonwealth.

Approved July 26, 1974.

Chap. 632. AN ACT RELATIVE TO THE LISTING OF NAMES NOT ENTERED ON THE ANNUAL REGISTER OF QUALIFIED VOTERS.

Be it enacted, etc., as follows:

Section 37 of chapter 51 of the General Laws is hereby amended by striking out the sixth sentence, as appearing in section 25 of chapter 453 of the acts of 1943, and inserting in place thereof the following three sentences:— They shall, on or before the first Monday of June in each year, send notice in writing to each voter of the preceding year whose name has not been entered in the annual register of the current year that the name of such voter has not been so entered, such notice to be sent by first class mail enclosed in an envelope bearing the proper address to which the same may be returned in case of non-delivery, and the registrars shall prepare a list of the names of voters not so entered, which shall be open to public inspection in their principal office, and shall be posted by copy in accordance with the same schedule of times and in the places where copies of voting lists are required to be posted under section fifty-seven. The registrars, in addition, may publish such lists in a newspaper devoted wholly or chiefly to the publication of local or general news. Copies of said lists shall be made available to members of the public upon payment of the cost of the copying thereof.

Approved July 26, 1974.

Chap. 633. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

BRISTOL COUNTY.

Item	*Subtotal*		*Total*	
1. For interest on county debt			$75,106	72
2. For reduction of county debt			110,000	00
3. For county commissioners, salaries and expenses			57,683	65
1. Personal services	$52,640	65		
2. Contractual services	2,450	00		
3. Supplies and materials	1,200	00		
4. Current charges and obligations	690	00		
5. Equipment	703	00		
4. For transportation and expenses of county and acting commissioners			1,500	00
5. For clerk of courts, salaries and expenses			289,675	30
1. Personal services	259,108	80		
2. Contractual services	18,000	00		
3. Supplies and materials	6,000	00		
4. Current charges and obligations	900	00		
5. Equipment	5,666	50		
6. For county treasurer, salaries and expenses			158,411	60
1. Personal services	108,670	00		
2. Contractual services	10,000	00		
3. Supplies and materials	3,200	00		
4. Current charges and obligations	1,041	60		
5. Equipment	35,500	00		
7. For sheriff, salary and expenses			28,932	95
1. Personal services	26,307	95		
2. Contractual services	1,650	00		
3. Supplies and materials	500	00		
4. Current charges and obligations	325	00		
5. Equipment	150	00		

8. For registries of deeds, salaries and expenses				
Northern District			$180,560	75
1. Personal services	$148,690	75		
2. Contractual services	19,950	00		
3. Supplies and materials	5,980	00		
4. Current charges and obligations	1,160	00		
5. Equipment	1,425	00		
Southern District			208,046	85
1. Personal services	154,320	85		
2. Contractual services	12,000	00		
3. Supplies and materials	6,000	00		
4. Current charges and obligations	536	00		
5. Equipment	35,190	00		
Fall River District			185,623	10
1. Personal services	146,101	60		
2. Contractual services	10,570	00		
3. Supplies and materials	4,077	00		
4. Current charges and obligations	600	00		
5. Equipment	24,274	50		
8a. For registry of probate, salaries and expenses			29,316	00
1. Personal services	4,000	00		
2. Contractual services	12,200	00		
3. Supplies and materials	7,000	00		
4. Current charges and obligations	4,000	00		
5. Equipment	2,116	00		
9. For law libraries, salaries and expenses				
Taunton			22,680	00
1. Personal services	10,218	40		
2. Contractual services	380	00		
3. Supplies and materials	150	00		
4. Current charges and obligations	11,481	60		
5. Equipment	450	00		
New Bedford			26,676	60
1. Personal services	10,291	60		
2. Contractual services	485	00		
3. Supplies and materials	400	00		
4. Current charges and obligations	15,000	00		
5. Equipment	500	00		
Fall River			21,576	75
1. Personal services	9,473	80		
2. Contractual services	955	00		
3. Supplies and materials	205	00		
4. Current charges and obligations	10,730	00		
5. Equipment	212	95		
10. For highways, including state highways, bridges and land damages			405,300	00
2. Contractual services	334,300	00		
6. All other	50,000	00		
7. Building and Improvements	21,000	00		
12. For superior court costs			719,516	07
1. Personal services	235,424	07		
2. Contractual services	469,425	00		
3. Supplies and materials	10,563	00		
4. Current charges and obligations	2,431	00		
5. Equipment	1,673	00		

13. For civil expenses in probate court			$40,583	30
1. Personal services	$23,223	30		
2. Contractual services	14,900	00		
3. Supplies and materials	730	00		
4. Current charges and obligations	100	00		
5. Equipment	1,630	00		
14. For district courts, salaries and expenses				
First District Court of Bristol			236,310	89
1. Personal services	215,613	49		
2. Contractual services	11,440	00		
3. Supplies and materials	4,025	00		
4. Current charges and obligations	1,482	40		
5. Equipment	3,750	00		
Second District Court of Bristol			475,684	47
1. Personal services	372,689	29		
2. Contractual services	26,812	50		
3. Supplies and materials	10,795	00		
4. Current charges and obligations	39,860	00		
5. Equipment	7,527	68		
6. All other	18,000	00		
Third District Court of Bristol			617,744	78
1. Personal services	558,339	78		
2. Contractual services	22,500	00		
3. Supplies and materials	8,850	00		
4. Current charges and obligations	12,324	00		
5. Equipment	15,731	00		
Fourth District Court of Bristol			230,760	33
1. Personal services	206,187	69		
2. Contractual services	15,175	00		
3. Supplies and materials	4,480	00		
4. Current charges and obligations	3,204	64		
5. Equipment	1,713	00		
Bristol County Juvenile Court			316,584	16
1. Personal services	285,952	66		
2. Contractual services	15,580	00		
3. Supplies and materials	5,820	00		
4. Current charges and obligations	3,168	00		
5. Equipment	6,063	50		
15. For medical examiners and commitments of insane			61,125	00
16. For jail and house of correction, maintenance and operation			373,132	85
1. Personal services	64,164	85		
2. Contractual services	79,490	00		
3. Supplies and materials	217,062	00		
4. Current charges and obligations	7,741	00		
5. Equipment	4,675	00		
18. For court houses and registry buildings, maintenance and operation			489,675	55
1. Personal services	316,212	20		
2. Contractual services	113,315	00		
3. Supplies and materials	52,986	55		
4. Current charges and obligations	2,275	00		
5. Equipment	4,886	80		
20. For agricultural school or county cooperative extension service			952,776	57

1. Personal services	$687,183	57		
2. Contractual services	97,543	00		
3. Supplies and materials	131,650	00		
4. Current charges and obligations	20,560	00		
5. Equipment	15,840	00		
24. For noncontributory pensions			$80,000	00
25. For contributory retirement system and supervisory expenses			281,247	00
26. For miscellaneous and contingent expenses			76,250	00
28. For reserve fund			100,000	00
28a. For reserve for salary increases			275,000	00
28d. For reserve for counsel for indigent defendants			250,000	00
29. For advertising recreational, industrial and agricultural advantages of the county			150,000	00
34. For soil conservation district			30,000	00
36. For Dutch elm disease			20,000	00
39. For group insurance			200,000	00
Total amount of appropriations			$7,777,481	24
Less estimated amount available for reduction of county tax			1,645,436	78
And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the fiscal year, in the manner provided by law, the sum of			$6,132,044	46

The following sum is hereby appropriated for said fiscal year from federal revenue sharing funds subject to the provisions of law regulating the disbursement of county funds and the approval thereof.

Item				
16. For jail and house of correction				
1. Personal services	$550,000	00		

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

Approved July 26, 1974.

Chap. 634. AN ACT INCREASING THE SALARY OF THE CLERK OF THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER.

Be it enacted, etc., as follows:

Section 79 of chapter 218 of the General Laws is hereby amended by striking out paragraph (1), as most recently amended by chapter 161 of the acts of 1974, and inserting in place thereof the following paragraph:—

(1) The clerks of the following courts shall be paid in accordance with the salary schedule as set forth in paragraph (2):

Class I. first district court of Barnstable
second district court of Barnstable
Worcester juvenile court
Bristol county juvenile court
Springfield juvenile court
first district court of Bristol
second district court of Bristol
third district court of Bristol
fourth district court of Bristol
municipal court of Brookline
district court of Brockton
district court of Chelsea
first district court of Essex
district court of southern Essex
central district court of northern Essex
district court of Fitchburg
district court of Franklin
district court of eastern Hampden
district court of western Hampden
district court of Hampshire
district court of Holyoke
district court of Lawrence
district court of Lowell
district court of central Berkshire
district court of Marlborough
district court of central Middlesex
first district court of eastern Middlesex
second district court of eastern Middlesex
third district court of eastern Middlesex
fourth district court of eastern Middlesex
first district court of northern Middlesex
first district court of southern Middlesex
district court of Newton
district court of East Norfolk
district court of northern Norfolk
district court of southern Norfolk
district court of western Norfolk
district court of Peabody
second district court of Plymouth
third district court of Plymouth
fourth district court of Plymouth
first district court of northern Worcester
first district court of southern Worcester
municipal court of the Brighton district
municipal court of the Charlestown district
municipal court of the Dorchester district
municipal court of the East Boston district
municipal court of the Roxbury district
municipal court of the South Boston district

municipal court of the West Roxbury district
district court of Somerville
district court of Springfield
first district court of eastern Worcester
second district court of southern Worcester
third district court of southern Worcester
central district court of Worcester

Class II. second district court of eastern Worcester
district court of eastern Essex

Class III. district court of Chicopee
district court of Dukes county

Class IV. district court of northern Berkshire
district court of southern Berkshire
fourth district court of Berkshire
third district court of Essex
district court of eastern Franklin
district court of eastern Hampshire
district court of Lee
district court of Leominster
district court of Williamstown
district court of Winchendon
district court of western Worcester
second district court of Essex
district court of Nantucket
district court of Natick
district court of Newburyport.

Approved July 26, 1974.

Chap. 635. AN ACT PROVIDING THAT THE PLACEMENT OF THE NAMES OF CANDIDATES FOR PUBLIC OFFICE ON THE OFFICIAL BALLOT USED IN MUNICIPAL ELECTIONS IN THE TOWN OF SWAMPSCOTT SHALL BE DRAWN BY LOT.

Be it enacted etc., as follows:

Notwithstanding the provisions of any law to the contrary, in municipal elections held in the town of Swampscott, the names and residences of the candidates for office shall appear on the official ballot to be used at said election in their order as drawn by lot by the registrars of voters. In drawing for position on the ballot the candidates shall have an opportunity to be present in person or by one representative each.

Approved July 26, 1974.

Chap. 636. AN ACT AMENDING THE RACIAL IMBALANCE LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out section 1I, as amended by section 41 of chapter 14 of the acts of 1966, and inserting in place thereof the following section:—

Section 1I. The board of education, in this section called the board, shall provide technical and other assistance in the formulation of plans to reduce or eliminate racial imbalance to be filed as provided by section thirty-seven D of chapter seventy-one, may approve such plans if they meet the requirements of said section thirty-seven D, and shall provide technical and other assistance for the implementation of approved plans and mandatory plans. If a school committee or a regional district school committee has failed to file with the board a plan within the time limit established by regulation of the board as provided by said section thirty-seven D or has filed a plan which does not meet the requirements of said section thirty-seven D, the board shall consult with and, after a public hearing, make specific recommendations for such a plan, together with an explanation of how such recommendations meet the requirements of said section thirty-seven D, to such school committee or regional district school committee, and such school committee or regional district school committee may file a revised plan in response to such recommendations; provided, however, that if the board has not approved such a plan or its revision within four months after the time limit established by such regulation of the board for its filing, the board may order that its recommendations shall be the mandatory plan to be implemented by such school committee or regional district school committee to meet the requirements of said section thirty-seven D. Any such recommendations and any such mandatory plan may include any of the following measures, and no others, to meet the requirements of said section thirty-seven D: additions to existing school buildings, use of leased or portable facilities, and changes in use of school buildings.

If, following the receipt of notification from the board that racial imbalance exists, any school committee or regional district school committee does not show progress within a reasonable time in reducing or eliminating racial imbalance in its schools as provided by said section thirty-seven D, the commissioner of education shall not certify the amount of state aid for such city or town or for such towns which are members of such regional school district, as required by section five of chapter seventy, and the board shall not approve any project for school construction for such city, town, or regional school district under chapter six hundred forty-five of the acts of nineteen hundred and forty-eight, as amended, and the commissioner of education may notify the commissioner of corporations and taxation and the comptroller to hold such funds as have been so certified under said section five but have not been disbursed. Thereafter, upon

receipt by the board of plans acceptable to it and showing progress within a reasonable time in reducing or eliminating racial imbalance in its schools as provided by said section thirty-seven D, the commissioner of education may notify the commissioner of corporations and taxation and the comptroller to pay any such withheld funds to such city or town in such amounts and at such times as he may designate, and the board may approve such projects.

The board shall, notwithstanding any contrary provision of chapter six hundred forty-five of the acts of nineteen hundred and forty-eight, as amended, increase the amount of grants for schoolhouse construction to seventy-five percent of the approved cost whenever the board is satisfied that the construction or enlargement of a schoolhouse is for the purpose of reducing or eliminating racial imbalance as provided by said section thirty-seven D; and the commonwealth shall, subject to appropriation and upon the approval of the board, pay to a city, town, or regional district school committee seventy-five percent of the cost of other measures, except transportation as hereinafter provided of pupils, employed by a school committee thereof or such regional district school committee to provide places for pupils for the purpose of reducing or eliminating racial imbalance as provided by said section thirty-seven D.

The commonwealth shall, subject to appropriation and upon the approval of the board, pay to a city, town, or regional district school committee one hundred percent of the cost of transportation of non-white pupils transferred from schools in which racial imbalance exists to schools in which racial isolation or racial balance exists and one hundred percent of the cost of transportation of white pupils transferred from schools in which racial isolation exists to schools in which racial imbalance or racial balance exists for the purpose of reducing or eliminating racial imbalance as provided by said section thirty-seven D.

The board of education shall designate and administer a separate "Equal Education Improvement Fund" for each city, town or regional school district participating under the provisions of the act, to be known as the (name of city, town or regional school district) Fund. The Commonwealth shall, subject to appropriation, pay into such fund, five hundred dollars for each non-white pupil transferred from a school in which racial imbalance exists to a school in which racial isolation or racial balance exists, and five hundred dollars for each white pupil transferred from a school in which racial isolation exists to a school in which racial imbalance or racial balance exists for the purpose of reducing or eliminating racial imbalance.

The board shall establish guidelines by which the school committee of a city, town, or regional school district participating under the provisions of this act, may prepare and submit to the board for its approval, a plan (s) for a program (s) including an estimate of expenses necessary to implement such plan, to improve the quality of education in said city, town or regional school district. Upon approval of such plan or plans, the board shall designate that the amount needed

for such plan be paid to the applying community from the Equal Education Improvement Fund of said city, town or regional school district.

The board may add to such funds such monies as are appropriated therefore and pursuant to regulations promulgated thereto and as requested of the Department for the purposes of voluntary transfers of students under Chapter 15, for magnet school programs, for minority teacher and administrator recruitment and salary supplementation in the public schools, and for inservice teacher training projects.

SECTION 2. Section 1J of said chapter 15, as inserted by section 2 of chapter 641 of the acts of 1965, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Within thirty days after (1) a school committee or regional district school committee declines to accept the recommendations made to it by the board of education, in this section called the board, (2) the board disapproves a revised plan filed with it by a school committee or regional district school committee, or (3) the board orders that its recommendations shall be the mandatory plan to be implemented by a school committee or regional district school committee, such school committee or regional district school committee may file a petition for judicial review in the superior court for the county in which it is located or in the supreme judicial court for Suffolk county. The court may affirm such recommendations, disapproval, or order of the board and require compliance with such mandatory plan by appropriate order; or, if it finds and rules that such recommendations, disapproval, or order is (a) in excess of the statutory authority or jurisdiction of the board, (b) based upon an error of law, or (c) arbitrary or capricious, an abuse of discretion, or otherwise not in accordance with law, then it may set aside such recommendations, disapproval, or order and remand the matter to the board for further action.

SECTION 3. Section 1K of said chapter 15, as so inserted, is hereby amended by striking out, in lines 2 through 5, the words "and no individual shall be appointed to this advisory committee on racial imbalance who has been listed in any state or federal document as being a member of a communist front organization".

SECTION 4. Section 37C of chapter 71 of the General Laws, as inserted by section 1 of chapter 641 of the acts of 1965, is hereby amended by inserting, in line 6, after the word "lines", the words:— , establishing of grade levels,.

SECTION 5. Said chapter 71 is hereby further amended by striking out section 37D, as most recently amended by chapter 958 of the acts of 1971, and inserting in place thereof the following section:—

Section 37D. As used in this section, sections thirty-seven C, I, and J, sections one I through one K of chapter fifteen, and section twelve A of chapter seventy-six, the following terms shall, unless the context requires otherwise, have the following meanings:

"Racial imbalance", the condition of a public school in which more

than fifty percent of the pupils attending such school are non-white.

"Racial balance", the condition of a public school in which more than thirty percent but not more than fifty percent of the pupils attending such school are non-white.

"Racial isolation", the condition of a public school in which not more than thirty percent of the pupils attending such school are non-white.

"Exempt school", a public school to which, prior to January first, nineteen hundred and seventy-four, the passing of a competitive examination was a condition of entrance; provided, however, that the school committee or regional district school committee having jurisdiction over such school shall, under the supervision of the board of education, establish and maintain an affirmative action program to recruit and assist non-white students to enter and to remain in attendance at such school.

The school committee of each city, town, and regional school district shall annually, at such time and in such form as the commissioner shall determine, submit to the commissioner statistics sufficient to enable a determination to be made of the percent of white and non-white pupils attending all public schools and attending each public school under the jurisdiction of each such committee. Whenever the board of education, in this section called the board, finds that racial imbalance exists in a public school, it shall in writing notify the school committee or regional district school committee having jurisdiction over such school that such finding has been made.

Any non-white pupil attending any public school in which racial imbalance exists shall have the right to be transferred to and to attend any other school, except an exempt school, of his parents' or guardian's choice for his grade level and under the jurisdiction of the same school committee or regional district school committee if racial isolation exists in such other school; and any white pupil attending any public school in which racial isolation exists shall have the right to be transferred to and to attend any other school, except an exempt school, of his parents' or guardian's choice for his grade level and under the jurisdiction of the same school committee or regional district school committee if racial imbalance exists in such other school. If a place is available for such pupil at such other school, such school committee or regional district school committee shall, forthwith upon receipt of written notice by his parents or guardian that they intend such pupil to exercise his right to be transferred to and to attend such other school, transfer such pupil to such other school. If no place is available for such pupil at such other school, such school committee or regional district school committee shall, upon receipt of such notice, formulate and, within the time limit established by regulations of the board, file with the board a plan to provide, within the same school year for which such notice is given, a place for such pupil at such other school and shall, within such time as may be prescribed by the board, implement either such plan as approved by the board or the mandatory plan of the board to provide such place and, when

such place becomes available, transfer such pupil to such other school; provided, however, that the board may temporarily or permanently excuse such school committee or regional district school committee from implementing such plan or mandatory plan if an alternative place, satisfactory to the parents or guardian of such pupil, is available at another school to which such pupil may, as provided by this section, exercise his right to be transferred and attend, or if the board finds that there is other good cause to do so. Whenever a school committee or regional district school committee determines, in accordance with regulations of the board, that the number of places available at such other school is exceeded by the number of pupils exercising their rights to be transferred to and to attend such other school, the selection of particular pupils to be transferred to such places as are available shall be in accordance with regulations of the board, which regulations shall reasonably provide for priority for non-white pupils attending schools in which more than seventy percent of the pupils are non-white, without affecting the rights of such pupils not so selected to be transferred to and to attend such other school as provided by this section.

Any such plan so filed shall set forth in detail the proposed changes in existing school attendance districts, additions to existing school buildings, use of leased or portable facilities, changes in use of school buildings, and other measures to provide a place for such pupil at such other school. Any such plan shall take into consideration on an equal basis with reduction or elimination of racial imbalance the safety of pupils in their travelling between school and home. Any such plan may provide for voluntary cooperation by other cities, towns, or regional school districts in making facilities available or otherwise rendering assistance in implementing such plan. No change in any existing school attendance district shall be made pursuant to any such plan prior to a public hearing. Notice of the time and place of such hearing and of its subject matter shall be given by mail, postage prepaid, to the parents and guardian of each pupil affected by the proposed change and either by publication in a newspaper of general circulation in the city, town, or regional school district within which such attendance district lies once in each of two successive weeks, the first such publication to be not less than fourteen days prior to the day of such hearing, or, if there is no such newspaper, by posting such notice in a conspicuous place in the city or town hall of such city, town, or member towns of such regional school district for a period of not less than fourteen days prior to the day of such hearing. At such hearing any person, whether entitled to notice thereof or not, may appear in person or be represented by an agent who need not be an attorney.

The board shall adopt regulations for the administration of the provisions of this section relating to, but not necessarily limited to, determination of places available in schools, priorities for transfer and attendance, notification to parents and guardians of pupils of such pupils' rights to transfer and attendance, reporting and publica-

tion of places available in schools, time limits for filing of plans to provide places for pupils in schools, consolidation of such plans for filing, time limits and schedules for implementation of approved or mandatory plans to provide such places, progress reports on such implementation, and affirmative action programs.

The supreme judicial and superior courts shall have jurisdiction in equity over actions commenced by the board or by or on behalf of any pupil to enforce the provisions of this section; provided, however, that in any such action commenced by or on behalf of any pupil to enforce his right, as provided by this section, to be transferred to and to attend any school, which action is concluded in favor of such pupil, the school committee or regional district school committee having jurisdiction over such school shall be liable to such pupil or the person commencing such action on his behalf for his costs and reasonable attorney's fees.

SECTION 6. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 7. Chapter 76 of the General Laws is hereby amended by striking out section 12A, as amended by section 1 of chapter 622 of the acts of 1968, and inserting in place thereof the following section:—

Section 12A. The school committee of any city or town or any regional district school committee may adopt a plan for attendance at its schools by any child who resides in another city, town, or regional school district in which racial imbalance, as defined in section thirty-seven D of chapter seventy-one, exists in a public school. Such plan shall tend to eliminate such racial imbalance, shall be consistent with the purposes of said section thirty-seven D, and shall include an estimate of the expenses necessary to implement such plan. Such school committee or regional district school committee shall file a copy of such plan and the vote by which it was adopted with the board of education, in this section called the board. The board shall approve or disapprove such plan within ninety days after the date of such filing. If it disapproves such plan, it shall state the reasons therefor. If it approves such plan, the board, acting through the commissioner of education and on behalf of the commonwealth, shall enter into an agreement with such school committee or regional district school committee providing that such school committee or regional district school committee shall accept for attendance at its schools non-resident children as provided by such plan and that the commonwealth shall provide financial assistance to such city, town, or regional district school committee as provided by this section; provided, however, that such agreement may provide that such school committee or regional district school committee waives all or any part of such financial assistance. No such school committee or regional district school committee shall be required to implement any such plan unless and until it and the board have entered into such an agree-

ment providing for the amount of financial assistance and the terms on which such assistance shall be provided.

Any child residing in any city, town, or regional school district and attending therein a public school in which such racial imbalance exists may attend a public school or a publicly authorized non-sectarian school in a city, town, or regional school district in which he does not reside if the school committee of such city or town or the committee of such regional school district has adopted and the board has approved, as provided by this section, a plan for the attendance of such non-resident children therein.

The commonwealth shall, subject to appropriation and upon certification by the board, provide financial assistance in accordance with such agreement. Such financial assistance shall include payments for: (i) the cost per pupil of educating each non-resident child, as approved by the board; (ii) the cost of transportation of each such child, as approved by the board.

The board shall provide technical and other assistance to any city, town, or regional school district in the formulation and implementation of any such plan. A school committee, regional district school committee, or the board may accept, for the purpose of implementing any such plan, gifts, grants, or contributions from any source, whether public or private. Any gift, grant, or contribution so accepted by a school committee of a city or town or a regional district school committee for such purpose shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and may be expended without further appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four.

SECTION 8. Chapter 71 of the General Laws is hereby amended by inserting after section 37H the following two sections:—

Section 37I. Notwithstanding any contrary provisions of law, including, but not limited to, chapter six hundred forty-five of the acts of nineteen hundred and forty-eight, as amended, the board of education, in this section and section thirty-seven J called the board, may, subject to appropriation, make grants for the cost of providing magnet school facilities. For the purpose of this section, the term "magnet school facility" shall mean a public school or part thereof which meets such requirements as may be established by the board and attracts pupils from outside the neighborhood in which it is located for the purpose of reducing or eliminating racial imbalance or racial isolation, as defined in section thirty-seven D.

The school committee of any city or town or any regional district school committee may apply to the board for a grant to such city, town, or regional district school committee for all or part of the cost of providing a magnet school facility. Such application shall be in such form as may be prescribed by the board and shall be accompanied by such estimates and other information as the board may require. The board may approve any such application for a facility which meets such requirements and which is likely so to attract

pupils so as to reduce or eliminate racial imbalance or racial isolation. The board shall notify such school committee or regional district school committee of its approval or disapproval of such application and, in the case of approval, of the estimated amount of the grant which the board will make.

After notification of approval, the board and such school committee or regional district school committee may enter into an agreement providing that such school committee or regional district school committee shall provide, within a reasonable time, such magnet school facility, as approved by the board, and that the commonwealth shall pay to such city, town or regional district school committee the amount of such grant. Any such agreement shall provide that such facility shall be operated in a manner designed to achieve racial balance therein or at the public school of which such facility is a part and that, whenever such school committee or regional district school committee determines, in accordance with regulations of the board, that the number of places available at such facility or school is exceeded by the number of pupils who have applied to be transferred to and to attend such facility or school, the selection of particular pupils to be transferred to and to attend such facility or school shall be in accordance with regulations of the board, which regulations shall reasonably provide for priority for those non-white pupils who are attending or otherwise would attend a racially imbalanced school and for those white pupils who are attending or otherwise would attend a racially isolated school.

The following costs of providing a magnet school facility shall be eligible for any such grant:

(i) the average cost per pupil of educating each child who attends such facility or the public school of which such facility is a part, less the average cost per pupil of educating each such child at the public school which he otherwise would have attended; provided, however, that such costs shall be determined according to a method approved by the board, and that, to the extent possible, such method shall determine the average cost per pupil of educating each such child in the grade in which he is enrolled;

(ii) the cost of transportation of each child attending such magnet school facility;

(iii) the cost of planning and construction, reconstruction, enlargement, rehabilitation, or other improvement for the magnet school facility provided, however, that no such grant shall be for more than seventy-five percent of any such cost and

(iv) such other costs incidental to the provision of the magnet school facility as the board may approve.

The board may adopt regulations for the administration of the provisions of this section.

Section 37J. The board of education may, subject to appropriation, reimburse any city, town or regional district for all or part of the cost of providing magnet educational programs within the public schools. Any such reimbursement shall be made only after certification by

the board that such cost actually has been incurred, that such cost is reasonable, and that such program has met such requirements.

For the purpose of this section, the term "magnet educational program" shall mean educational measures including, but not limited to, planning and special services, instruction, or treatment of children, whether at the public schools or other public or private facility or place, which meet such requirements as may be established by the board for the purpose of providing such children with racially balanced educational experiences.

The board of education may contract with any other public or private facility for the purpose of purchasing magnet educational programs. Any city, town or regional district wanting to join in such a program shall so request the board in writing. The board shall approve all requests that meet the requirements as may be established. Any such contracts must be approved by a majority of the board provided that such cost is reasonable.

Approved July 26, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
July 26, 1974

The Honorable John F. X. Davoren
Secretary of the Commonwealth
State House
Boston, Massachusetts 02133

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 1974 entitled "AN ACT AMENDING THE RACIAL IMBALANCE LAW." and the enactment of which received my approval on July 26, 1974, should take effect forthwith.

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

It is essential that the provisions of this Act take effect immediately in order to permit its orderly administration during the school year which will soon commence.

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

OFFICE OF THE SECRETARY, Boston, July 26, 1974.

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 ten minutes, P.M., on the above date, and in accor-

dance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and thirty-six of the acts of nineteen hundred and seventy-four.

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

Chap. 637. AN ACT PROTECTING LAND AND WATER ON MARTHA'S VINEYARD.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to preserve the natural and cultural character of the island of Martha's Vineyard, 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. Whereas, it is hereby declared that:

(a) the island of Martha's Vineyard possesses unique natural, historical, ecological, scientific, cultural, and other values; and that there is a regional and statewide interest in preserving and enhancing these values;

(b) these values are being threatened and may be irreversibly damaged by uncoordinated or inappropriate uses of the land;

(c) the protection of the health, safety, and general welfare of island residents and visitors requires the establishment of a regional commission whose purpose shall be to ensure that henceforth the land usages which will be permitted are those which will not be unduly detrimental to those values or to the economy of the island;

(d) the preserving and enhancing of these values requires the designation of districts of critical planning concern and the recognition of developments of regional impact, and the review thereof by the regional commission;

(e) such a program can protect the natural character and beauty of Martha's Vineyard and can contribute to the maintenance of sound local economies and private property values;

(f) the people of Martha's Vineyard did, on March fourteenth, nineteen hundred and seventy-four vote to endorse the provisions of this act;

Therefore, the purpose of the commission created by this act shall be to protect the health, safety, and general welfare of Island residents and visitors by preserving and conserving for the enjoyment of present and future generations the unique natural, historical, ecological, scientific, and cultural values of Martha's Vineyard which contribute to public enjoyment, inspiration and scientific study, by protecting these values from developments and uses which would impair them, and by promoting the enhancement of sound local economies.

SECTION 2. There is hereby created the Martha's Vineyard Commission, hereinafter referred to as the commission, which shall be a public body corporate and which shall have the responsibilities, duties, and powers established herein over the lands and inland waters in Dukes county, with the exception of the Elizabeth Islands and the Indian Common Lands known generally as the Cranberry Bogs, the Clay Cliffs, and Herring Creek, all situated in the town of Gay Head, and all lands owned by the commonwealth or any of its constituent agencies, boards, departments, commissions, or offices.

The commission shall consist of twenty-one members; one selectman from each town on Martha's Vineyard, appointed by the board of selectmen of that town, or a member of the planning board or any other municipal agency, board, department, or office, appointed to the commission by the board of selectmen of that town; nine persons to be elected at large, island-wide, provided that there shall be not less than one person nor more than two persons elected from each town on Martha's Vineyard and provided that said elections shall be held in accordance with the provisions of the following paragraph; one county commissioner of Dukes county, appointed by the county commissioners of Dukes county; one member of the cabinet appointed by the governor; and four persons whose principal residence is not on Martha's Vineyard, to be appointed by the governor, said persons to have voice but not vote in deciding matters before the commission. In the event that legislation relevant to the purposes of this act is enacted by the Congress of the United States, the commission shall consist of twenty-two members: the twenty-one persons described in the above section, and the Secretary of the Interior of the United States or his designee.

The election of the nine at-large members of the commission shall be conducted at the next state election following the effective date of this act, and all succeeding elections of such members shall take place at the biennial state election. The nomination of candidates for election to the office of commission member shall be in accordance with sections six and eight of chapter fifty-three of the General Laws, provided, however, that no more than ten signatures of voters shall be required on nomination papers for such office. Notwithstanding the provisions of section ten of chapter fifty-three of the General Laws, nomination papers for said candidates shall be filed with the office of the state secretary on or before the tenth Tuesday preceding the day of the election. Such nomination papers shall be subject to the provisions of section seven of said chapter fifty-three. All candidates for said office are hereby exempted from the reporting requirements as provided for in section sixteen of chapter fifty-five of the General Laws. All appointing authorities shall appoint persons to the commission no later than fifteen days after the date of the election of the nine at-large commission members, and said authorities shall notify the state secretary of their appointments in writing. Upon his election or appointment to the commission, each commission member shall be sworn to the faithful execution of his duties by the town clerk

in the town in which he resides; provided however, that the four commission members who do not have their principal place of residence on Martha's Vineyard shall be sworn by the town clerk of the town on Martha's Vineyard in which they reside. Upon the qualification of its members, but in no case later than December thirty-first, nineteen hundred and seventy-four, the commission members shall meet and organize by electing from among its members a chairman, vice-chairman, and clerk-treasurer. Succeeding election of officers shall be held annually, at a meeting called for that purpose; provided that the commission clerk-treasurer shall not concurrently hold the position of treasurer of Dukes County.

Terms of office for the elected members of the commission and for the non-resident taxpayer members shall be two years. Terms of office for members who are selectmen or their designees or county commissioners shall be for one year and may be renewed only upon vote of the appointing body. The cabinet officer appointed by the governor shall serve at the discretion of the governor. Terms of office shall be computed from January first of each year.

Any vacancy in an appointed position shall be filled in the same manner as the original appointment for the remainder of the unexpired term. Any vacancy in the elected membership shall be filled by a majority vote of the planning board, or the board of selectmen in the absence of a planning board, of the town in which the former member was a registered voter; said vacancy to be filled for the remainder of the unexpired term. The Secretary of the Interior or his designee shall serve pursuant to applicable federal law.

The commission may also contract for such additional clerical, expert, legal, and other assistance as may be required to discharge its responsibilities and may reimburse its members and staff for reasonable expenses incurred in the performance of their duties, including meals, travel and lodging.

SECTION 3. The commission may adopt regulations for the control of districts of critical planning concern pursuant to sections nine through twelve, inclusive, of this act and to specify conditions and modifications necessary for the control of developments of regional impact pursuant to sections thirteen through seventeen, inclusive, of this act.

In adopting such regulations, the commission may include any type of regulation which may be adopted by any city or town under the following general laws, as amended: chapter forty, section eight C, the Conservation Commission Act; chapter forty A, the Zoning Enabling Act; chapter forty C, the Historic Districts Act; chapter forty-one, sections eighty-one E through eighty-one H, as they relate to official maps; chapter forty-one, sections eighty-one K through eighty-one GG, the subdivision control law; chapter one hundred eleven, section twenty-seven B, as it relates to regional health boards; and chapter one hundred thirty-one, sections forty and forty A, as they pertain to the protection of wetlands.

Regulations adopted pursuant to section eleven or conditions and

modifications specified pursuant to section seventeen by the commission under the above-mentioned general laws may differ from the otherwise relevant local development ordinances and by-laws in their scope and magnitude when such ordinances and by-laws are clearly restrictive of the purposes of the commission. In adopting regulations or specifying conditions which would not otherwise be permitted or required by existing local development ordinances and by-laws the commission shall describe in writing and present evidence which demonstrates that the public health, safety, and welfare would be endangered or that irreversible damage would result to natural, historical, ecological, scientific, or cultural values on Martha's Vineyard by the continuing application of the existing local development ordinance or by-law as it applies to the specific district of critical planning concern or development of regional impact which the commission is considering.

The commission may be designated by any state or federal agency to participate in or receive funds and technical assistance from any state or federal programs, especially as those programs relate to environmental protection, conservation, land use planning, water and air quality control, economic development, transportation or the development of region-wide public services. The commission may authorize debt in anticipation of receipt of revenue as provided in section four.

SECTION 4. The commission shall annually in the month of January estimate the amount of money required to pay its total expense for the following fiscal year, deduct estimated contributions from other sources, and pro rate the net expenses to each town on the basis of its latest equalized valuation for property tax purposes as established pursuant to section nine of chapter fifty-eight of the General Laws. The commission shall certify the amount so determined to the treasurer of each town within the commission's jurisdiction who shall include the sum in the tax levy of the year.

Upon order of the commission, each town treasurer shall, subject to the provisions of sections fifty-two and fifty-six of chapter forty-one of the General Laws, pay to the commission treasurer the town's share of the commission's net expenses.

The commission may receive for the purposes of this act any funds or monies from any source, including grants, bequests, gifts, or contributions made by any individuals, association, corporations, or by municipal, county, state, or federal governments. Monies so received shall be disbursed by the commission treasurer upon an order voted by the commission; and the charges upon all towns may be reduced correspondingly upon a majority vote of the members if such monies were not included in the calculation of the town's net shares of expenses for the fiscal year.

The commission may authorize debt by a majority vote of the commission in anticipation of revenue to an amount not in excess of that to be received during the current fiscal year from all federal, state, county, and local sources. Notes issued under authority of this section

shall be signed by the clerk treasurer of the commission, and chairman of the commission shall countersign and approve them in the presence of the vice-chairman of the commission who shall certify to the fact on the face thereof. Such notes shall be payable, and shall be paid not later than one year from their dates, and shall not be renewed or paid by the issue of new notes, except as provided in section seventeen of chapter forty-four of the General Laws.

Where the imposition of a regulation promulgated by the commission pursuant to section eleven imposes costs on a municipal agency, the commission may transfer monies from its accounts to the accounts of such agency in reimbursement of such costs. For the purposes of this subsection, the term "costs" means those additional expenses incurred by a municipal agency solely in the performance of duties necessary to the enforcement of regulations promulgated pursuant to this act.

The commission may, upon a majority vote of its members, accept gifts of land, interests in land, or grants, bequests, gifts, or contributions for the purpose of acquiring land or interests in land in order to preserve and conserve land on Martha's Vineyard for the enjoyment and inspiration of present and future generations. The commission may also receive land or interests in land in trust or act in any appropriate capacity in a trust, provided that said trust be for the purpose of preserving and conserving land on Martha's Vineyard for public use and enjoyment.

SECTION 5. Notwithstanding the provisions of any ordinance or by-law of a municipality on Martha's Vineyard, every municipal land regulatory agency shall be governed by the procedures, standards, and criteria established pursuant to this act in passing on applications for development permits relating to areas and developments subject to this act. A copy of each such permit granted by any such agency after the temporary moratorium as provided in section seven shall be filed with the commission.

SECTION 6. The following words, wherever used in this act shall, unless the context requires otherwise, have the following meanings:

"Development", means any building, mining, dredging, filling, excavation, or drilling operation; or any material change in the use or appearance of any structure or in the land itself; or the dividing of land into parcels; or a change in the intensity of use of land, such as an increase in the number of dwelling units in a structure; or alteration of a shore, beach, seacoast, river, stream, lake, pond, or canal, including coastal construction; or demolition of a structure; or the clearing of land as an adjunct of construction; or the deposit of refuse, solid, or liquid waste or fill on a parcel of land.

"Development ordinances and by-laws", any by-law, ordinance, rule, regulation, or code adopted by a municipality for the control or regulation of activities related to construction, improvement, or alteration made to buildings of land within the boundaries of said municipality.

"Development permit", any permit, license, authority, or permission required from a municipal agency prior to the commencement of construction, improvement, or alteration made to buildings or land.

"Municipal land regulatory agency", any municipal agency, board, commission, department, office, or official that has statutory authority to approve or grant a development permit.

"Person", an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any legal entity.

"Regulations", any ordinance, by-law, rule, regulation, or code which may be adopted by a city or town under the General Laws enumerated in section three of this act and which is adopted by the commission under the provisions of section eleven.

SECTION 7. Upon the election and complete organization of the commission there shall be a temporary moratorium for a period of twelve months, or for a period of forty-five days after standards and criteria are developed by the commission are approved by the secretary of communities and development as provided in section eight, whichever period is the shorter. During said moratorium period town authorities shall grant development permits only for:

(*a*) alterations to or replacement of existing structures, provided that the use and intensity of use of the altered or replacement structure remains substantially similar to the use and intensity of use of the previous structure;

(*b*) developments, construction, or improvements essential to protect the public health, safety, or welfare;

(*c*) the construction of one single family dwelling unit by one person on land owned by such person as of the effective date of this act. No person shall, however, be granted more than one development permit on Martha's Vineyard for the construction of a single family dwelling unit during the period of the moratorium, and all applications for permits to be granted during the moratorium period shall be submitted by the agency issuing the permit to the commission for certification as to compliance with this subsection. All permits granted under the provisions of this subsection shall also be registered with the commission within ten days of the granting of said permit;

(*d*) such other development, construction, or improvements as the commission once constituted, may specify; provided, however, that the commission, in acting under this provision, shall find that the provisions of the moratorium cause unnecessary and substantial hardship to the applicant and, that the granting of an exemption from the terms of the moratorium would be compatible with the purposes of this act;

(*e*) the subdivision of land, in order to correct minor discrepancies in boundary lines or to affect minor changes in boundary lines, for the purpose of clarifying titles or deeds to land; or the subdivision of land for the purpose of resolving conflicts resulting from the probate of estates; or the subdivision of land, in order to allow for the sale, gift, or bequest of land to a public or non-profit organization dedi-

cated to the conservation of land, for the purpose of conserving or preserving open space on Martha's Vineyard; or the subdivision of land by a person into not more than three lots during the moratorium period. Only one such subdivision shall be approved for each person, notwithstanding that such person owns land in more than one town on Martha's Vineyard, and provided further, that there shall be no further subdivision by any person of the parcels so subdivided during the moratorium period;

(*f*) the construction of separate, ancillary, nonresidential structures such as garages, barns, greenhouses, other agricultural structures, studios, docks, or wharves or the construction of structures such as decks, patios, porches, garages, or studios as additions to existing structures; provided that the use of any structure constructed under this subsection with the exception of agricultural structures shall not be used in any manner for commercial activities.

Nothing in this act shall be construed to prohibit the planning board of a town on Martha's Vineyard from accepting for consideration for approval any definitive subdivision plan pursuant to chapter forty-one of the General Laws, provided that such definitive subdivision plan was duly submitted to said planning board prior to the effective date of this act. Nothing in this act shall be construed to prohibit said planning boards from accepting for consideration for approval after the effective date of this act any preliminary or definitive subdivision plans pursuant to chapter forty-one of the General Laws, provided, however, that no approval on any definitive plan shall be granted by a planning board before the end of the temporary moratorium.

SECTION 8. Prior to any commission action pursuant to sections nine or fourteen, and within one year following the effective date of this act, the commission shall submit to the secretary of communities and development (*a*) standards and criteria which the commission proposes to use in determining whether or not a proposed area is one of critical planning concern as that term is defined in section nine of this act; and (*b*) standards and criteria which the commission proposes to use and to be used by municipal authorities in determining whether or not a proposed development is one of regional impact as that term is defined in section thirteen.

The secretary of communities and development, with the concurrence of such other members of the governor's cabinet as the governor shall designate for this purpose, may approve, disapprove or amend and approve with the advice and consent of the commission, the standards and criteria regarding designation of districts of critical planning concern and review of developments of regional impact if such standards and criteria are in accordance with the purposes of the commission. The secretary of communities and development and such other cabinet members designated by the governor shall approve, disapprove, or amend and approve standards and criteria submitted to them within forty-five days after the receipt of such standards and criteria.

SECTION 9. The commission may, after notice to all municipalities which include within their boundaries any part of the area of a proposed district of critical planning concern and after notice and public hearing pursuant to section two of chapter thirty A of the General Laws, designate specific geographical areas on Martha's Vineyard as districts of critical planning concern. The designation of such districts shall be made only in accordance with the standards and criteria for districts of critical planning concern approved pursuant to section eight.

A district of critical planning concern may be designated only for (*a*) an area which possesses unique natural, historical, ecological, scientific, or cultural resources of regional or statewide significance; (*b*) an area which possesses marginal soil or topographic conditions which render it unsuitable for intense development; or (*c*) an area significantly affected by, or having significant impact on, an existing or proposed major public facility or other area of major public investment. A major public facility is any publicly owned facility of regional importance except:

(1) any public facility operated by a municipality primarily for the benefit of the residents of that municipality, or by any agency serving primarily the residents of one municipality;

(2) any street or highway which is not recognized as or maintained as a part of the state or federal highway system; or

(3) any educational institution serving primarily the residents of one municipality.

Nomination of areas for consideration for designation as districts of critical planning concern may be made by the commission or by a board of selectmen, planning board, board of health, or conservation commission of any of the towns affected by this act for any area within or without its municipal boundaries. Nominations also may be made upon petition of twenty-five taxpayers of any town on the island. Within forty-five days of the receipt of a nomination the commission shall accept or reject the nomination for consideration for designation upon a majority vote of its members. The acceptance of a nomination for consideration for designation shall be accompanied by a general statement of purpose, describing the reasons for acceptance of the nomination for consideration. Nominations which are not accepted for consideration shall be returned to their sponsors with a written explanation of the commission's reasons for not accepting the nomination within forty-five days of submission. The commission may consolidate nominations which pertain to the same geographical area or to areas which are contiguous or it may amend a nomination. Nominations accepted for consideration for designation which do not receive designation may be reconsidered for designation within one year of the original acceptance for consideration upon a vote of two thirds of the commission members.

In its designation of a district of critical planning concern, the commission shall specify why the area is of critical concern to the region, the problems associated with the uncontrolled or inappropriate

development of the area, and the advantages to be gained from development of the area in a controlled manner. The commission also shall specify guidelines for the development of the district. The issuance of such guidelines shall be based on, but need not necessarily be limited to, the following considerations:

(*a*) that development of the district will not result in undue water, air, land, or noise pollution, taking into account the elevation of the district above sea level, the nature of the soils and subsoils and their ability adequately to support waste disposal, the slope of the land and its effect on effluents, availability of streams and other conduits for disposal of effluents, and the applicable health, water resources and environmental regulations;

(*b*) that the existing water supply of the district will not be unreasonably burdened by any development;

(*c*) that development of the district will not result in increased beach erosion or damage to the littoral ecology or wetlands;

(*d*) that development of the district will not result in increased beach erosion or damage to the littoral ecology or wetlands.

In any application for a development permit which applies to an area within a district of critical planning concern, the burden of proof of compliance with the above considerations shall be on the applicant. The commission may amend or rescind the designation of a district in the manner provided for designation.

Nominations accepted for consideration for designation which do not receive designation from the commission within sixty days of the date of acceptance shall be returned to their sponsors with a written explanation of the commission's reasons for not granting the designation. Initial nominations for districts of critical planning concern shall not be submitted to the commission for twelve months following the effective date of this legislation, or until standards and criteria are approved as provided in section eight, whichever period is the lesser.

SECTION 10. No municipality shall grant a development permit applicable within a district of critical planning concern except in accordance with regulations promulgated pursuant to section eleven.

The acceptance of a nomination for consideration for designation of a district of critical planning concern shall suspend the power of a municipality to grant development permits applicable within the district; provided, however that until regulations for the district adopted pursuant to section eleven have become effective, a municipality may grant development permits, applicable within the district if:

(*a*) the type of proposed construction, improvement, or alteration is essential to protect the public health, safety, and general welfare because of an existing emergency certified by the commission, and,

(*b*) a development ordinance or by-law had been in effect immediately prior to the nomination of such area and development permits would have been granted under such ordinance or by-law.

SECTION 11. After designation of a district of critical planning concern, a municipality whose boundaries include all or part of the

district may adopt regulations in accordance with the guidelines for the development of the district as set forth in the designation. In adopting such regulations, each municipality shall have all of the powers it otherwise had under the General Laws. A copy of regulations so adopted shall be transmitted to the commission. If the commission determines that the regulations adopted by a municipality comply with the guidelines for the development of the district specified in the commissions' designation of the district, the commission shall, after notice to all municipalities which include within their boundaries any part of the district of critical planning concern and after notice and public hearing pursuant to section two of chapter thirty A of the General Laws, approve or amend and approve such regulations. When two or more municipalities may, pursuant to this act, adopt regulations for areas within a single district, the commission shall encourage such municipalities to adopt compatible regulations.

If a municipality whose boundaries include all or part of the district fails to submit regulations which comply with the guidelines for the development of the district within three months after the designation, the commission may after notice to such municipality and after notice and public hearing pursuant to section two of chapter thirty A of the General Laws, adopt regulations applicable to such municipality's portion of the district. Such regulations shall specify the extent to which they shall supersede the otherwise applicable local development ordinances and by-laws or be supplementary thereto. Regulations so adopted shall be only the types specified in section three.

All regulations so adopted shall be incorporated, without regard to the provisions of section thirty-two of chapter forty of the General Laws, by the municipality into the official ordinances, by-laws, and maps of the municipality and shall not be effective prior thereto. Such regulations shall be administered by the municipality as if they were part of its development ordinances and by-laws. If such a regulation requires enforcement by an administrative office or body which has not been constituted by a municipality, the board of selectmen of the municipality shall enforce said regulation. At any time after the adoption by the commission of such regulations, the municipality concerned may adopt regulations which, if approved by the commission as provided in the preceding subsection, shall supersede any regulations adopted by the commission pursuant to this subsection.

A municipality may amend or rescind regulations in the manner provided for adoption and approval.

SECTION 12. If the commission has not approved or adopted regulations applicable to the entirety of a district within twelve months after designation of such district, the designation of such part for which regulations have not been approved or adopted shall be terminated. No part of the area formerly designated as a district shall again be designated as a district for a period of twelve months from

the date of such termination. Notice of such termination shall be given in the same manner as provided for designation.

SECTION 13. The commission shall adopt and submit for approval, pursuant to section eight, standards and criteria which specify the types of development which, because of their magnitude or the magnitude of their effect on the surrounding environment, are likely to present development issues significant to more than one municipality of the island of Martha's Vineyard. For the purpose of this act, such types of development shall be termed "developments of regional impact".

In adopting standards and criteria pursuant to this section, the commission shall consider, but shall not be limited by, the following considerations:

(*a*) the extent to which a type of development would create or alleviate environmental problems, including, but not limited to, air, water, and noise pollution;

(*b*) the size of the site to be developed;

(*c*) the amount of pedestrian and vehicular traffic likely to be generated;

(*d*) the number of persons likely to be residents, employees, or otherwise present;

(*e*) the extent to which a type of development is intended to serve a regional market;

(*f*) the location of a type of development near a waterway, publicly-owned land, or a municipal boundary; and

(*g*) the extent to which the development would require the provision of the following municipal or regional services: solid waste disposal, public water supplies, sewage treatment facilities, parking facilities and tourist services, and public education facilities.

SECTION 14. The governmental agency within each municipality which has responsibility for issuing a development permit, or when multiple permits are required, the local planning board, or board of selectmen in the absence of a planning board, shall in accordance with the standards and criteria approved pursuant to section eight determine whether or not a proposed development, for which application for a development permit has been made, is one of regional impact, it shall refer the application for the development permit to the commission.

SECTION 15. The commission shall review all applications for development permits for developments of regional impact and shall permit the referring agency to grant a development permit for such a development only if it finds, after notice and public hearing pursuant to section two of chapter thirty A of the General Laws, that:

(*a*) the probable benefit from the proposed development will exceed the probable detriment as evaluated pursuant to section sixteen;

(*b*) the proposed development will not substantially or unreasonably interfere with the achievement of the objectives of the general plan of any municipality or the general plan of Dukes county;

(*c*) the proposed development is consistent with municipal development ordinances and by-laws, or, if it is inconsistent, the inconsisten-

cy is necessary to enable a substantial segment of the population of a larger community of which the municipality is a part to secure adequate opportunities for housing, education, or recreation, and

(*d*) if the proposed development is located in whole or in part within a designated district of critical planning concern, it is consistent with the regulations approved or adopted by the commission pursuant to section eleven above.

SECTION 16. In making a finding of the probable benefits and detriments of a proposed development, the commission shall not restrict its consideration to benefits and detriments within the municipality of the referring agency, but shall consider also the impact of the proposed development on the areas within other municipalities. Such probable benefits and detriments shall be considered even if they are indirect, intangible or not readily quantifiable. In evaluating the probable benefits and detriments of a proposed development of regional impact, the commission shall consider, together with other relevant factors, whether:

(*a*) development at the proposed location is or is not essential or especially appropriate in view of the available alternatives on the island of Martha's Vineyard;

(*b*) development in the manner proposed will have a more favorable or adverse impact on the environment in comparison to alternative manners of development;

(*c*) the proposed development will favorably or adversely affect other persons and property, and if so, whether, because of circumstances peculiar to the location, the effect is likely to be greater than is ordinarily associated with the development of the type proposed;

(*d*) the proposed development will favorably or adversely affect the supply of needed low and moderate income housing for island residents:

(*e*) the proposed development will favorably or adversely affect the provision of municipal services and the burden on taxpayers in making provision therefor;

(*f*) the proposed development will use efficiently or burden unduly existing public facilities or those which are to be developed within the succeeding five years;

(*g*) the proposed development will aid or interfere with the ability of the municipality to achieve the objectives set forth in the municipal general plan; and

(*h*) the proposed development will further or contravene land development objectives and policies developed by regional or state agencies.

Whenever the commission is required to find whether the probable benefit from a proposed development of regional impact will exceed the probable detriment, it shall prepare a written opinion setting forth the grounds of its findings.

SECTION 17. No referring agency shall grant a development permit for a development of regional impact except with the permission of the commission. In permitting the referring agency to grant a development permit for a development of regional impact the com-

mission may also specify conditions to be met by the developer to whom the permit is being issued for the purpose of minimizing economic, social, or environmental damage.

SECTION 18. Any party aggrieved by a determination of the commission may appeal to any court of competent jurisdiction. The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds that said determination is unsupported by the evidence or exceeds the authority of the commission, or it may remand the case for further action by the commission or may make such other decree as is just and equitable. Costs of the appeal shall not be allowed against the commission unless it shall appear to the court that the commission acted with gross negligence, bad faith or malice. Costs of such appeal shall not be allowed against the appellant unless it shall appear to the court that the appellant acted in bad faith or with malice.

SECTION 19. Effective upon the date of the first meeting and upon the organization of the commission, chapter six hundred and ninety of the acts of nineteen hundred and sixty-six is repealed. All powers and duties of the Dukes County Planning and Economic Development Commission, including those authorized by the commonwealth and the federal government, shall be transferred to the commission and the terms of office of the members of the Dukes County Planning and Economic Development Commission shall expire at that time. For the purposes of executing the functions of the Dukes County Planning and Economic Development Commission as transferred, the commission boundaries shall include all of the land in Dukes county, specifically including the Elizabeth Islands and the Indian Common Lands.

All employees of the Dukes County Planning and Economic Development Commission who hold positions with the Dukes County Planning and Economic Development Commission immediately prior to the repeal of chapter six hundred and ninety of the acts of nineteen hundred and sixty-six shall be transferred to the commission at the time of repeal of said chapter six hundred and ninety. Such transfer shall be without impairment of seniority, retirement, or other rights or benefits, without interruption of service, and without reduction in compensation or salary grade notwithstanding any change in job title or duties resulting from such transfer.

All books, papers, records, documents, equipment, lands, interests in land, buildings, facilities, and other property, both personal and real, which immmediately prior to the repeal of chapter six hundred and ninety of the acts of nineteen hundred and sixty-six, are in the custody of the Dukes County Planning and Economic Development Commission shall be transferred to the commission as of the date of the repeal of said chapter six hundred and ninety.

All monies heretofore received from any source by the Dukes County Planning and Economic Development Commission for the performance of its duties and remaining unexpended on the date of the repeal of said chapter six hundred and ninety shall be transferred to the commission as of the date of repeal of said chapter and shall be available for expenditure by the commission.

All duly existing contracts, leases, and obligations of the Dukes County Planning and Economic Development Commission which are in force immediately prior to the repeal of said chapter six hundred and ninety shall be transferred to the commission as of the date of the repeal of said chapter. All petitions, hearings, and other proceedings duly brought before, and all prosecutions and legal and other proceedings duly begun by the Dukes County Planning and Economic Development Commission which arise from or relate to the exercise of the powers or duties of said commission and which are pending immediately prior to the repeal of said chapter six hundred and ninety, shall continue unabated and remain in force notwithstanding the repeal of said chapter.

In addition to performing its functions under this act, the commission may perform any function assigned to it under federal law.

SECTION 20. 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.

Approved July 27, 1974.

Chap. 638. AN ACT ABOLISHING THE WALDEN POND STATE RESERVATION COMMISSION AND TRANSFERRING THE CARE AND MAINTENANCE OF THE WALDEN POND STATE RESERVATION TO THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

SECTION 1. The Walden pond state reservation commission, established by chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-two, is hereby abolished, and the care and maintenance of the Walden Pond State Reservation including all of its facilities and equipment is hereby transferred to the department of natural resources.

The full-time permanent employees of said commission shall, on the effective date of this act, be transferred to positions within the department of natural resources, without impairment of seniority, retirement, vacation or other rights, and shall not be lowered in rank or compensation nor subjected to a qualifying examination or the serving of a probationary period and shall be deemed to be permanently appointed thereto under the provisions of chapter thirty-one of the General Laws.

SECTION 2. The balance, on the effective date of this act, of all monies appropriated for the maintenance and operation of the Walden Pond State Reservation in the hands of the county treasurer of Middlesex county shall be credited to Middlesex county; provided, however, that said county shall pay all bills or obligations incurred by the Walden pond state reservation commission for such operation and maintenance prior to said effective date.

SECTION 3. Whenever used in any general or special law, ordinance or by-law the words "Walden pond state reservation commission" shall mean the department of natural resources.

SECTION 4. A Walden pond board of directors consisting of seven residents of Middlesex county is hereby established. Said residents shall be appointed by the commissioner of natural resources. The board shall advise the department of natural resources on the care, maintenance, development and use of Walden pond.

SECTION 5. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved July 26, 1974.

Chap. 639. AN ACT FURTHER REGULATING THE ADMINISTRATION OF THE DIVISION OF STATE POLICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith regulate the administration of the division of state police, 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. Chapter 22 of the General Laws is hereby amended by striking out section 3B, inserted by section 1 of chapter 749 of the acts of 1969, and inserting in place thereof the following section:—

Section 3B. There shall be within the division of state police a narcotics section. The commissioner may from time to time assign to said section such members of the state police and other assistants as he may deem necessary to carry out the duties of said section.

SECTION 2. The first paragraph of section 6 of said chapter 22, as most recently amended by section 2 of chapter 486 of the acts of 1958, is hereby further amended by adding the following sentence:— The commissioner shall establish the requirements and qualifications for officers and inspectors appointed pursuant to this section.

SECTION 3. The second paragraph of section 9A of said chapter 22, as most recently amended by chapter 521 of the acts of 1971, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— Any officer appointed under this section who has served for one year or more, against whom charges have been preferred, shall be tried by a court to be appointed by the deputy superintendent, with the approval of the commissioner, or a court to be appointed by any other commissioned officer designated by the commissioner, or, at the request of the officer, may be tried by a court consisting of the deputy superintendent, with the consent of the commissioner, or a court consisting of any other commanding officer designated by the commissioner.

SECTION 4. The first paragraph of section 9D of said chapter 22, as appearing in section 3 of chapter 1004 of the acts of 1971, is hereby amended by striking out, in line 2, the words "of the uniformed branch".

SECTION 5. Said chapter 22 is hereby further amended by striking out section 9P, as most recently amended by section 2 of chapter 793 of the acts of 1973, and inserting in place the following section:—

Section 9P. Any vacancy that occurs in the grade of deputy superintendent in the division of state police shall be filled by the commissioner from the grades of lieutenant colonel or major.

Any vacancy that occurs in the grade of lieutenant colonel, other than in the office of investigation and intelligence, shall be filled by the commissioner from officers appointed to the state police under the provisions of section nine A and who hold the grade of major or captain.

There shall be created in the division of state police an office of investigation and intelligence under the direction of a lieutenant colonel who was appointed to the state police under the provisions of section six. Any vacancy which occurs in the grade of lieutenant colonel in the office of investigation and intelligence shall be filled by the commissioner from officers appointed to the state police under the provisions of section six and who hold the grade of major or captain of detectives.

Any vacancy that occurs in the grade of major, other than in the bureau of investigative services, shall be filled by the commissioner from officers appointed to the state police under the provisions of section nine A and who hold the rank of captain.

Any vacancy that occurs in the grade of major in the bureau of investigative services shall be filled by the commissioner from the grades of captain of detectives or detective lieutenant inspectors appointed to the state police under the provisions of section six.

Approved July 29, 1974.

Chap. 640. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO DESIGN AND CONSTRUCT THE FIRST PHASE OF A FLOOD CONTROL AND DRAINAGE IMPROVEMENT PROJECT FOR THE SALES CREEK DRAINAGE AREA IN THE CITIES OF BOSTON AND REVERE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the design and construction of certain flood control and drainage improvements in the cities of Boston and Revere, therefore, it is hereby declared to be an emergency law necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

Chapter 873 of the acts of 1971 is hereby amended by striking out, in lines 2 to 4, inclusive, the words "to construct a culvert in the Sales Creek area at the intersection of Revere Beach Parkway and Standish Road in the city of Revere", and inserting in place thereof the words:— to design and construct the first phase of a flood control

and drainage improvement project for the Sales Creek drainage area in the cities of Boston and Revere.

Approved July 29, 1974.

Chap. 641. AN ACT MAKING CERTAIN CHANGES IN THE LAW REGULATING HEALTH, WELFARE, AND RETIREMENT TRUST FUNDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate further certain employee trust funds and plans as of June first, nineteen hundred and seventy-four, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151D of the General Laws, as appearing in section 1 of chapter 1169 of the acts of 1973, is hereby amended by inserting after the definition of "Board" the following definition:—

"Combination plan" or "split-funded plan", a pension or profit-sharing retirement plan which is funded in part by a life insurance contract or a group annuity contract and in part by an auxiliary fund, according to the applicable requirements and restrictions for a qualified plan as set forth by the Internal Revenue Service, provided that the contributions which constitute the auxiliary fund are invested in corporations or institutions which are subject to specific banking, fiduciary or investment company regulation by state or federal law.

SECTION 2. Said section 1 of said chapter 151D, as so appearing, is hereby further amended by striking out the definition of "Employee benefit plan" or "plan".

SECTION 3. Said section 1 of said chapter 151D, as so appearing, is hereby further amended by striking out the definition of "Normal retirement age" and inserting in place thereof the following definition:—

"Normal retirement age", normal retirement age specified in the plan but in the absence of plan provision specifying normal retirement age, age sixty-five.

SECTION 4. Said section 1 of said chapter 151D, as so appearing, is hereby further amended by striking out the definition of "Pension plan" and inserting in place thereof the following definition:—

"Pension Plan", any plan, fund or program other than a profit-sharing retirement plan which is established or maintained for the purpose of providing for its participants, or their beneficiaries, by the purchase of insurance or annuity contracts, deposit administration contracts or otherwise retirement benefits. Unless the context indicates otherwise, the term "pension plan" shall be deemed to include a money purchase plan.

SECTION 5. Said section 1 of said chapter 151D, as so appearing, is hereby further amended by striking out the definition of "Trust" and inserting in place thereof the following definition:—

"Trust", funds derived in whole or in part from contributions from employers or employees or both, and designed for the purpose of paying or providing for medical or hospital care, pensions, annuities, benefits on retirement or death or unemployment of beneficiaries, compensation for injuries or illness.

SECTION 6. Section 2 of said chapter 151D, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The trustees or plan administrators of all trusts, funds, pension plans, combination plans or profit-sharing retirement plans, which provide benefits for participants within the commonwealth, shall register such trusts, funds or plans with the board in accordance with the provisions of this section within ninety days after such trust or plan becomes subject to the provisions of this chapter.

SECTION 7. The second paragraph of said section 2 of said chapter 151D, as so appearing, is hereby amended by inserting after the second sentence the following sentence:— If the board shall not issue notice of disapproval within sixty days of filing the plan shall be deemed approved.

SECTION 8. Subsection (*a*) of section 3 of said chapter 151D, as so appearing, is hereby amended by adding the following two paragraphs:—

In lieu of the above reporting provisions, plans with fewer than twenty-six participants shall submit such other reports as the board may require. Pension plans or profit-sharing retirement plans funded solely by the direct purchase of an insurance contract or group annuity contract or that portion of combination plans funded by the direct purchase of an insurance contract or group annuity contract shall not be required to file the annual report as herein required by this subsection. In lieu thereof, upon receiving notice from the plan trustee, plan administrator or employer of the termination of a plan herein exempted, the insurance carrier shall notify the board sixty days prior to final termination of said plan for any reason as defined by the rules and regulations of the internal revenue service.

SECTION 9. The first paragraph of subsection (*c*) of said section 3 of said chapter 151D, as so appearing, is hereby amended by striking out, in line 9, the word "or" and inserting in place thereof the word:— of.

SECTION 10. The first paragraph of subsection (*f*) of said section 3 of said chapter 151D, as so appearing, is hereby amended by adding the following sentence:— Any amendments, modifications or alterations of any kind to plans registered with the board shall be reported on forms acceptable to said board and certified copies of the same shall be filed with said board within thirty days after their effective date.

SECTION 11. The first sentence of the second paragraph of said subsection (*f*) of said section 3 of said chapter 151D, as so appearing, is hereby amended by striking out, in line 1, the words "to every" and inserting in place thereof the words:— within sixty days after the registration of the plan to each participant in the plan and to each.

SECTION 12. The third sentence of said second paragraph of said subsection (*f*) of said section 3 of said chapter 151D, as so appearing, is hereby amended by inserting after the word "summary", in line 2, the words:— if a plan has been amended within three years of the furnishing of the last revised summary.

SECTION 13. Section 3A of said chapter 151D, as so appearing, is hereby amended by inserting after the word "plan", the first time it appears in line 2, the words:— except plans with less than twenty-six participants or pension plans or profit-sharing retirement plans funded solely by the direct purchase of an insurance contract or group annuity contract, or that portion of combination plans funded solely by the direct purchase of an insurance contract or group annuity contract,.

SECTION 14. Said section 3A of said chapter 151D, as so appearing, is hereby further amended by inserting after the word "accountant", in line 4, the words:— or actuary.

SECTION 15. Section 5 of said chapter 151D, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The fee for registering a trust or fund under the provisions of section two shall be fifty dollars except plans with less than twenty-six participants shall pay a fee of twenty-five dollars.

SECTION 16. Section 7 of said chapter 151D, as so appearing, is hereby amended by inserting after the word "compensation", in line 2, the words:— or plans established or maintained for the benefit of self-employed individuals or owner-employees as defined by the Internal Revenue Code of 1954, as amended.

SECTION 17. The second sentence of the second paragraph of section 13 of said chapter 151D, as so appearing, is hereby amended by striking out, in line 31, the words "or money purchase plan".

SECTION 18. The first sentence of the first paragraph of section 14 of said chapter 151D, as so appearing, is hereby amended by striking out, in line 1, the words "In the event of the" and inserting in place thereof the words:— In the absence of an acceptable method of.

SECTION 19. Said section 14 of said chapter 151D, as so appearing, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Notwithstanding the above, upon termination of a profit-sharing retirement plan or a money purchase retirement plan, the interests of all participants in their participant accounts shall fully vest.

SECTION 20. The fourth paragraph of said section 14 of said chapter 151D, as so appearing, is hereby amended by inserting after the word "plan", in line 5, the words:— if such insurance is available.

SECTION 21. The state treasurer shall, upon certification by the health, welfare and retirement trust fund board, rebate the difference, if any, between the fee paid by any trust or fund under the provisions of chapter one hundred and fifty-one D of the General Laws in effect prior to the effective date of this act and the fee required by said chapter one hundred and fifty-one D, as amended by this act.

Approved July 29, 1974.

Chap. 642. AN ACT REVISING SLEEPWEAR FLAMMABILITY STANDARDS OF THE COMMONWEALTH IN ACCORDANCE WITH FEDERAL STANDARDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to revise the existing children's sleepwear flammability standards of the commonwealth to encompass the technical requirements of the recently promulgated federal children's sleepwear flammability standard, FF5-74, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and public safety.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94B of the General Laws is hereby amended by striking out the definition of "Flammable", as appearing in section 1 of chapter 649 of the acts of 1973, and inserting in place thereof the following definition:—

"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; when used with respect to all items of wearing apparel in sizes 0 through 6X intended to be worn primarily for sleeping or activities related to sleeping and for fabric or related material intended or promoted for use in such wearing apparel, which exceeds the acceptance criteria specified in the federal children's sleepwear standard, DOC FF 3-71, and determined by an appropriate test performed in accordance with said standard; or when used with respect to all items of wearing apparel in sizes 7 through 14 intended to be worn primarily for sleeping or activities related to sleeping and for fabric or related material intended or promoted for use in such wearing apparel, which exceeds the acceptance criteria specified in the federal children's sleepwear standard, FF5-74, and determined by an appropriate test performed in accordance with said standard; provided, that the flammability of solids and of the contents of self-pressurized containers shall be determined by methods generally recognized as applicable to such containers and established by regulations issued by the commissioner.

SECTION 2. Section 1 of said chapter 94B is hereby further amended by striking out the definition of "Misbranded package" or "misbranded package of a hazardous substance", as so appearing, and inserting in place thereof the following definition:—

"Misbranded package" or "misbranded package of a hazardous substance", a hazardous substance in a container, or not in a container if the substance can be handled or transported without one, which is intended or suitable for household use or personal use and which, except as otherwise provided by or pursuant to section two, fails to bear a label which states prominently in the English language, in conspicuous and legible type in contrast by typography, layout or color with other printed matter on the label, (*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", "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 regulations of the commissioner pursuant to section two; (*g*) instructions, when necessary or appropriate, for first-aid treatment; (*h*) the word "POISON" for any hazardous substance which is defined as "highly toxic" by this section; (*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.

Approved July 29, 1974.

Chap. 643. AN ACT INCREASING THE AMOUNT OF WATER WHICH THE TOWN OF CLINTON MAY TAKE FOR WATER SUPPLY PURPOSES FROM THE WACHUSETT RESERVOIR OF THE METROPOLITAN WATER SYSTEM.

Be it enacted, etc., as follows:

Section 1 of chapter 348 of the acts of 1923 is hereby amended by striking out, in line 2, the words "six hundred", inserted by chapter 592 of the acts of 1958, and inserting in place thereof the words:— eight hundred.

Approved July 29, 1974.

Chap. 644. AN ACT PROVIDING FOR THE CONVEYANCE OF LAND AND BUILDINGS COMPRISING THE GRAFTON STATE HOSPITAL TO THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE TO BE HELD BY SAID EXECUTIVE OFFICE FOR USE AS A REGIONAL INTERSTATE SCHOOL OF VETERINARY MEDICINE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the department of mental health is hereby authorized and directed to execute and record a deed transferring to the executive office for administration and finance the land and buildings comprising the Grafton state hospital. Said land and buildings shall be held by said executive office for use as a regional interstate school of veterinary medicine until the commonwealth and at least three other New England states have agreed to participate in a regional

interstate school of veterinary medicine program; provided, however, that such agreement is reached within three years after the effective date of this act.

SECTION 2. If such agreement is reached within said three years, said land shall be transferred by the executive office for administration and finance to the entity designated to establish said school. Any excess land and buildings not required by said school shall revert to the department of mental health. If such agreement is not reached within three years, said land and buildings shall revert to said department.

SECTION 3. The executive office for administration and finance is hereby authorized to rent or lease or otherwise use such land and buildings until the time of such transfer or reversion.

Approved July 29, 1974.

Chap. 645. AN ACT ESTABLISHING THE POSITION OF DIRECTOR OF PHYSICAL EDUCATION.

Be it enacted, etc., as follows:

Chapter 69 of the General Laws is hereby amended by inserting after section 1 the following section:—

Section 1A. The commissioner of education shall appoint a director of physical education who shall be directly responsible to said commissioner. Said director shall coordinate and supervise all physical education programs in the public schools, plan and coordinate in-service training programs in the commonwealth and maintain consultant services for planning said programs, disseminate all pertinent materials to directors of physical education in cities and towns, work cooperatively with all cities and towns for the improvement of physical education instruction and provide the opportunity for physical education directors to indicate the need for assistance in instructional programs. Said director shall be familiar with federal and state legislation, shall develop in-depth knowledge of federal, state and other funds available for improvement of instruction, keep abreast of research studies related to physical education and promote and coordinate physical education as an integral part of all education disciplines. Said director shall establish and coordinate state committees for the development and revision of curriculum, and shall initiate the development and revision of curriculum periodically. Said director shall include within such curriculum the development and implementation of a bicycle safety education program for use in all public elementary and high schools in the commonwealth. Said director shall work closely with school building commissions with regard to new construction, and shall maintain a liaison with the groups and agencies in the commonwealth concerned with physical education, intramural and interscholastic sports.

Approved July 29, 1974.

Chap. 646. AN ACT RELATIVE TO CERTAIN ASSISTANT REGISTERS OF PROBATE FOR BRISTOL COUNTY.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 25A, as most recently amended by chapter 792 of the acts of 1971, and inserting in place thereof the following section:—

Section 25A. The judges of probate for the counties of Bristol, Essex and Hampden may appoint a third and fourth assistant register for their respective counties, and the judges of probate for the counties of Norfolk and Worcester may appoint a third, fourth and fifth assistant register for said counties, who shall hold office for three years, unless sooner removed by the judges. They shall be subject to the laws relative to assistant registers.

Approved July 29, 1974.

Chap. 647. AN ACT ESTABLISHING AN ALTERNATIVE PROCEDURE FOR THE DISPOSITION OF CASES INVOLVING PERSONS CONVICTED OF OPERATING MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by adding after section 24C the following two sections:—

Section 24D. Any person convicted of operating a motor vehicle while under the influence of intoxicating liquor may, if he consents, be placed on probation for one year and shall, as a condition of probation, be assigned to a driver alcohol education program as provided herein and, if deemed necessary by the court, to an alcohol treatment or rehabilitation program or to both as provided herein. Such order of probation shall be in addition to any penalties imposed as provided in paragraph (*a*) of subdivision (1) of section twenty-four and shall be in addition to any requirement imposed as a condition for any suspension of sentence.

In order to qualify for disposition under this section, said person shall cooperate in a pre-sentence investigation conducted by the probation staff of the court or such probation officers as may be temporarily appointed to the court for the supervision of cases of operating under the influence of intoxicating liquor in such manner as the commissioner of probation shall determine. After conviction, the case shall be continued for fourteen days for disposition, at which time a pre-sentence report shall be made to the judge. Said report shall be uniform in content and format throughout the commonwealth and shall include but shall not be limited to a copy of said person's driving record and other records obtained from the registrar, or other person designated by him, pertaining to said person's operation of a motor vehicle as well as any recommendation by the registrar as to whether said person should later be eligible for early reinstatement of his

license as provided in section twenty-four E. The court shall report the disposition of any such case to the registrar. Following disposition, the probation officer supervising a person pursuant to the provisions of this section shall maintain a written and current report which shall include but shall not be limited to consideration of said person's participation in any program in which he has been placed as a condition of probation as well as to a consideration of his drinking and driving behavior.

Driver alcohol education programs utilized under the provisions of this section shall be established and administered by the director of the division of alcoholism in consultation with the registrar and the secretary of public safety, and shall include but shall not be limited to instruction on driver improvement skills as part of the course content.

Alcohol treatment, rehabilitation program or alcohol treatment and rehabilitation programs utilized under the provisions of this section shall include any public or private out-patient clinic, hospital, employer or union-sponsored program, self-help group, or any other organization, facility, service or program which the division of alcoholism has accepted as appropriate for the purposes of this section. The division shall prepare and publish annually a list of all such accepted alcohol treatment, rehabilitation programs and alcohol treatment and rehabilitation programs, shall make this list available upon request to members of the public, and shall from time to time furnish each court in the commonwealth, the registrar, and the secretary of public safety with a current copy of said list.

A fee of two hundred dollars shall be paid to the chief probation officer of each court by each person placed in a program of driver alcohol education and, if deemed necessary by the court, a program of alcohol treatment, rehabilitation, or alcohol treatment and rehabilitation pursuant to this section, and all such fees shall be deposited with the state treasurer to be kept in a separate fund in the treasury for expenditure by the division of alcoholism subject to appropriation for the support of said program. No person may be excluded from said program for inability to pay the stated fee, provided that such person files an affidavit of indigency or inability to pay with the court within ten days of the date of disposition, that investigation by the probation officer confirms such indigency or establishes that the payment of such fee would cause a grave and serious hardship to such individual or to the family of such individual, and that the court enters a written finding thereof. Any facility or organization with a treatment or rehabilitation program or a treatment and rehabilitation program used hereunder shall be subrogated to any public or private third party payments which may be due for the cost of alcohol treatment, rehabilitation, or both.

The state treasurer may accept for the state for the purpose of driver alcohol education, treatment, or rehabilitation any gift or bequest of money or property and any grant, loan, service, payment or property from a governmental authority. Any such money received shall be deposited in the separate fund in the treasury for expen-

diture by the division of alcoholism subject to appropriation for the support of said driver alcohol education or alcohol treatment or rehabilitation programs in accordance with the conditions of the gift, grant, or loan without specific appropriation. Any federal legislation generating funds for driver alcohol education or treatment or rehabilitation shall be used by the division of alcoholism to the extent possible to support the purposes of this act.

The commissioner of probation shall report in writing at least once annually to the director of the division of alcoholism on the total number of persons found guilty of operating under the influence of intoxicating liquor who have received disposition hereunder and on the number of such persons who have been determined by the court to require alcohol treatment or rehabilitation, or both. Said commissioner and the chief justices of the district courts and the Boston municipal court shall make further written report at least once annually to said director on the resources available for alcohol treatment or rehabilitation, or alcohol treatment and rehabilitation, of alcohol-impaired drivers, which report shall evaluate the existing resources and shall make recommendation as to additional necessary resources. Said director shall take such reports into consideration in the development, implementation, and review of the state's alcoholism plan and in the preparation of the division annual budget in a manner consistent with the Alcoholism Treatment and Rehabilitation Law.

Section 24E. The provisions of this section shall apply only to persons convicted of operating a motor vehicle while under the influence of intoxicating liquor who have not committed a violation of paragraph (*a*) of subdivision (1) of section twenty-four in this commonwealth or a like offense in any other state or federal jurisdiction within a period of six years immediately preceding the commission of the offense for which such conviction has been entered, and against whom no such charge is pending; nor shall the provisions of this section apply to any person whose license or right to operate is currently suspended or revoked for any reason other than for a violation of paragraph (*a*) of subdivision (1) section twenty-four or paragraph (*f*) of subdivision (1) of section twenty-four. The provisions of this section shall not apply where notice from the registrar of intention to suspend or revoke a person's license or right to operate is pending prior to the date of complaint on the offense before the court nor to cases, where under paragraph (*c*) of subdivision (1) of section twenty-four, the violation is determined to have caused a death.

In order to qualify for a disposition under this section such person shall, in the judgment of the court, have cooperated fully with the pre-sentence investigation as described in section twenty-four D and shall be and have been in full compliance with such order as the court may have made for a one year term of probation as provided therein, including participation in such driver alcohol education programs, alcohol treatment or alcohol treatment and rehabilitation programs as the court may have ordered.

Nothing in this section shall be construed to prevent the exercise

by a court of its authority under law to make any other disposition of a case of operating under the influence of intoxicating liquor.

Where a person has been placed on probation and is qualified for disposition under this section and revocation of a license or right to operate has taken effect for the conviction of operating under the influence of intoxicating liquor, a hearing shall be held by the court at any time after sixty days but not later than ninety days from the date of said revocation to review such person's compliance with the program ordered as a condition of probation and to determine whether early reinstatement of said operator's license or right to operate is warranted.

At said hearing the probation officer shall submit to the court a written report which shall include but shall not be limited to a written statement by the supervisor of any program of alcohol education and of any program of alcohol treatment, rehabilitation, or alcohol treatment and rehabilitation to which the court has assigned such person. Said statement shall consider such person's participation and attendance in each such court ordered program. The registrar shall submit a written report to the judge at said hearing regarding any entries made on said person's driving record in the period following conviction or any entries which were not available at the time of the pre-sentence report and shall also forward his recommendations as to whether early reinstatement is warranted. If the judge finds sufficient basis to conclude that said person has satisfactorily completed or is satisfactorily complying with said program and that early reinstatement of said license or right to operate is warranted, unless he determines that early reinstatement would constitute a threat to the public safety, the court shall in writing notify the registrar of said finding; and as soon as is practicable after the ninetieth day following the date of revocation and subsequent to said notification by the court, the registrar shall issue a new license or reinstate the right to operate in accordance with the procedures provided in section eight. Appropriate orders relative to said person's participation in a program or relative to a later hearing may be made by the court at its hearing, subject to the duration of the one year term of probation.

If the court does not find that such early reinstatement is warranted said person may petition the court for another hearing any time following sixty days after the entering of any such finding, and the court shall grant such hearing within thirty days; provided, however, that said person may not petition the court for any such subsequent hearing following the expiration of said person's one year term of probation.

The probation officer supervising a person pursuant to the provisions of this section shall make a written report to the court if such person has failed to satisfactorily comply with a court ordered program or if such person's operation of a motor vehicle constitutes a threat to the public safety. Upon receipt of such report the court shall forthwith hold a hearing on the matter. If at such hearing the court shall determine that said person has failed to satisfactorily comply with said program or that said operation of a motor vehicle con-

stitutes such a threat, the court shall forthwith notify the registrar of said finding and the registrar shall forthwith and without further hearing revoke said person's license or right to operate. Such revocation shall be for the remainder of the one year period from the date of revocation provided in paragraph (*c*) of subdivision (1) of section twenty-four. Said person shall thereafter be subject to the same conditions for issuance of a new license or right to operate as any person applying for a new license or right to operate following revocation as provided in paragraph (*c*) of subdivision (1) of section twenty-four.

Where an order of probation has been revoked by the court, the court shall forthwith so notify the registrar in writing and the registrar shall forthwith revoke said person's operators license or right to operate which was restored under this section and without further hearing.

SECTION 2. Paragraph (*c*) of subdivision (1) of section 24 of said chapter 90, as most recently amended by chapter 253 of the acts of 1970, is hereby further amended by inserting after the word "aforesaid", in line 10, the words:— except as provided in section twenty-four D.

SECTION 2A. The division of alcoholism shall incorporate within its state alcoholism plan a plan for providing services to persons convicted of operating under the influence of intoxicating liquor and deemed by a court to require alcohol treatment or rehabilitation, or both.

SECTION 2B. The director of the division of alcoholism shall consult from time to time with the registrar and secretary of public safety and they shall report to the governor and to the general court not later than two years from the effective date of this act on the status of the driver alcohol education programs and alcohol treatment, rehabilitation, or alcohol treatment and rehabilitation programs utilized in the commonwealth under the provision of section twenty-four D of chapter ninety of the General Laws, inserted by section one of this act, and they shall make such recommendations as they may deem appropriate pertaining to changes in the penalty for operating under the influence of intoxicating liquor.

SECTION 3. This act shall take effect on July first, nineteen hundred and seventy-five.

Approved July 29, 1974.

Chap. 648. AN ACT AUTHORIZING THE LICENSING AUTHORITY IN THE CITY OF REVERE TO ISSUE A CERTAIN ALCOHOLIC BEVERAGES LICENSE TO THE ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES, INC., JOSEPH MANTINI POST NO. 17.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the licensing authority of the city of Revere is hereby

authorized to issue an all alcoholic beverages license under the provisions of section twelve of chapter one hundred and thirty-eight of the General Laws to the Italian American War Veterans of the United States, Inc., Joseph Mantini Post No. 17 in the same manner as if said organization had been incorporated by the Congress of the United States.

Approved July 30, 1974.

Chap. 649. AN ACT REQUIRING A MINIMUM MANDATORY JAIL SENTENCE OF ONE YEAR, WITHOUT SUSPENSION, PROBATION OR PAROLE, FOR THE UNLICENSED OR UNAUTHORIZED CARRYING OF FIREARMS, RIFLES OR SHOTGUNS, LOADED OR UNLOADED, AND STRENGTHENING THE LAWS RELATED THERETO.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 131 of chapter 140 of the General Laws, as appearing in chapter 415 of the acts of 1972, is hereby amended by adding the following sentence:— For the purposes of the provisions of section ten of chapter two hundred and sixty-nine an expired license to carry a firearm shall be deemed valid for a period not to exceed ninety days beyond the date of expiration, except that this provision shall not apply to any license to carry firearms which has been revoked or relative to which revocation is pending.

SECTION 2. Chapter 269 of the General Laws is hereby amended by striking out section 10, as most recently amended by chapter 588 of the acts of 1973, and inserting in place thereof the following section:—

Section 10. (*a*) Whoever, except as provided by law, carries on his person, or carries on his person or under his control in a vehicle, a firearm as defined in section one hundred and twenty-one of chapter one hundred and forty, or a rifle or shotgun, loaded or unloaded, without permission, as to a firearm, under sections one hundred and thirty-one or one hundred and thirty-one F of said chapter one hundred and forty, or without having in effect, as to a rifle or shotgun, a firearms identification card issued pursuant to the provisions of section one hundred and twenty-nine B of said chapter one hundred and forty, shall be punished by imprisonment in the state prison for not less than two and one-half years nor more than five years, or for not less than one year nor more than two and one-half years in a jail or house of correction. The sentence imposed upon such person shall not be reduced to less than one year, nor suspended, nor shall any person so sentenced be eligible for probation, parole or furlough or receive any deduction from his sentence for good conduct until he shall have served at least one year of such sentence. Prosecutions commenced under this section shall not be continued without a finding or placed on file.

(*b*) Whoever, except as provided by law, carries on his person, or

carries on his person or under his control in a vehicle, any stiletto, dagger, dirk knife, any knife having a double-edged blade, or a switch knife, or any knife having an automatic spring release device by which the blade is released from the handle, having a blade of over one and one-half inches, or a slung shot, blackjack, metallic knuckles or knuckles of any substance which could be put to the same use with the same or similar effect as metallic knuckles; or whoever, when arrested upon a warrant for an alleged crime, or when arrested while committing a breach or disturbance of the public peace, is armed with or has on his person, or has on his person or under his control in a vehicle, a billy or other dangerous weapon other than those herein mentioned and those mentioned in paragraph (*a*), shall be punished by imprisonment for not less than two and one-half years nor more than five years in the state prison, or for not less than six months nor more than two and one-half years in a jail or house of correction, except that, if the court finds that the defendant has not been previously convicted of a felony, he may be punished by a fine of not more than fifty dollars or by imprisonment for not more than two and one-half years in a jail or house of correction.

(*c*) Whoever, except as provided by law, possesses a shotgun with a barrel less than eighteen inches in length, or possesses a machine gun, as defined in section one hundred and twenty-one of chapter one hundred and forty, without permission under section one hundred and thirty-one of said chapter one hundred and forty, shall be punished by imprisonment in the state prison for life or for any term of years provided that any sentence imposed under the provisions of this clause shall be subject to the minimum requirements of clause (*a*) of this section.

(*d*) Whoever, after having been convicted of any of the offenses set forth in paragraph (*a*), (*b*) or (*c*) commits a like offense or any other of the said offenses, shall be punished by imprisonment in the state prison for not less than five years nor more than seven years; for a third such offense, by imprisonment in the state prison for not less than seven years nor more than ten years; and for a fourth such offense, by imprisonment in the state prison for not less than ten years nor more than fifteen years. The sentence imposed upon a person, who after a conviction of an offense under paragraph (*a*), (*b*) or (*c*) commits the same or a like offense, shall not be suspended, nor shall any person so sentenced be eligible for probation or receive any deduction from his sentence for good conduct.

(*e*) Upon conviction of a violation of this section, the firearm or other article shall, unless otherwise ordered by the court, be confiscated by the commonwealth. The firearm or article so confiscated shall, by the authority of the written order of the court be forwarded by common carrier to the commissioner of public safety, who, upon receipt of the same, shall notify said court or justice thereof. Said commissioner may sell or destroy the same, except that any firearm which may not be lawfully sold in the commonwealth shall be destroyed, and in the case of a sale, after paying the cost of forwarding the article, shall pay over the net proceeds to the commonwealth.

(*f*) The court shall, if the firearm or other article was lost by or stolen from the person lawfully in possession of it, order its return to such person.

(*g*) Whoever, within this commonwealth, produces for sale, delivers or causes to be delivered, orders for delivery, sells or offers for sale, or fails to keep records regarding, any rifle or shotgun without complying with the requirement of a serial number, as provided in section one hundred and twenty-nine B of chapter one hundred and forty, shall for the first offense be punished by confinement in a jail or house of correction for not more than two and one-half years, or by a fine of not more than five hundred dollars.

(*h*) Whoever owns, possesses, or transfers possession of a firearm, rifle, shotgun or ammunition without complying with the requirements relating to the firearm identification card provided for in section one hundred and twenty-nine C of chapter one hundred and forty shall be punished by imprisonment in a jail or house of correction for not more than one year or by a fine of not more than five hundred dollars. A second violation of this paragraph shall be punished by imprisonment in a jail or house of correction for not more than two years or by a fine of not more than one thousand dollars or both.

(*i*) Whoever knowingly fails to deliver or surrender a revoked or suspended license to carry firearms issued under the provisions of section one hundred and thirty-one or one hundred and thirty-one F of chapter one hundred and forty, or firearm identification card, or receipt for the fee for such card, or a firearm, rifle or shotgun, as provided in section one hundred and twenty-nine D of chapter one hundred and forty, unless an appeal is pending, shall be punished by imprisonment in a jail or house of correction for not more than two and one-half years or by a fine of not more than one thousand dollars.

(*j*) Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded, in any building or on the grounds of any college or university without the written authorization of the board or officer in charge of said college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year or both. For the purpose of this paragraph "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

(k) For the purpose of this section "sawed-off shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun, whether by alteration, modification, or otherwise, if such weapon as modified has an overall length of less than twenty-six inches.

SECTION 3. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved July 30, 1974.

Chap. 650. AN ACT FURTHER REGULATING THE RESIDENCY REQUIREMENTS FOR APPOINTMENT OF POLICE OFFICERS AND FIRE FIGHTERS IN CITIES AND TOWNS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by striking out section 48A, as most recently amended by chapter 226 of the acts of 1972, and inserting in place thereof the following section:—

Section 48A. No applicant for appointment to the police force or fire 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 or fire 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 the date of such examination and has the same standing as any person who has not so resided in said city or town, the director, when certifying names from the eligible list to the appointing authority for the police force or fire force of said city or town, shall place the name of the person who has so resided ahead of the name of the person who has not so resided, or upon written request of the appointing authority to the director, the director shall, when certifying names from the eligible list for appointment to the police force or fire force of a city or town, place the names of all persons who have resided in said city or town for one year immediately prior to the date of examination ahead of the name of any person who has not so resided.

Approved July 30, 1974.

Chap. 651. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF ESSEX COUNTY MAY BORROW FOR CONSTRUCTING AND EQUIPPING A COURT HOUSE IN THE CITY OF PEABODY FOR THE DISTRICT COURT OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 345 of the acts of 1973 is hereby amended by striking out, in line 11, the words "two million" and inserting in place thereof the words:— three million five hundred thousand.

SECTION 2. Section 2 of said chapter 345 is hereby amended by striking out, in line 4, the words "two million" and inserting in place thereof the words:— three million five hundred thousand.

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

(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, July 30, 1974, and, in concurrence by the Senate, July 30, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".)

Chap. 652. AN ACT RELATIVE TO THE REGISTRATION OF CERTAIN VEHICLES.

Be it enacted, etc., as follows:

Section 5 of chapter 90 of the General Laws, as most recently amended by section 2 of chapter 1198 of the acts of 1973, is hereby further amended by inserting after the word "owner-repairman", in line 30, the words:— or, in the case of rubber-tired back-hoes, front-end loaders and road graders, are being used on the travelled parts of public ways for the building, repair or maintenance thereof.

(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, July 29, 1974, and, in concurrence, by the Senate, July 30, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".)

Chap. 653. AN ACT AUTHORIZING THE TOWN OF DUXBURY TO BORROW MONEY FOR THE REPAIR OF A CERTAIN PUBLIC WAY.

Be it enacted, etc., as follows:

SECTION 1. The town of Duxbury, for the purpose of the improvement and repair of a certain public way in said town known as Powder Point bridge, may borrow from time to time, such sums as may be necessary, not to exceed in the aggregate, five hundred thousand dollars, and may issue bonds or notes of the town therefor, which shall bear on their face the words, Town of Duxbury Bridge Repair Loan, Act of 1974. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. The costs of improvement and repair of said public way and bridge shall consist of all costs necessary for the purpose and without excluding any such costs, shall include expenditures for engineering and surveying.

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

Approved July 31, 1974.

Chap. 654. AN ACT ESTABLISHING A DIVISION OF AGRICULTURAL LAND USE WITHIN THE DEPARTMENT OF AGRICULTURE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a division of agricultural land use within the department of agriculture, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 20 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 347 of the acts of 1967, and inserting in place thereof the following sentence:— The commissioner shall organize the department into divisions, including a division of dairying and animal husbandry, a division of animal health, a division of plant pest control, a division of fairs, a division of markets, a division of agricultural land use, and such other divisions as he may from time to time determine, and shall assign to said divisions their functions.

SECTION 2. Said chapter 20 is hereby further amended by inserting after section 12 the following seven sections:

Section 13. The following words as used in the following five sections, unless the context otherwise requires shall have the following meanings:— "Agriculture" and "farming", as defined in section one A of chapter one hundred and twenty-eight.

"Director", the director of agricultural land use.

"Division", the division of agricultural land use.

"Elderly persons of low income", persons having reached the age of sixty-five or over whose annual income is less than the amount necessary to enable them to maintain a decent standard of living, except that where there exists a surplus of land appropriate for garden use, the age requirement may be reduced by the director to age sixty-two, provided that the oldest of the applicants between sixty-two and sixty-five is given preference.

"Families of low income", families and persons whose net annual income is less than the amount necessary to enable them to maintain a decent standard of living.

"Farm", a body of land devoted to agriculture.

"Garden", a piece of land appropriate for the cultivation of herbs, fruits, flowers, or vegetables.

"Use", when applied to gardening; to make use of, without conveyance of title or any other ownership.

"Vacant public land", any land owned by the commonwealth, or any county or municipality therein, that is not in use for public purpose.

Section 14. Any person may make application to the division on a form to be furnished by the director for a permit to use available vacant public land for garden or farm purposes. Applicants shall submit a plan for said use and shall agree to maintain the land in a condition consistent with said land use plan, and shall agree to abide by the rules and regulations promulgated by the division. Failure to carry

out the conditions of agreement shall result in the forfeiture of the garden or farm permit. Any person who is granted the use of garden or farm land shall indemnify and save harmless the commonwealth, the department of agriculture and all of its officers, agents and employees against suits and claims of liability of each name and nature arising out of, or in consequence of the use of vacant public land.

Section 15. Priority in the allotment of vacant public land for garden purposes shall be given to elderly persons of low income, families of low income and children between the ages of seven and sixteen, inclusive. Products grown in gardens shall not be sold.

Section 16. The director shall, with the cooperation of other state agencies and cities and towns, compile a list of all vacant land, that in the opinion of the said agencies and cities and towns, can be feasibly used for gardening or farming. The director shall, by letters of agreement, contract with such agencies or cities and towns for the use of said vacant land. Contracts may contain a termination date. If no date is determined, either party may terminate the contract by written notice given within sixty days; provided, however, that no contract may be terminated until the end of the harvest season. The division shall notify the gardeners or farmers of said notice of termination.

Section 17. Owners of land may make available to the division parcels of land for the purposes set forth in section fourteen under such terms and conditions as may be agreed upon between the owners and the division, and the commonwealth, the department and all of its officers, agents and employees shall be saved harmless as provided in said section fourteen.

Section 18. The commissioner after a public hearing shall adopt and promulgate rules and regulations in accordance with the provisions of chapter thirty A and consistent with sections thirteen to seventeen, inclusive.

Section 19. Any person aggrieved by a decision of the commissioner may, within ten days after such decision, appeal therefrom, by petition to the superior court in the county he resides in, or the county of Suffolk. The court shall hear such petitions speedily in accordance with the usual course of procedure in equity, and may affirm, modify or revoke such decision.

Approved July 31, 1974.

Chap. 655. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY TO CONTRACT WITH THE FRANKLIN COUNTY HOME CARE, INCORPORATED FOR THE PURCHASE OF HOME CARE SERVICES FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Franklin county are hereby authorized to pay such funds as may be appropriated therefor

to the Franklin County Home Care, Incorporated for the purchase of home care services for the elderly.

SECTION 2. Quarterly financial reports, on forms provided by the county treasurer, shall be submitted to the county commissioners by said Franklin County Home Care, Incorporated documenting the expenditure of all funds provided by said county to carry out the provisions of section one.

SECTION 3. Any monies appropriated for the purposes of this act may be used by said Franklin County Home Care, Incorporated for the nonfederal share of grants under Title III and Title VII of the Older Americans Act of 1945.

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

Approved July 31, 1974.

Chap. 656. AN ACT PROVIDING FOR THE ELIGIBILITY OF CERTAIN CHARITABLE CORPORATIONS AND TRUSTS FOR PROPERTY TAX EXEMPTIONS AND APPLICATIONS FOR ABATEMENT OF TAXES ASSESSED OR PAID FOR THE TAXABLE YEARS DURING THE PERIOD COMMENCING JANUARY FIRST, NINETEEN HUNDRED AND SEVENTY-ONE AND ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-FIVE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable certain charitable corporations which failed to file seasonably the necessary lists to qualify for local property tax exemptions to file such lists by October first of the current year and thereby qualify for such exemptions, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and welfare.

Be it enacted, etc., as follows:

Notwithstanding the provisions of paragraph (*b*) of clause Third of section five of chapter fifty-nine of the General Laws, a charitable organization, as defined in said clause Third or a trust established by a declaration of trust executed in the commonwealth and coming within said definition of a charitable organization in said clause Third, shall be eligible for the exemption provided in said section five for the taxable years during the period commencing January first, nineteen hundred and seventy-one and ending June thirtieth, nineteen hundred and seventy-five; provided, that the list of property required by section twenty-nine of said chapter fifty-nine is filed on or before October first, nineteen hundred and seventy-four, and all other requirements for such exemption are complied with.

A charitable organization or a trust defined as aforesaid which files the required list of property on or before October first, nineteen hundred and seventy-four, and, but for the failure to file said list with the respective assessors for taxable years during said period, would

have received a property tax exemption in said years, may file an application for an abatement of any property taxes assessed or paid in said taxable years in the manner provided by section fifty-nine of said chapter fifty-nine on or before October first, nineteen hundred and seventy-four, and if such charitable organization or trust would otherwise be eligible for such exemption, the taxes so assessed or paid shall be abated.

Nothing in this act shall be construed as waiving the requirement that such organizations shall file said list pursuant to said section twenty-nine in March, nineteen hundred and seventy-five, to be eligible for tax abatements for the year commencing July first, nineteen hundred and seventy-five.

Approved July 31, 1974.

Chap. 657. AN ACT AUTHORIZING THE APPOINTMENT OF PETER CALLABRIA AS A PERMANENT REGULAR MEMBER OF THE POLICE DEPARTMENT OF THE TOWN OF MAYNARD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or any rule regulating the maximum age of police officers to the contrary, the division of civil service shall place the name of Peter Callabria on the list of those eligible for appointment as police officers and shall certify him, in the manner prescribed by law, and the board of selectmen of the town of Maynard may thereafter appoint said Peter Callabria as a permanent regular police officer of said town, provided he passes a qualifying examination and is determined to be otherwise eligible by the board of selectmen of said town.

SECTION 2. This act shall take effect upon its acceptance by the board of selectmen of the town of Maynard.

Approved July 31, 1974.

Chap. 658. AN ACT RELATIVE TO ESTABLISHING EXECUTIVE COMMITTEES FOR DISTRICT PLANNING COMMISSIONS.

Be it enacted, etc., as follows:

Chapter 40B of the General Laws is hereby amended by striking out section 4A, inserted by chapter 379 of the acts of 1972, and inserting in place thereof 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, elected annually from the membership of the commission, and consisting of the chairman, vice chairman, if one is elected annually by the commission, the clerk, the assistant clerk, if one is elected annually, the treasurer and at least one but no more than seven members elected at large from the commission membership

annually, so that there shall be an uneven number of members of said committee. Actions taken by said executive committee shall be in the name of and on behalf of the commission. Such actions may include one or more of the following listed functions, but only if authorized by a two-thirds vote of the commission's total membership:— employment of technical staff members, and other professional and clerical assistants; retention of consultants; the disbursement of commission funds based upon a warrant approved by a majority of the 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 intercommunity 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 full commission at least quarterly, and its authority to exercise such functions heretofore authorized shall be reconfirmed by a two-thirds vote of all of the members annually. Additional functions may be authorized for the executive committee from time to time. Such additions shall also be by a two-thirds vote of the district planning commission membership. The authority given to the executive committee to act on behalf of the commission may be terminated for any function by a majority vote of the commission members and thirty days' notice to said executive committee.

Approved July 31, 1974.

Chap. 659. AN ACT REQUIRING PUBLIC HEARINGS ON COUNTY REVENUE SHARING ALLOTMENTS FROM THE FEDERAL GOVERNMENT.

Be it enacted, etc., as follows:

Chapter 35 of the General Laws is hereby amended by inserting after section 28B, inserted by section 1 of chapter 1166 of the acts of 1973, the following section:—

Section 28C. Prior to the submission by the clerk of the county commissioners of any county to the director of accounts, of any proposed expenditures from a general revenue sharing allotment from the federal government, said county commissioners shall hold a public hearing to determine priority needs in said county.

Said county commissioners shall cause notice of said hearing to be posted in each city and town hall within the county at least fourteen days prior to the hearing and shall also cause notice thereof to be published in a newspaper of general circulation in the county at least

fourteen days prior to said hearing. Notice of the hearing date and amount of revenue sharing money to be expended shall be mailed by the county commissioners to the selectmen of each town and the mayor of each city in the county at least fourteen days prior to the hearing.

Approved July 31, 1974.

Chap. 660. AN ACT FURTHER REGULATING THE REQUIREMENTS FOR THE REGISTRATION OF CERTAIN LEASED MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 3 of chapter 90 of the General Laws, added by section 2 of chapter 732 of the acts of 1972, is hereby amended by adding the following sentence:— Whoever operates or allows to be operated a motor vehicle or trailer in violation of this paragraph, shall be punished by a fine of not less than one hundred nor more than two hundred and fifty dollars.

SECTION 2. Said section 3 of said chapter 90 is hereby further amended by adding the following paragraph:—

Notwithstanding any other provisions of this chapter, when records maintained by the registrar show that the use of a motor vehicle or trailer owned by any person or corporation has resulted in three or more convictions for a violation of this section within any twenty-four month period, he may suspend the right to operate, or right to have operated, in this commonwealth any motor vehicle or trailer owned by such person or corporation for a period not to exceed six months.

Approved July 31, 1974.

Chap. 661. AN ACT PROVIDING WATER FOR FIRE PROTECTION OF AN INDUSTRIAL PARK IN THE TOWN OF LAKEVILLE.

Be it enacted, etc., as follows:

Section 1 of chapter 316 of the acts of 1953 is hereby amended by inserting after the word "sanitorium", in line 6, the words:— and for fire protection for the industrial park located on the easterly side of state highway route 105 in the town of Lakeville at the Middleborough-Lakeville town line.

Approved July 31, 1974.

Chap. 662. AN ACT DESIGNATING CERTAIN INTERSECTIONS IN THE TOWN OF SEEKONK IN THE MEMORY OF CERTAIN VETERANS.

Be it enacted, etc., as follows:

SECTION 1. The intersection of United States highway route 6, also known as Fall River avenue, and Highland avenue in the town of

Seekonk shall be designated and known as the Chief Torpedoman Harold Larrabee, U.S.N. memorial square, in memory of Harold Larrabee, who was killed in action while a member of the armed forces of the United States during World War II.

SECTION 2. The intersection of United States highway route 44, also known as Taunton avenue, and Arcade avenue in said town shall be designated and known as the Water Tender 3/C Bernard A. Going U.S.N. memorial square, in memory of Bernard A. Going, who was killed while a member of the armed forces of the United States during World War II.

SECTION 3. The intersection of route 114-A, also known as Fall River avenue, and United States highway route 44, also known as Taunton avenue, in said town shall be designated and known as the Pfc. Archie Fiero U.S.A. memorial square, in memory of Archie Fiero, who was killed in action while a member of the armed forces of the United States during World War II.

SECTION 4. The town of Seekonk is hereby authorized to erect and maintain a suitable marker at each location provided in this act bearing the respective designation. Said markers shall be in accordance with the standards of the department of public works.

Approved July 31, 1974.

Chap. 663. AN ACT RELATIVE TO THE COMPENSATION OF CERTAIN JUDGES, RECORDERS AND DEPUTY RECORDERS, REGISTERS AND ASSISTANT REGISTERS, AND CLERKS AND ASSISTANT CLERKS OF THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section eighteen of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-three or section sixteen of chapter eight hundred and fifty-six of the same year, any judge or associate judge of the land court who was appointed between the first day of January, nineteen hundred and seventy-three and the effective date of this act shall receive such salary as is provided by section fourteen of chapter one hundred and eighty-five of the General Laws, said salary to be effective as of the date of his appointment.

SECTION 2. Notwithstanding the provisions of section eighteen of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-three or section sixteen of chapter eight hundred and fifty-six of the same year, the justices of the superior court who were appointed between the first day of January, nineteen hundred and seventy-three and the effective date of this act shall receive such salary as is provided by section twenty-seven of chapter two hundred and twelve of the General Laws, said salary to be effective as of the date of their appointment.

SECTION 3. Notwithstanding the provisions of section eighteen of chapter four hundred and twenty-eight of the acts of nineteen

hundred and seventy-three or section sixteen of chapter eight hundred and fifty-six of the same year, the judges of the probate court who were appointed between the first day of January, nineteen hundred and seventy-three and the effective date of this act shall receive such salary as is provided by section thirty-four of chapter two hundred and seventeen of the General Laws, said salary to be effective as of the date of their appointment.

SECTION 4. Notwithstanding the provisions of section eighteen of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-three or section sixteen of chapter eight hundred and fifty-six of the same year, any special justice of a district court or of the Boston municipal court who was appointed between the first day of January, nineteen hundred and seventy-three and the effective date of this act shall receive such salary as is provided by section six of chapter two hundred and eighteen of the General Laws.

SECTION 5. Notwithstanding the provisions of section eighteen of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-three or section sixteen of chapter eight hundred and fifty-six of the same year, the justices of the municipal court of the city of Boston who were appointed between the first day of January, nineteen hundred and seventy-three and the effective date of this act shall receive such salary as is provided by section seventy-five of chapter two hundred and eighteen of the General Laws, said salary to be effective as of the date of their appointment.

SECTION 6. Notwithstanding the provisions of section eighteen of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-three or section sixteen of chapter eight hundred and fifty-six of the same year, any justice of a district court who was appointed between the first day of January, nineteen hundred and seventy-three and the effective date of this act shall receive such salary as is provided for the court to which he was appointed by section seventy-seven A or section seventy-eight of chapter two hundred and eighteen of the General Laws, said salary to be effective as of the date of his appointment.

SECTION 7. Notwithstanding the provisions of section eighteen of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-three or section sixteen of chapter eight hundred and fifty-six of the same year, the recorders and deputy recorders to whom the provisions of section fourteen of chapter one hundred and eighty-five of the General Laws apply, the registers and assistant registers to whom the provisions of sections thirty-five A and thirty-five B of chapter two hundred and seventeen of the General Laws apply, and the clerks and assistant clerks to whom the provisions of sections seventy-nine and eighty of chapter two hundred and eighteen of the General Laws apply, who were appointed between January first, nineteen hundred and seventy-three, and the effective date of this act, shall receive such salary as is provided in the respective said applicable sections, said salary to be effective as of the date of their respective appointments.

SECTION 8. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved July 31, 1974.

Chap. 664. AN ACT RELATIVE TO THE REVOCATION OF THE LAW ESTABLISHING A DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF NORTH ATTLEBOROUGH.

Be it enacted, etc., as follows:

Chapter 656 of the acts of 1973 is hereby amended by striking out section 4 and inserting in place thereof the following section:—

Section 4. The town of North Attleborough may after the expiration of three years from the effective date of this act vote at an annual meeting to revoke this act, and the question of such revocation shall be submitted to the voters in the form of the following question: "Shall an act passed by the General Court in the year nineteen hundred and seventy-three, entitled 'An Act establishing a department of public works in the town of North Attleborough', be revoked?" If a majority of votes cast in answer to said question is in the affirmative, then at the next annual town election held after said vote of revocation, the town shall elect such officers as are necessary to exercise and perform the powers, rights, and duties transferred to the board of public works by said act. Such action shall not affect any contract or liability then created or existing. All general laws respecting town administration and town officers, and any special laws, relative to said town, the operation of which has been superseded by this act, shall then be in full force and effect. Any by-law inconsistent with such special or general laws shall be revoked thereby. Any subsequent vote to revoke this act shall not be taken more often than once in three years, or do or act in any manner relative thereto.

Approved July 31, 1974.

Chap. 665. AN ACT RELATIVE TO LANE USAGE BY VEHICLES AT CERTAIN INTERSECTIONS OF PUBLIC WAYS.

Be it enacted, etc., as follows:

Section 14 of chapter 90 of the General Laws is hereby amended by adding the following two paragraphs:—

The department, on ways within their control and at the intersection of state highways, and other ways, the metropolitan district commission, on ways within their control and at the intersection of metropolitan district commission roadways, except state highways, and other ways, the traffic and parking commission of the city of Boston, the traffic commission or traffic director of any city or town having such a commission or director with authority to promulgate traffic rules, the city council of any other city, and the board of selectmen of any other town may provide for the placing of traffic control

devices in accordance with department standards to indicate the course to be traveled by vehicles turning at such intersections. Such course may be other than as is prescribed by the requirements for lane usage set forth in this section.

Such regulations and devices shall be, so far as applicable, subject to the provisions of section two of chapter eighty-five.

Approved July 31, 1974.

Chap. 666. AN ACT DIRECTING THE MASSACHUSETTS BOARD OF REGIONAL COMMUNITY COLLEGES TO CONVEY CERTAIN LAND TO THE CITY OF HOLYOKE FOR THE PURPOSE OF WIDENING HOMESTEAD AVENUE IN SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the Massachusetts board of regional community colleges is hereby authorized and directed to convey to the city of Holyoke a certain parcel of land in said city to be used by it for the purpose of widening and reconstruction of Homestead avenue in said city, bounded and described as follows:—

Beginning at a point on the westerly side of the 1931 County Layout of Homestead Avenue. Said point being the northeasterly corner of land now of one J.M. & A. Wawrow.

thence S 83° 13' 48" W, along land of said Wawrow, a distance of 3.76 feet to a point. Thence N 18° 39' 30" E, a distance of 379.13 feet to a point.

thence northeasterly along the arc of a 864.39 foot radius a distance of 111.95 feet to a point. Thence northerly and westerly along the arc of a 37 foot radius a distance of 55.25 feet to a point.

thence N 28° 52' 57" E, a distance of 106.04 feet to a point. Thence easterly and northerly along the arc of a 37 foot radius a distance of 57.34 feet to a point.

thence northeasterly along the arc of a 1037 foot radius a distance of 64.95 feet to a point.

thence N 35° 19' 47" E, a distance of 22.89 feet to a point.

thence N 37° 37' 09" E, a distance of 100.34 feet to a point.

thence N 35° 18' 22" E, a distance of 24.59 feet to a point on the aforesaid westerly side of the 1931 County Layout of Homestead Avenue.

thence S 30° 31' 30" W, along said westerly side of Homestead Avenue a distance of 392.89 feet to a stone bound.

thence S 20° 57' 33" W, along said westerly side of Homestead Avenue, a distance of 481.38 feet to the point of beginning.

Said parcel contains 15,733 square feet $\pm$ and is shown as Parcel Number 2 on a Land Taking plan on file at the office of the city engineer of said city, together with the necessary temporary slope easements and one permanent easement for traffic signal controller.

Approved July 31, 1974.

Chap. 667. AN ACT PROVIDING FOR THE QUARANTINE OF CERTAIN DISEASED FISH, BIRDS, MAMMALS, REPTILES OR AMPHIBIANS.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by inserting after section 25 the following three sections:—

Section 25A. If the director, upon examination of any fish, bird, mammal, reptile or amphibian held in possession either by persons licensed or required to be licensed under the provisions of section twenty-three, except dealers licensed both under clause (4) of section twenty-three and section thirty-nine A of chapter one hundred and twenty-nine, or persons exempted from being licensed in accordance with the provisions of sections four, twenty-three and twenty-nine, suspects, or has reason to believe, that such fish, bird, mammal, reptile or amphibian is afflicted with a contagious or infectious disease or parasite, he may immediately cause it to be quarantined or isolated for a period of at least ten days upon the premises of the owner or of the person in whose charge it is found or in such other place as he may designate, and he shall take such other sanitary measures as may be necessary to prevent the spread of such disease or parasite. He shall also deliver to the owner or person in charge of such fish, bird, mammal, reptile, or amphibian, or to any person having an interest therein, a written order or notice of quarantine signed by him and in such form as the director shall prescribe. Such order or notice of quarantine shall set forth conditions for which any fish, bird, mammal, reptile or amphibian shall be quarantined, including but not limited to restrictions on maintenance, propagation, cultivation, sale or transportation thereof.

Such order or notice of quarantine shall be served by the director or his appointed designee, by delivery in hand to, or leaving at the last and usual place of abode of, the owner or person having an interest in or in charge of the fish, bird, mammal, reptile or amphibian concerned, or by posting upon the premises where said fish, bird, mammal, reptile, or amphibian is quarantined or isolated. A copy thereof, with the attestation of said director or his appointed designee thereon that such service has been made, shall be competent evidence in any court that such quarantine has been imposed. If any fish, bird, mammal, reptile or amphibian has been so quarantined, it shall remain in quarantine until the further order of the director.

If any fish, bird, mammal, reptile or amphibian has been quarantined or isolated upon the premises of the owner or of the person in possession of them at the time such quarantine is imposed, the expense thereof shall be paid by such owner or person and the commonwealth shall not be liable for expenses incurred, nor for cancellation of orders or losses of income or any other losses attributable to the effects of the quarantine.

Section 25B. If the director, by examination of a case of contagious or infectious disease or parasite of any fish, bird, mammal, reptile or amphibian, has imposed a quarantine as provided in section twenty-

five A, and is of the opinion that the public good so requires or that the protection of the fish, bird, mammal, reptile or amphibian resources of the commonwealth is necessary or that the interest of other propagators are jeopardized, he may cause such fish, bird, mammal reptile or amphibian to be destroyed without liability. An order for destroying shall be issued in writing by the director, shall be directed to the owner or to any person having an interest therein or to the person in charge of such fish, bird, mammal, reptile or amphibian and shall contain such direction as to the examination and disposal of the carcass and the cleansing and disinfection of the premises where such fish, bird, mammal, reptile or amphibian was condemned as the director considers expedient. Destruction and disposal of any such fish, bird, mammal, reptile or amphibian shall be in a manner as determined by the director and shall be conducted under the direct supervision of the director or his appointed designee.

Section 25C. Any fish, bird, mammal, reptile or amphibian which has been quarantined or isolated by order or notice of the director as authorized by section twenty-five A, shall, during the continuance of such quarantine or isolation, be deemed to be afflicted with a contagious or infectious disease or parasite. Whoever knowingly breaks or authorizes or causes to be broken a quarantine so imposed or whoever, contrary to such order or notice of quarantine or isolation, knowingly removes any fish, bird, mammal, reptile or amphibian or authorizes or causes it to be removed from a building, place or enclosure where it is quarantined or isolated, or whoever, contrary to an order or notice of quarantine, knowingly places or causes or authorizes to be placed any other fish, bird, mammal, reptile or amphibian within a building, place or enclosure, where any fish, bird, mammal, reptile or amphibian is quarantined, or in contact therewith, or whoever knowingly conceals, sells, removes or transports, or knowingly causes or authorizes to be concealed, sold, removed or transported, any fish, bird, mammal, reptile or amphibian, knowing or having reasonable cause to believe that it is afflicted with a contagious or infectious disease or parasite, or whoever knowingly authorizes or permits such fish, bird, mammal, reptile or amphibian to go at large or be released to the wilds within the commonwealth, or whoever knowingly brings or authorizes or permits to be brought from another county, state, district or territory into the commonwealth, any fish, bird, mammal, reptile or amphibian which is afflicted with or has been exposed to a contagious or infectious disease or parasite, 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.

Approved July 31, 1974.

Chap. 668. AN ACT PROHIBITING DISCRIMINATION ON THE BASIS OF SEX IN THE ISSUANCE OF CERTAIN INSURANCE POLICIES.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 24 the following section:—

Section 24A. No company authorized to issue policies of accident or sickness insurance, policies providing coverage against disability from injury or disease, or policies of life or endowment insurance and no savings and insurance bank as defined in section one of chapter one hundred and seventy-eight shall refuse to issue such a policy or limit the coverages normally contained therein with respect to the risk of such loss solely because of the sex of the insured.

Approved July 31, 1974.

Chap. 669. AN ACT EXTENDING THE JURISDICTION OF THE HOUSING COURT OF THE CITY OF BOSTON TO CERTAIN APPEALS IN ZONING MATTERS.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 665 of the acts of 1956 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Any person aggrieved by a decision of said board of appeal, whether or not previously a party to the proceedings, or any municipal board or officer, may appeal to the superior court sitting in equity for the county of Suffolk or, in the event that said decision is concerned with any building or place used, or intended or permitted for use, as a place of human habitation, to the housing court of the city of Boston; provided, that such appeal is filed in either of said courts within fifteen days after such decision is recorded.

SECTION 2. Said chapter 665 of the acts of 1956 is hereby amended by striking out section 12 and inserting in place thereof the following section:—

Section 12. The superior court or, in the event that the premises involved are used or intended or permitted for use as a place of human habitation, the housing court of the city of Boston sitting as aforesaid, shall have jurisdiction to enforce the provisions of this act, and any zoning regulation or amendment thereof adopted under this act, and may restrain by injunction violation thereof.

SECTION 3. Section 3 of chapter 185A of the General Laws, as appearing in section 1 of chapter 843 of the acts of 1971, is hereby amended by inserting after the word "under", in line 3, the words:— chapter six hundred and sixty-five of the acts of nineteen hundred and fifty-six, as amended, and under.

Approved July 31, 1974.

Chap. 670. AN ACT DEFINING AND CLARIFYING CERTAIN RIGHTS AND RESPONSIBILITIES OF PUBLIC SECONDARY SCHOOL STUDENTS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by adding after section 81 the following five sections:—

Section 82. The right of students to freedom of expression in the public schools of the commonwealth shall not be abridged, provided that such right shall not cause any disruption or disorder within the school. Freedom of expression shall include without limitation, the rights and responsibilities of students, collectively and individually, (a) to express their views through speech and symbols, (b) to write, publish and disseminate their views, (c) to assemble peaceably on school property for the purpose of expressing their opinions. Any assembly planned by students during regularly scheduled school hours shall be held only at a time and place approved in advance by the school principal or his designee.

No expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students.

For the purposes of this section and sections eighty-three to eighty-five, inclusive, the word student shall mean any person attending a public secondary school in the commonwealth. The word school official shall mean any member or employee of the local school committee.

Section 83. School officials shall not abridge the rights of students as to personal dress and appearance except if such officials determine that such personal dress and appearance violate reasonable standards of health, safety and cleanliness.

Section 84. No student shall be suspended, expelled, or otherwise disciplined on account of marriage, pregnancy, parenthood or for conduct which is not connected with any school-sponsored activities; provided, however, that in the case of a pregnant student, the school committee may require that the student be under the supervision of a physician.

Section 85. The board of education may adopt guidelines to implement the provisions of sections eighty-two to eighty-four, inclusive. School committees shall adopt rules and regulations consistent with guidelines of the board of education and the provisions of sections eighty-two to eighty-four, inclusive. The rules and regulations to be made by school officials shall be established only after notice to public school students and after a public hearing at which students' views, shall be presented and shall be taken into consideration by such officials. Said rules and regulations shall provide that notwithstanding the existence of the rights and responsibilities described in the three preceding sections, school committees or school officials may take necessary action in cases of emergency. Students may petition for a hearing, to be held as soon as practicable after such

emergency, as to whether such rules and regulations shall be revoked or modified.

Section 86. The provisions of sections eighty-two to eighty-five, inclusive, shall apply only to cities and towns which accept the same.

Approved July 31, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133

August 1, 1974

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 670 of the Acts of 1974, entitled "AN ACT DEFINING AND CLARIFYING CERTAIN RIGHTS AND RESPONSIBILITIES OF PUBLIC SECONDARY SCHOOL STUDENTS." and the enactment of which received my approval on July 31, 1974, should take effect forthwith.

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

It is in the public interest that the provisions of this act take effect immediately in order to enable municipalities which wish to do so to accept this act prior to the beginning of the 1974-1975 school year.

Sincerely,
FRANCIS W. SARGENT
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, Boston, August 1, 1974.

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 seventeen 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 of the acts of nineteen hundred and seventy-four.

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

Chap. 671. AN ACT PROHIBITING THE REPAIR OF CERTAIN TIRES WITHOUT THE USE OF CERTAIN SAFETY EQUIPMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 9B the following section:—

Section 9C. Any person or business servicing multi-piece bus, trailer, tractor or truck rims, shall use a steel cage portable locking device, chains or an equivalent containing device in the inflation of tires on such rims.

Any person or business servicing multi-piece bus, trailer, tractor or truck rims shall prominently display instructions published by the United States Department of Transportation, or an equivalent display, which shall clearly state procedures involved in the servicing of such rims. For the purposes of this section servicing shall include the inflation of tires on such rims at the service facility.

Whoever violates any provision of this section shall be punished by a fine of not more than one thousand dollars.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved July 31, 1974.

Chap. 672. AN ACT CREATING THE WESTOVER METROPOLITAN DEVELOPMENT CORPORATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to aid private enterprise in the speedy and orderly conversion and redevelopment of lands formerly used for certain activities at Westover Air Force Base in order to prevent blight, economic dislocation and unemployment, and to aid private enterprise fully to utilize certain opportunities to alleviate unemployment, 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. *Findings and Purpose.* It is hereby found that there exists within the commonwealth substantial unemployment which is detrimental to the welfare of the people of the commonwealth; that the termination by the United State of certain activities at the Westover Air Force Base will, in the absence of a speedy and orderly conversion and redevelopment of lands formerly used for such activities to nonmilitary uses, result in blight, economic dislocation, and additional unemployment, all to the further detriment of the welfare of the people of the commonwealth; and that private enterprise, unaided by the commonwealth, is unable to accomplish such a speedy and orderly conversion and redevelopment so as to prevent such further detriment. It is further found that there are opportunities presented by such termination to private enterprise to

alleviate such unemployment, and that private enterprise, unaided by the commonwealth, is unable fully to utilize such opportunities.

Therefore, it is the purpose of the Westover metropolitan development corporation created by this act to aid private enterprise in the speedy and orderly conversion and redevelopment of lands formerly used for certain activities at said base to nonmilitary uses, including, but not limited to, industrial, commercial, or manufacturing uses, in order to prevent blight, economic dislocation, and additional unemployment and to aid private enterprise fully to utilize opportunities to alleviate unemployment.

SECTION 2. In this act the following words and phrases shall, unless the context requires otherwise, have the following meanings:—

"Corporation", the Westover metropolitan development corporation.

"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 estimated 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.

"Economic development area", any part of the area formerly used by the United States for the Westover Air Force Base.

"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 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, commercial, or industrial use within the area without the specific approval of the city or town within which the project lies.

"Economic development project", 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 and for clearance, if necessary, rehabilitation, improvement, and redevelopment for industrial, manufacturing, or commercial uses. 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, manufacturing, or commercial 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, manufacturing, or commercial 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, removed or rehabilitated.

"Lands", any real property, improvements thereon, and related personal property.

"Municipality", the town of Ludlow, with respect to any parcel of land lying wholly therein, the city of Chicopee, with respect to any parcel of land lying wholly therein, or the town of Ludlow and the city of Chicopee acting jointly, with respect to any parcel of land lying partly within said town and partly within said city.

"Pollution control facilities", facilities for the prevention, avoidance, reduction, control, abatement or elimination of pollution of air or waters by industrial, manufacturing, or commercial establishments by any means.

SECTION 3. There is hereby created a body politic and corporate to be known as the Westover metropolitan development corporation, which shall be governed by a board of nine directors, all residents of the Springfield-Chicopee-Holyoke standard metropolitan statistical area, one of whom shall be appointed chairman by a majority vote of the other directors, three of whom shall be appointed by the mayor of the city of Chicopee, with the approval of the board of aldermen of the city of Chicopee, two of whom shall be appointed by the first selectman of the town of Ludlow, with the approval of the board of selectmen of the town of Ludlow, and three of whom shall be experienced in industry, manufacturing, or commerce, shall not be residents of the city of Chicopee or the town of Ludlow, and shall be appointed by a majority vote of the other directors; provided, however, that the initially appointed chairman shall be one of three nominees of the Westover task force created by the joint commission on federal base conversion and those three members initially appointed on the basis of experience and nonresidency shall be appointed by the chairman, each from among three nominees of said task force. The chairman and other directors shall serve for terms of

three years; provided, however, that of those initially appointed by the mayor of the city of Chicopee, two shall be for terms of two years, of those initially appointed by the first selectman of the town of Ludlow, one shall be for a term of two years, and of those initially appointed by the chairman of the board of directors, two shall be for terms of two years. Vacancies arising other than from the expiration of a term shall be filled for the remainder of the unexpired term in the same manner as regularly provided for such appointments. Directors shall receive no compensation for the performance of their duties hereunder, but each director may be reimbursed for expenses actually incurred in the performance of his duties.

A majority of the nine directors shall constitute a quorum for the transaction of any business, but the action of a majority of the entire board 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.

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 city of Chicopee and the town of Ludlow and to the general court, containing an abstract of such accounts and detailed information of all receipts and expenditures, including prices paid for land purchased or taken and any buildings constructed thereon, contracts for construction of facilities and for the leasing thereof, and such other detailed information as may be deemed helpful. The offices of treasurer and clerk may be held by the same person. The corporation shall cause an audit of its books and accounts to be made at least once in each fiscal year by certified public accountants and the cost thereof shall be treated as an item of current expense. Except as otherwise provided in this act, the corporation shall have full power to exercise care of its property and the management of its business and affairs, and to sell and convey any real 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 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 said board may determine, the premium therefor to be paid by the corporation. The provisions of chapter thirty-one of the General Laws or any rule made thereunder shall not 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 any 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. Any municipality may borrow outside its debt limits to obtain money for a loan to the corporation, with the approval of the secretary of communities and development.

(*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 any municipality may, upon request by the corporation, pledge its full faith and credit to the solvency of the 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 act for economic development projects, in which event all provisions of this act 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, subject to the approval of the municipality, areas

formerly used for the Westover Air Force Base as economic development areas.

(*l*) Whenever the United States shall give notice that any lands, or any interest therein, formerly used for the Westover Air Force Base are available for disposal or make advertisement for bids with respect to such lands, or such interest, the corporation may take whatever steps are required by federal law to acquire such lands, or such interest.

(*m*) To acquire and hold any lands, or any interest therein, formerly used for the Westover Air Force Base.

(*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 lands, 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.

SECTION 6. No economic development project shall be undertaken until a public hearing relating to the economic development

plan covering such project has been held by the corporation after due notice, and the economic development plan has been approved, in the case of the town of Ludlow, by an affirmative two-thirds vote of an annual town meeting or a special town meeting called for the purpose, and, in the case of the city of Chicopee, by a two-thirds vote of the board of aldermen with the approval of the mayor. 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 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 respresentative district thereof, within which the economic development area or any part thereof lies. 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.

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 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 same manner as other real estate is taxed, of real estate acquired by the corporation for an economic development project and sold by it, or the taxation to the same extent and in the same manner as real estate of the commonwealth is taxed, of real estate so acquired by the corporation and leased by it; provided, however, that real estate so acquired by the corporation and sold or

leased to an urban redevelopment corporation or other entity operating under chapter one hundred and twenty-one A of the General Laws or to an insurance company or savings bank or group of savings banks operating under said chapter, shall be taxed as provided in said chapter and not otherwise.

The corporation and the debentures, revenue bonds and revenue refunding bonds issued under the provisions of this act, their transfer and the income therefrom including any profit made on the sale thereof, shall at all times be free from taxation by the commonwealth or any subdivision thereof.

SECTION 10. 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 secretary of communities and development. 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 and 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 and twenty-one B in like manner as indebtedness incurred under said section twenty.

SECTION 12. The corporation is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of revenue bonds of the corporation for the 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 shall be governed by the provisions of this act insofar as the same may be applicable.

While any bonds issued by the corporation remain outstanding the powers, duties or existence of the corporation shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds.

Revenue and revenue refunding bonds issued under the provisions of this section, 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 qualities and incidents of negotiable instruments.

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 assessment, 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.

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 and seventy-two of the General

Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them; and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifty of chapter one hundred and sixty-eight of the General Laws. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 15. 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, by commencing a civil action, 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 any state or the municipal building code and the municipal zoning by-laws, 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 commonwealth and its inhabitants, shall be liberally construed to effect the purpose thereof.

Approved August 1, 1974.

Chap. 673. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO LEASE THE PEGAN BROOK FILTER BEDS PROPERTY, SO CALLED, TO THE TOWN OF NATICK FOR CONSERVATION AND RECREATION PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately available to the public certain land in the town of Natick for conservation and recreational purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of natural resources, hereinafter

referred to as the Department, is hereby authorized to enter into a lease or other agreement by which the town of Natick, hereinafter referred to as the Town, acting through its board of selectmen and on behalf of its conservation commission and recreation commission, may use for conservation and recreation purposes, the land bounded and described as follows:

Beginning at a point in the easterly boundary of Tract No. A-100 in lands of the U.S. Army Natick Laboratories, Military Reservation, said point being located as follows: Beginning at a point on the southerly side of Kansas Street distant 312 feet, more or less, southwesterly from a stone bound on the westerly side of the Boston and Albany Railroad (Saxonville Branch); thence S66° 52' 30" E, 529.27 feet; thence S5° 26' 45" E, 102.50 feet; thence S72° 56' 15" W, 21.90 feet to the point of beginning: running thence in part by land now or formerly of Bruno Behring and in part by land now or formerly of F.H. Strattard, S4° 55' 30" W, 251.60 feet to land now or formerly of Sadie Strattard; thence by said land now or formerly of Sadie Strattard S80° 58' 15" W, 136.95 feet, S34° 21' 15" W, 173.62 feet, and S80° 38' 00" E, 213.95 feet; thence in part by said land now or formerly of Sadie Strattard and in part by land now or formerly of John C. Whitney, N82° 20' 00" E, 205.10 feet to Whitney Street; thence by said Whitney Street S10° 09' 45" E, 126.25 feet to land now or formerly of George F. Whitney, thence by said land now or formerly of George F. Whitney, S49° 17' 00" W, 440.20 feet, S15° 56' 15" W, 939.90 feet, N82° 25' 15" E, 392.39 feet, N81° 08' 00" E, 590.44 feet to land now or formerly of Mark B. Babb; thence in part by said land now or formerly of Babb and in part by land now or formerly of Daniel J. Murphy, S17° 19' 30", 77.50 feet; thence by said land now or formerly of Daniel J. Murphy, N88° 26' 45" E, 178.75 feet to Washington Avenue; thence by said Washington Avenue S17° 50' 30" E, 178.27 feet to land of Boston and Albany Railroad Corporation; thence by said land of Boston and Albany Railroad Corporation S89° 00' 00" W, 244.02 feet, S14° 30' 45" E, 124.18 feet, S75° 46' 30" W, 417.39 feet, S74° 24' 00" W, 160.00 feet, S65° 34' 45" W, 293.48 feet, S74° 24' 00" W, 317.00 feet, S77° 44' 45" W, 196.65 feet and N12° 15' 15" W to Lake Cochituate; thence by said Lake Cochituate in a northerly direction a distance of 2920 feet, more or less, to a point; running thence N72° 56' 15" E, 245 feet, more or less, to the point of beginning.

SECTION 2. Said lease or other agreement shall contain the terms, conditions, restrictions, exceptions and other matters deemed necessary by the commissioner of natural resources, providing that the initial term of said lease shall be for not less than twenty-five years, but shall not prevent extensions or renewals as allowed by law.

SECTION 3. Said lease or other agreement shall provide that the leased premises shall be open to the general public and not restricted to the residents of the Town, and shall contain any other covenants and conditions as may be required by the Bureau of Outdoor Recreation of the United States Department of the Interior.

SECTION 4. The Department and the Town may enter into

cooperative management agreements from time to time concerning the management and joint control of the leased property for conservation and recreation purposes.

Approved August 1, 1974.

Chap. 674. AN ACT EXTENDING THE LAW RELATIVE TO PRIVATE BUSINESS SCHOOLS TO INCLUDE SCHOOLS TEACHING SKILLS FOR MEDICAL, DENTAL AND NURSING ASSISTANTS, AND TRACTOR-TRAILER OPERATORS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to insure forthwith the application of the law relative to private schools to include schools teaching skills for medical, dental and nursing assistants, and tractor-trailer operators, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 1 of chapter 75D of the General Laws, as appearing in section 1 of chapter 1096 of the acts of 1971, is hereby amended by inserting after the word "customs", in line 5, the words:— , medical assistant, dental assistant, or nursing assistant skills, and tractor-trailer operating skills.

Approved August 1, 1974.

Chap. 675. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COMMONWEALTH MAY BORROW TO MEET THE NON-FEDERAL COST OF CERTAIN WORKS OF IMPROVEMENT FOR FLOOD PREVENTION AND WATER RESOURCE UTILIZATION IN THE WATERSHED OF THE CLAM RIVER.

Be it enacted, etc., as follows:

SECTION 1. To provide additional funds for the commonwealth's share of the cost of the watershed improvement project authorized by chapter five hundred and sixty-five of the acts of nineteen hundred and sixty-three, as amended by chapter six hundred and eighty of the acts of nineteen hundred and sixty-eight, the water resources commission is hereby authorized to expend, in addition to the sums authorized in said chapters five hundred and sixty-five and six hundred and eighty the sum of two hundred thousand dollars.

In addition to the bonds authorized in said chapters 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 thousand dollars. All bonds issued by

the commonwealth as aforesaid, shall be designated on their face, Clam River Watershed Improvement Project Loan, Act of 1974, and shall be on the serial payment plan for such maximum terms 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 issuance thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-nine.

SECTION 2. Funds provided in this act shall not be subject to the provisions of section thirty A of chapter seven of the General Laws; provided, that no expenditure shall be made for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services-Nonemployees" unless the rate of compensation for such services shall have been approved by the commissioner of administration. Said commissioner shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the house and senate committees on ways and means. Before engaging such consultant services under said subsidiary title "03", as so coded, as "Professional", the respective departments shall certify to the budget director that funds are available for the purpose and shall then file a statement of intent with the budget director, the comptroller and the house and senate committees on ways and means. Such statement shall include the rate of compensation, the period of time for which the services are to be engaged or scope of work to be done, and such other pertinent information as may be necessary to establish the maximum limit of the commonwealth's obligation.

Approved August 1, 1974.

Chap. 676. AN ACT PROVIDING THAT CERTAIN ELECTED PUBLIC OFFICIALS SHALL BE GRANTED LEAVES OF ABSENCE WITHOUT PAY FROM CERTAIN OTHER OFFICES AND POSITIONS DURING THE TERMS FOR WHICH THEY WERE ELECTED.

Be it enacted, etc., as follows:

SECTION 1. Section 46E of chapter 31 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph:—

Any person holding an elective state office who has been appointed to an office, position or employment in the classified civil service and

who is serving subject to a probationary period shall, upon his written request made to the appointing authority, be granted a leave of absence without pay from such office, position or employment, for all, or for such portion, of the term for which he was elected as he may designate within one month of said election, and he shall not be suspended or discharged and shall suffer no loss of civil service rights as the result of said election; provided that said person returns to said office, position, or employment within one month of completion of the terms for which he was elected and that upon such return he shall be required to complete any remaining probationary period and during that period shall not be eligible for any promotional examinations.

SECTION 2. Any person holding an elective state office who, since January first, nineteen hundred and seventy-four, resigned an office, position or employment in the classified civil service while serving a probationary period shall upon his written request be reinstated to such office, position or employment provided that the position has not been filled by the permanent appointment of another; provided, that said person shall be required to compete any remaining probationary period and provided, further, that said request is made within four years from the first day of the term for which he was originally elected.

SECTION 3. Section two of this act shall cease to be operative on December thirty-first, nineteen hundred and seventy-six.

Approved August 1, 1974.

Chap. 677. AN ACT PROVIDING THAT THE BOARD OF EDUCATION ADOPT REGULATIONS RELATIVE TO THE RETENTION, DUPLICATION, STORAGE AND DESTRUCTION OF SCHOOL RECORDS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 34E, inserted by chapter 785 of the acts of 1973, the following section:—

Section 34F. The board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of school committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times.

Approved August 1, 1974.

Chap. 678. AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF BRAINTREE TO FILL VACANCIES ON THE BRAINTREE CONSERVATION COMMISSION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section eight C of chapter forty of the General Laws, the board of selectmen of the town of Braintree

is hereby authorized to fill any vacancy occurring in the conservation commission of said city by a majority vote of said board of selectmen.

Approved August 1, 1974.

Chap. 679. AN ACT AUTHORIZING THE APPOINTMENT OF DAVID DICKHAUT AS A PERMANENT MEMBER OF THE FIRE DEPARTMENT OF THE TOWN OF CLINTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law or rule, the division of civil service is hereby authorized and directed to permit David Dickhaut, a provisional member of the fire department of the town of Clinton to take the next open civil service examination for the position of fire fighter, and if he passes said examination, he shall be eligible for certification by said division in the manner prescribed by law and appointment by said town as a permanent member of the fire department of said town, provided that he meets all requirements of law other than the regulation as to age.

Approved August 1, 1974.

Chap. 680. AN ACT PROVIDING THAT MOTOR VEHICLES AND TRAILERS USED BY DRIVER SCHOOLS SHALL COMPLY WITH CERTAIN STANDARDS.

Be it enacted, etc., as follows:

The first paragraph of section 32G of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 770 of the acts of 1971, is hereby further amended by adding the following two sentences:— Every motor vehicle or semi-trailer unit used exclusively in or upon any private area and which is operated by a student driver shall comply with standards for safety, performance and equipment established under section seven. Such vehicles or units shall be available for inspection by the registrar or his representative during reasonable business hours.

Approved August 1, 1974.

Chap. 681. AN ACT AUTHORIZING THE JOINDER OF CERTAIN PERSONS AS PARTIES IN INTEREST IN CERTAIN LEGAL ACTIONS RELATIVE TO RESIDENTIAL DWELLING UNITS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 127M, inserted by chapter 848 of the acts of 1973, the following section:—

Section 127N. In actions brought under this chapter against

owners of residential premises a tenant may, prior to a hearing on the merits, move to join the following persons as parties: any individual, trust or corporation, partnership, association or other person who, acting alone or with another, has the authority to decide whether to rehabilitate, or sell or otherwise dispose of the premises, with or without record title or recorded interest. Such person shall not be joined, however, if its decision-making authority is derived solely from its position as a fiduciary if such person has never personally had any financial or possessory interest in the premises.

If the court finds that the owner may be unable for financial reasons or otherwise to perform any act or pay any liability that may be ordered if judgment is entered for the tenant, the court shall allow the motion joining any such person. The owner and any person so joined shall be jointly and severally liable for taking any action or paying any damages ordered by the court; provided, however, that the provisions of this section regarding the liability of persons other than owners shall not apply to two and three family owner-occupied residential premises.

Approved August 1, 1974.

Chap. 682. AN ACT PROVIDING A TEMPORARY SHELTER CARE PROGRAM FOR CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 28A of the General Laws, as appearing in section 1 of chapter 785 of the acts of 1972, is hereby amended by adding the following definition:—

"Temporary shelter facility", any facility which operates to receive children under eighteen years of age for temporary shelter during the day or night when such children request shelter therein, or when such children are placed there by a placement agency, a law enforcement agency, or a court with authority to make such placement. Temporary shelter facility shall not mean family foster care or a group care facility, a police station or a town lockup.

SECTION 2. Section 10 of said chapter 28A, as so appearing, is hereby amended by striking out paragraphs (*a*), (*b*) and (*c*) and inserting in place thereof the following three paragraphs:—

(*a*) The office shall issue and 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, group care facility, or temporary shelter 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 part of a family day care system, family

day care system, placement agency, group care facility, or temporary shelter 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, group care facility, or temporary shelter 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 to sixteen, inclusive. 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 system, family foster care which is not supervised and approved by a placement agency, placement agencies, group care facilities, and temporary shelter 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 to sixteen, inclusive; 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, group care facility, or temporary shelter 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 or 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.

SECTION 3. Said chapter 28A is hereby amended by striking out section 11, as so appearing, and inserting in place thereof the following section:—

Section 11. (*a*) No person shall operate a day care center, family day care home, family day care system, group care facility, placement agency, or temporary shelter facility 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 an approval rather than a license in order to operate a day care center, family day care home, family day care system, group care facility, placement agency, or temporary shelter facility.

(*b*) 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 4. Section 23 of chapter 119 of the General Laws, as appearing in section 40 of chapter 925 of the acts of 1973, is hereby amended by inserting after subsection F the following subsection:—

G. A temporary shelter care facility program or a group care facility, licensed under the provisions of chapter twenty-eight A, may, for a seventy-two-hour period, provide temporary shelter to a child under eighteen without parental consent, provided that the child's welfare would be endangered if such shelter were not immediately provided. At the expiration of such seventy-two-hour period, the licensee shall (1) secure the consent of parent or guardian to continued custody and care, (2) refer the child to the department for custody and care, or (3) refuse to provide continued care and custody to said child.

Approved August 1, 1974.

Chap. 683. AN ACT MAKING AN APPROPRIATION TO SUPPLEMENT A CERTAIN ITEM IN THE APPROPRIATION ACT FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE FOR THE CARE, MAINTENANCE AND REPAIR OF THE WORCESTER COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 471 of the acts of 1974 is hereby amended by striking out the table and inserting in place thereof the following table:—

Item		
1.	For personal services	$1,961,612 25

2. For contractual services	95,000 00
3. For supplies and materials	375,000 00
4. For current charges and obligations	200,534 10
5. For equipment	22,695 00
8. For debt and interest	100,665 00
11. For reserve fund	100,000 00
11a. For reserve for salary increases	189,552 00
12. For group insurance	100,000 00
For total expenditures	$3,145,058 35

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved August 1, 1974.

Chap. 684. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five.

ESSEX COUNTY.

Item	*Subtotal*	*Total*
1. For interest on county debt		$245,653 50
2. For reduction of county debt		655,000 00
3. For county commissioners, salaries and expenses		153,639 92
1. Personal services	$144,344 92	
2. Contractual services	4,175 00	
3. Supplies and materials	3,800 00	
4. Current charges and obligations	485 00	
5. Equipment	845 00	
4. For transportation and expenses of county and acting commissioners		1,500 00
5. For clerk of courts, salaries and expenses		335,619 82
1. Personal services	307,801 82	
2. Contractual services	14,700 00	
3. Supplies and materials	9,200 00	
4. Current charges and obligations	1,948 00	

5. Equipment	$1,970 00	
6. For county treasurer, salaries and expenses		$90,743 23
1. Personal services	72,023 23	
2. Contractual services	1,960 00	
3. Supplies and materials	2,750 00	
4. Current charges and obligations	10,910 00	
5. Equipment	3,100 00	
7. For sheriff, salary and expenses		26,565 90
1. Personal services	25,686 40	
2. Contractual services	675 00	
4. Current charges and obligations	170 00	
5. Equipment	34 50	
8. For registries of deeds, salaries and expenses		
Southern District		592,847 27
1. Personal services	508,052 67	
2. Contractual services	19,345 00	
3. Supplies and materials	23,500 00	
4. Current charges and obligations	39,169 60	
5. Equipment	2,780 00	
Northern District		253,312 87
1. Personal services	228,497 87	
2. Contractual services	15,000 00	
3. Supplies and materials	5,000 00	
4. Current charges and obligations	3,865 00	
5. Equipment	950 00	
8a. For registry of probate, salaries and expenses		$41,237 65
1. Personal services	7,605 65	
2. Contractual services	11,050 00	
3. Supplies and materials	7,500 00	
4. Current charges and obligations	3,682 00	
5. Equipment	11,400 00	
9. For law libraries, salaries and expenses		
Salem		29,285 40
1. Personal services	15,201 40	
2. Contractual services	959 00	
3. Supplies and materials	125 00	
4. Current charges and obligations	13,000 00	
Lawrence		26,717 06
1. Personal services	13,285 06	
2. Contractual services	1,197 00	
3. Supplies and materials	185 00	
4. Current charges and obligations	12,050 00	
10. For highways, including state highways, bridges and land damages		570,584 23
1. Personal services	192,641 23	
2. Contractual services	5,000 00	
3. Supplies and materials	3,993 00	

4. Current charges and obligations	$2,000 00	
5. Equipment	1,300 00	
6. All other	365,650 00	
12. For superior court costs		$889,281 42
1. Personal services	329,082 27	
2. Contractual services	533,400 00	
3. Supplies and materials	7,400 00	
4. Current charges and obligations	5,150 00	
5. Equipment	2,429 00	
6. All other	11,820 15	
13. For civil expenses in probate court		59,333 05
1. Personal services	35,104 05	
2. Contractual services	20,325 00	
3. Supplies and materials	1,700 00	
4. Current charges and obligations	800 00	
5. Equipment	1,404 00	
14. For district courts, salaries and expenses		
First District Court of Essex		484,284 29
1. Personal services	423,368 29	
2. Contractual services	22,750 00	
3. Supplies and materials	13,900 00	
4. Current charges and obligations	10,211 00	
5. Equipment	13,355 00	
6. All other	700 00	
Second District Court of Essex		126,692 57
1. Personal services	116,222 57	
2. Contractual services	2,690 00	
3. Supplies and materials	2,500 00	
4. Current charges and obligations	4,115 00	
5. Equipment	1,165 00	
Third District Court of Essex		66,996 60
1. Personal services	60,411 85	
2. Contractual services	2,075 25	
3. Supplies and materials	1,405 00	
4. Current charges and obligations	2,347 00	
5. Equipment	757 50	
Central District Court of Northern Essex		445,594 85
1. Personal services	386,754 85	
2. Contractual services	38,395 00	
3. Supplies and materials	7,805 00	
4. Current charges and obligations	5,710 00	
5. Equipment	5,930 00	
6. All other	1,000 00	
District Court of Eastern Essex		260,712 46
1. Personal services	205,429 96	
2. Contractual services	10,747 50	
3. Supplies and materials	8,150 00	
4. Current charges and obligations	36,036 00	

5. Equipment	$349 00	
District Court of Lawrence		$452,386 61
1. Personal services	409,868 51	
2. Contractual services	30,780 00	
3. Supplies and materials	5,310 00	
4. Current charges and obligations	2,689 00	
5. Equipment	3,739 10	
District Court of Southern Essex		478,184 59
1. Personal services	434,839 59	
2. Contractual services	25,350 00	
3. Supplies and materials	8,500 00	
4. Current charges and obligations	7,505 00	
5. Equipment	1,990 00	
District Court of Newburyport		124,515 47
1. Personal services	105,695 47	
2. Contractual services	6,950 00	
3. Supplies and materials	5,000 00	
4. Current charges and obligations	6,620 00	
5. Equipment	250.00	
District Court of Peabody		344,686 97
1. Personal services	305,223 97	
2. Contractual services	9,215 00	
3. Supplies and materials	9,170 00	
4. Current charges and obligations	18,693 00	
5. Equipment	2,385 00	
District Court - Juvenile Division		149,504 90
1. Personal services	141,884 90	
2. Contractual services	6,420 00	
3. Supplies and materials	900 00	
4. Current charges and obligations	300 00	
15. For medical examiners and commitments of insane		65,325 00
16. For jail and house of correction maintenance and operation		
Salem		114,793 50
3. Supplies and materials	106,850 00	
5. Equipment	7,943 50	
17. For training school		135,882 40
1. Personal services	111,365 80	
2. Contractual services	12,230 00	
3. Supplies and materials	10,665 00	
4. Current charges and obligations	1,621 60	
18. For court houses and registry buildings, maintenance and operation		648,809 78
1. Personal services	487,705 28	
2. Contractual services	99,860 00	
3. Supplies and materials	52,340 00	
4. Current charges and obligations	2,860 00	
5. Equipment	4,044 50	
6. All other	2,000 00	
18a. For county hospital buildings		450 00

20. For agricultural school or county cooperative extension service		$2,352,954 04
1. Personal services	$1,787,898 04	
2. Contractual services	153,172 00	
3. Supplies and materials	281,460 00	
4. Current charges and obligations	55,266 00	
5. Equipment	70,757 00	
6. All other	4,401 00	
24. For noncontributory pensions		266,938 26
25. For contributory retirement system and supervisory expenses		574,218 35
26. For miscellaneous and contingent expenses		90,642 58
27. For unpaid bills of previous years		139,850 00
28. For reserve fund		80,000 00
28a. For reserve for salary increases		690,000 00
28d. For reserve for counsel for indigent defendants		150,000 00
28e. For reserve for child care		50,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		180,000 00
30. For forest fire patrol		1,100 00
32. For forest development		3,615 00
34. For conservation district		15,000 00
35. For county planning		36,871 00
39. For group insurance		413,000 00
46. For centralized purchasing department		22,316 40
Total amount of appropriations		$12,936,646 94
Less estimated amount available for reduction of county tax		2,209,750 00
And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the fiscal year, in the manner provided by law, the sum of		$10,726,896 94

The following sum is hereby appropriated for said fiscal year from federal revenue sharing funds subject to the provisions of law regulating the disbursement of county funds and approval thereof.

16. For jail and house of correction, maintenance and operation Lawrence		$549,959 79
1. Personal services	$412,468 19	
2. Contractual services	16,000 00	
3. Supplies and materials	100,405 00	
4. Current charges and obligations	1,776 60	
5. Equipment	19,310 00	

Salem		$524,948 64
1. Personal services	$498,909 64	
2. Contractual services	23,510 00	
4. Current charges and obligations	2,529 00	
21. For the Georgetown recreational project		$10,000 00
26. For miscellaneous and contingent expenses		500 00
Total		$1,085,408 43

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved August 1, 1974.

Chap. 685. AN ACT INCREASING THE MINIMUM FAIR WAGE RATE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide an immediate increase in the minimum fair wage rate, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 4 of chapter 1192 of the acts of 1973, and inserting in place thereof the following sentence:— A wage of less than two dollars 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, and nine.

SECTION 2. Said section 1 of said chapter 151 is hereby further amended by striking out the second sentence, as most recently amended by section 1 of this act, and inserting in place thereof the following sentence:— A wage of less than two dollars and ten 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, and nine.

SECTION 3. Section two of this act shall take effect on January first, nineteen hundred and seventy-five.

Approved August 2, 1974.

Chap. 686. AN ACT TO PROVIDE MEANS AND PROCEDURES FOR THE COMMONWEALTH'S SHARE OF MATCHING GRANTS FOR ITS CITIES AND TOWNS IN SUPPORT OF PROJECTS RELATED TO THE BICENTENNIAL PERIOD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds and procedures for the commonwealth's share of matching grants for its cities and towns in support of projects related to the bicentennial 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:

SECTION 1. The executive office of educational affairs is hereby authorized to expend a sum of two million five hundred thousand dollars for the commonwealth's share of matching grants to the cities and towns in support of bicentennial related projects, to be awarded in equal amounts of five hundred thousand dollars in each of the months of September of the year nineteen hundred and seventy-four, January, May, September and November of the year nineteen hundred and seventy-five. Eligible projects shall be limited to those having special historic interest in the development of the cities and towns of the commonwealth or shall have enduring value or significance to the citizens of the commonwealth or to the city or town wherein the project is located or the event transpires.

Applications for state matching grants may be submitted by any city or town or combination of cities or towns in the commonwealth, any local government agency, or any nonprofit organization established pursuant to chapter one hundred and eighty of the General Laws, provided that each application shall have attached thereto an affidavit of approval from the mayor or chairman of the board of selectmen or town council of each city or town involved in the project. An agency which applies for and receives grants may not then delegate responsibility for implementation to another agency. Special consideration shall be given to those applications which significantly involve youth, elderly and minority groups residing within the community or communities.

The executive office of educational affairs shall pay to each agency for which a project has been approved, a grant in an amount not to exceed fifty per cent of the total estimated cost of the project. Said sums received from the commonwealth shall be available for expenditure for the purposes as set forth in this section without specific appropriation thereof, notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws. Said executive office shall promulgate rules and regulations relative to the eligibility of projects for said grants, the costs of projects which shall be matched, the amounts and sources required as local matching funds for said grants, and such other information as said executive office deems necessary for the implementation of this section.

Applications for matching grants shall be submitted to the special Massachusetts Bicentennial Commission, established by chapter

seventy-one of the resolves of nineteen hundred and sixty-four. Said commission is hereby authorized to accept and screen all applications for matching grants and thereafter render its advisory recommendations to the executive office of educational affairs for the final award decision. Each project shall be implemented in accordance with the grant related thereto.

SECTION 2. To meet the expenditures necessary in carrying out the purpose of section one, the state treasurer shall, upon request of the governor, issue and sell at public or private sale, at one time or from time to time but not after December thirty-first, nineteen hundred and seventy-six, 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 five hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face Massachusetts Bicentennial Development, Act of 1974, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court, pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June the thirtieth, nineteen hundred and eighty-seven. All interest payments and payments on account of principal on such obligations shall be paid from the Tourism and Industrial Promotion Fund. Notwithstanding any provision of this act, such bonds and interest thereon shall be general obligations of the commonwealth.

Approved August 2, 1974.

Chap. 687. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF RANDOLPH TO THE RANDOLPH CHAPTER NUMBER 39, DISABLED AMERICAN VETERANS BUILDING CORPORATION.

Be it enacted, etc., as follows:

The metropolitan district commission, is hereby authorized and directed to sell and convey, in the name and on behalf of the commonwealth, to the Randolph Chapter Number 39, Disabled American Veterans Building Corporation by a quit claim deed approved as to its form by the attorney general, and at a price to be negotiated between the parties, a certain parcel of land under the control of said commission located on High street in the town of Randolph. Said parcel is shown on Parks division plan No. 46653 - V.T. and contains approximately 13,400 square feet. All proceeds from said conveyance shall

be credited to the Metropolitan Parks Trust Fund as provided by section thirty-four of chapter ninety-two of the General Laws.

Approved August 2, 1974.

Chap. 688. AN ACT REQUIRING CEMETERY CORPORATIONS OR FUNERAL DIRECTORS TO INFORM FAMILIES OR REPRESENTATIVES OF DECEASED PERSONS OF CERTAIN OPTIONS REGARDING AVAILABLE BURIAL SERVICES.

Be it enacted, etc., as follows:

Chapter 114 of the General Laws is hereby amended by inserting after section 5A the following section:—

Section 5B. Each such cemetery corporation shall notify, or cause the funeral director designated by the representative of the deceased to notify, the family of the deceased or the person making funeral arrangements for the deceased of the choice of three options for burial services, where available: services within a chapel at the cemetery, services at the gravesite without observation of the lowering of the casket into said gravesite, or services at the gravesite with observation of the lowering of the casket into said gravesite.

A cemetery corporation which violates any provision of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

Approved August 2, 1974.

Chap. 689. AN ACT AUTHORIZING THE MASSACHUSETTS HOUSING FINANCE AGENCY TO DEVELOP HOUSING FOR THE HANDICAPPED AND ESTABLISHING WITHIN THE DEPARTMENT OF COMMUNITY AFFAIRS A BUREAU OF HOUSING FOR THE HANDICAPPED.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 708 of the acts of 1966 is hereby amended by striking out clause (*a*) and inserting in place thereof the following clause:—

(*a*) Make first mortgage loans, including mortgages insured by the secretary of housing and urban development, to finance the building or rehabilitation of housing designed and planned to be available at low and moderate rentals for low income persons and families and others upon the terms set forth in section five, and pursuant to regulations adopted by it, make seed money loans to nonprofit developers of such housing.

SECTION 2. Clause (*i*) 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 inserting after the word "aging", in line 3, the words:— , housing for the handicapped.

SECTION 3. Section 10 of said chapter 23B, as so appearing, is hereby amended by adding after the letter "l", in line 7, the words:— bureau of housing for the handicapped, (m).

SECTION 4. Chapter 121B of the General Laws is hereby

amended by inserting after section 38 the following section:

Section 38A. There shall be within the department a bureau of housing for the handicapped, in the division of community development. The bureau shall consist of the director, and other such persons as shall be necessary to conduct the work of the bureau. The director shall be selected by the commissioner after consultation with representative consumer groups, with preference given to a qualified handicapped person, or to a person who has expertise in the area of the housing needs of the handicapped.

The functions of the bureau shall include but not be limited to the following activities: to coordinate within the department the several program elements relative to housing and services for handicapped persons of low income; to assist local housing authorities in planning, developing and implementing appropriate housing, management and service programs for handicapped persons of low income; to issue guidelines and directives and to promulgate rules and regulations to adequately housing the handicapped; to promulgate regulations and guidelines relative to contracts entered into for the provisions of services to residents of housing for handicapped persons, including the management and maintenance of the premises; to approve such contracts; to serve as a focus in developing local and statewide planning to assist handicapped persons obtain the housing and services that will increase their ability to live independently; to seek, accept and otherwise take full advantage of all federal and state aid available to the department to assist in developing housing and related services for handicapped persons; to assist other agencies to take full advantage of all federal, state and local assistance for housing, rehabilitation, and the provision of services to assist handicapped persons to live with greater independence; and to work in close cooperation with consomers, including representatives from the various organizations of physically handicapped, deaf or blind, and advocates for persons with mental retardation, emotional deficiencies, and for other socially disadvantaged and handicapped persons, and also all federal, state and local organizations and agencies concerned with developing rational planning and effective implementation of housing and related services for handicapped persons of low income and to increase their independence, productivity and self-satisfaction.

SECTION 5. The first paragraph of section 26 of said chapter 121B is hereby amended by adding the following clause:—

(1) To provide housing projects or specific parts thereof, or cooperative apartments, community residences and such other forms of congregate housing, or housing in separate dwelling units, for low income handicapped persons or low income families, of which one or more than one person is handicapped, or persons whose mobility, flexibility, coordination and perceptiveness are significantly reduced by aging; provided, that such housing may be provided in newly constructed buildings, or in buildings purchased or leased, and that may be made renovated as necessary, or in buildings already owned by local housing authorities that may be made accessible; and to provide living facilities for persons essential for the well-being of such handicapped persons or families; and to provide other such facilities as

are necessary to the well-being of the handicapped residents of such housing; and to contract with various corporations for the provision of services to the handicapped residents, including but not limited to staffing, management and maintenance of such housing; provided further, that such contracting shall be in accordance with guidelines and directives or rules and regulations, or either, promulgated or issued by the department, and that such contracting shall be approved by the department.

SECTION 6. The first paragraph of section 39 of said chapter 121B, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by inserting after the word "income", in line 3, the words:— and handicapped persons of low income.

SECTION 7. The first paragraph of section 40 of said chapter 121B, as so appearing, is hereby amended by inserting after the word "income", in line 2, the words:— and handicapped persons of low income.

SECTION 8. Clause (*a*) of said section 40 of said chapter 121B, as so appearing, is hereby amended by inserting after the word "persons", in line 3, the words:— and handicapped persons.

SECTION 9. Said clause (*a*) of said section 40 of said chapter 121B, as so appearing, is hereby further amended by inserting after the word "housing", in line 7, the words:— or is a live-in staff member of a cooperative apartment, community residence or other such form of congregate housing.

SECTION 10. The second sentence of clause (*e*) of said section 40 of said chapter 121B, as appearing in section 12 of chapter 1215 of the acts of 1973, is hereby amended by inserting after the word "income", in line 2, the words:— or handicapped person of low income.

SECTION 11. Section 41 of said chapter 121B, as most recently amended by section 13 of said chapter 1215, is hereby further amended by adding the following paragraph:—

The commonwealth, acting by and through the department, may enter into a contract or contracts with a housing authority for financial assistance in the form of a guarantee by the commonwealth of bonds or note, or either bonds or notes, of the housing authority issued to finance the cost of a project or specific parts thereof, or a community residence or cooperative apartment or other such forms of congregate housing, or housing in separate dwelling units, constructed or purchased and renovated, or modifications to buildings already owned by local housing authorities to make such buildings accesible to the physically handicapped, to provide housing for low income handicapped persons or low income families with one or more than one handicapped member, including persons whose mobility, flexibility, coordination and perceptiveness are significantly reduced by aging, and to provide living facilities for such persons as are essential for the well-being of the handicapped residents of such housing, and including the provision of other such facilities as are necessary for the well-being of the handicapped residents. The amount of bonds or notes guaranteed by the commonwealth under this section shall not exceed ten million dollars in the aggregate, or the actual cost of

providing five hundred units, whichever amount is the lesser. Each contract for financial assistance shall provide that the commonwealth shall pay to the housing authority annual contributions; provided however that the total amount of the annual contributions so contracted for by the commonwealth for any one year shall not exceed eight hundred thousand dollars, or eight per cent of the aggregate amount of bonds and notes guaranteed by the commonwealth under this paragraph. Each such annual contribution by the commonwealth shall be paid by the commonwealth upon approval and certification by the department to the comptroller. The provisions of sections thirty-two, thirty-four, and thirty-five shall, so far as apt, be applicable to contracts for financial assistance under this section. The department shall report to the general court the use for which such funds were expended prior to requesting additional funds for further construction under this program.

SECTION 12. Section 42 of said chapter 121B, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by inserting after the word "income", in line 3, the words:— and handicapped persons of low income or families of low income of which one or more person is handicapped.

SECTION 13. Said section 42 of said chapter 121B, as so appearing, is hereby further amended by inserting after the word "income", in line 14, the words:— and handicapped persons of low income or families of low income of which one or more person is handicapped.

SECTION 14. Section 44 of said chapter 121B, as so appearing, is hereby amended by striking out, in line 8, the words "and then to elderly persons of low income" and inserting in place thereof the words:— then to elderly persons of low income, and then to handicapped persons of low income or families of low income of which one or more person is handicapped.

Approved August 2, 1974.

Chap. 690. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO COMPLETE THE DESIGN AND CONSTRUCTION OF A FLOOD CONTROL AND DRAINAGE IMPROVEMENT PROJECT FOR THE SALES CREEK DRAINAGE AREA IN THE CITIES OF BOSTON AND REVERE.

Be it enacted, etc., as follows:

The department of public works, acting through its division of waterways, is hereby authorized and directed to complete the design and construction of a culvert and all remaining phases of a flood control and drainage improvement project initiated pursuant to the provisions of chapter eight hundred and seventy-three of the acts of nineteen hundred and seventy-one for the Sales creek drainage area in the cities of Boston and Revere.

Approved August 2, 1974.

Chap. 691. AN ACT CLARIFYING THE PAYMENT OF CERTAIN EXPENSES OF THE ATTORNEY GENERAL AND THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

Section 9A of chapter 6A of the General Laws, inserted by section 1 of chapter 1224 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The secretary of consumer affairs is hereby authorized to make an annual assessment against each electric, gas, telephone, and telegraph company doing business in the commonwealth and subject to the supervision of the department of public utilities and against each insurance company doing business in the commonwealth on so much of the business of any such company the rates for which are fixed and established by or are subject to the approval of the commissioner of insurance, based upon intrastate operating revenues of each of such companies derived from sales of electric, gas, telephone and telegraph service and insurance policies or premiums, respectively, as shown on the annual report or annual statement of each of said companies filed with the proper supervising agency.

Approved August 2, 1974.

Chap. 692. AN ACT ESTABLISHING A SERVICE UNIT WITHIN THE EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Be it enacted, etc., as follows:

Chapter 6A of the General Laws is hereby amended by inserting after section 17 the following section:—

Section 17A. There shall be within the executive office of manpower affairs an administrative unit to be known as the technical assistance strike force which shall have as its purpose the rendering of advice and assistance to any business organization throughout the commonwealth that so requests. The technical assistance strike force shall be comprised of one or more representatives from the division of employment security who shall be qualified to assist existing businesses with respect to staffing, recruiting, incentive and training problems; one or more representatives from the department of economic development who shall be qualified to assist existing businesses with respect to problems involving marketing, the methods for expanding present facilities or the acquisition of venture or other capital; a representative from the board of arbitration and conciliation and the state labor relations commission, who shall be qualified to assist in the area of labor disputes; a representative from the division of industrial safety and any other area of the secretariat that the secretary deems appropriate.

The secretary of the executive office of manpower affairs shall appoint and may remove all employees in the unit. Unless otherwise provided by law, all such appointments and removals shall be made in accordance with chapter thirty-one.

If an employee serving in a position which is classified under chapter thirty-one or in which he has tenure by reason of section

nine A of chapter thirty shall be appointed to a position with the unit on a temporary basis or to any agency under the department which is not subject to the provisions of chapter thirty-one, he shall upon termination of his service in such unclassified position be restored to the position which he held immediately prior to such appointment; provided, however, that if his service in such unclassified position shall have been terminated for cause, his right to be so restored shall be determined by the civil service commission in accordance with the standards applied by said commission in administering chapter thirty-one. Such restoration shall be made without impairment of his civil service or tenure under said section nine A of said chapter thirty and without loss of seniority, retirement or other rights to which uninterrupted service in such prior position would have entitled him. During the period of such appointment, each person so appointed from a position in the classified civil service shall be eligible to take any competitive promotional examination to which he would have otherwise been eligible.

Approved August 2, 1974.

Chap. 693. AN ACT AUTHORIZING CITIES, TOWNS, AND DISTRICTS TO CONTRACT FOR HOMEMAKER SERVICES.

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 6 of the acts of 1973 the following paragraph:—

For providing homemaker services for a period not exceeding three years. Such contracts shall be made with private nonprofit homemaker care agencies and shall be approved by the board of health or any legally constituted board performing the powers and duties of a board of health.

Approved August 2, 1974.

Chap. 694. AN ACT RELATIVE TO FEES AND COSTS OTHER THAN ATTORNEYS' FEES INCURRED BY INDIGENT PERSONS IN JUDICIAL PROCEEDINGS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 11 of chapter 35 of the General Laws, as amended by chapter 40 of the acts of 1962, is hereby further amended by inserting after the word "prosecutions", in line 2, the words:— , or for court costs for indigent parties pursuant to sections twenty-seven A to twenty-seven G, inclusive, of chapter two hundred and sixty-one.

SECTION 2. Section 12 of said chapter 35, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "thirteen", in line 3, the words:— , or for court costs for indigent parties in the supreme judicial, appeals or superior courts, or in any probate, district, municipal, juvenile or housing court under section twenty-seven A to twenty-seven G, inclusive, of chapter two hundred and sixty-one.

SECTION 3. Chapter 261 of the General Laws is hereby amended by inserting after section 27 under the caption COURT COSTS OF INDIGENT PERSONS the following seven sections:—

Section 27A. As used in sections twenty-seven A to twenty-seven G, inclusive, the following words shall have the following meanings:—

"Indigent", a person who is unable to pay the fees and costs of the proceeding in which he is involved, or is unable to do so without depriving himself or his dependents of the necessities of life, including food, shelter and clothing.

"Fees and costs", fees and costs shall not include attorneys' fees.

"Normal fees and costs", the fees and costs a party normally is required to pay in order to prosecute or defend the particular type of proceeding in which he is involved. They shall include, but not be limited to, the following: in all civil cases, filing or entry fees, and fees and related costs for service of process, including publication of a citation when publication is ordered; costs assessed in a bill of costs; in equity, fees for the issuance of an injunction, restraining order, writ or other process; in the probate court, fees for an amendment of record.

"Extra fees and costs", the fees and costs, in addition to those a party is normally required to pay in order to prosecute or defend his case, which result when a party employs or responds to a procedure not necessarily required in the particular type of proceeding in which he is involved. They shall include, but not necessarily be limited to, the following: fees and costs for the issuance or service of a subpoena, witnesses' fees, expert assistance and appeal bond premiums.

Section 27B. Upon or after commencing or answering to any civil or criminal proceeding in the superior courts or in any probate, district, municipal, juvenile or housing court, including but not limited to civil actions, proceedings for divorce or separate support, summary and supplementary processes, and proceedings upon petitions to vacate, for review or for a writ of error in a criminal case, any party may file with the clerk or register, serving a copy upon all other parties, an affidavit of indigency and request for waiver, substitution or county payment of fees and costs, upon a form prescribed by the chief justice of the supreme judicial court and in accordance with the standards set forth in sections twenty-seven C to twenty-seven F, inclusive, and sworn to under oath by the affiant.

An indigent party may subsequently file one or more supplementary affidavits requesting the waiver, substitution or county payment of fees and costs not previously granted at any time before a finding of guilt or innocence or a final decree or judgment has been entered.

Section 27C. (1) When an affidavit of indigency, or any supplement thereto, is filed, the clerk or register shall forthwith bring it to the attention of the court. If the affidavit appears regular and complete on its face and indicates that the affiant is indigent, the court, upon a finding of the facts alleged therein, may grant such request for waiver, substitution or county payment, with or without hearing in the case of normal fees and costs, but shall grant such request only after hearing in the case of extra fees and costs. Before making a finding of indigency, the court shall consider the following facts with

respect to the applicant as of the time of hearing, in the immediate past and with respect to the immediate future: his age, education, training, physical and mental ability and number of dependents; gross and net income; regular and extraordinary expenses, if any; assets and liabilities; whether or not he is a recipient of public assistance and for what purpose; and any other facts which are relevant to the applicant's ability to pay court costs. If the court makes a finding of indigency, it shall not deny any request with respect to normal fees and costs, and it shall not deny any request with respect to extra fees and costs if it finds the document, service or object is reasonably necessary to assure the applicant as effective a prosecution or defense as he would have if he were financially able to pay. The court shall not deny any request without first holding a hearing thereon; and if there is an appeal pursuant to section twenty-seven D following a denial, the court shall set forth its written findings and reasons justifying such denial, which document shall be part of the record on appeal.

(2) The clerk of each court shall conspicuously post in that part of his office open to the public a notice specifying the indigency limits currently in force, and informing the public in plain language of the availability of waiver, substitution or county payment of fees and costs for indigent persons.

Section 27D. In any case where the court denies a request for waiver, substitution or county payment of fees and costs, the applicant may take an appeal as hereinafter provided. If the matter arises in the superior or in a probate court, the appeal shall be to the single justice of the appeals court at the next sitting thereof; and if the matter arises in any district, municipal, juvenile or housing court, the appeal shall be to the superior court then sitting in the same county, if any, or, if not, to the superior court sitting in the nearest county or in Suffolk county. Upon being notified of the denial the applicant shall also be advised of his right of appeal, and he shall have seven days thereafter to file a notice of appeal with the clerk or register. Upon receipt of a notice of appeal timely filed the clerk or register shall forthwith notify the judge or justice, who shall set forth his written findings and reasons as provided in paragraph (1) of section twenty-seven C. The clerk or register shall then forward the affidavit and request, the court's findings and reasons for denial and any other documents on file relevant to the appeal, to the clerk of the court hearing the appeal, who, upon receipt thereof, shall set the matter down for speedy hearing and send notice to the parties. The court denying the request may, with or without motion, stay proceedings pending appeal; and the court hearing the appeal may enter or revoke such a stay. The decision of the court hearing the appeal shall be final with respect to such request.

Section 27E. Any party on whose behalf any fees or costs have been waived or paid by the county pursuant to sections twenty-seven C or twenty-seven F or both shall repay the total amount thereof to the clerk or register of the court if said party shall have recovered, as a result of the proceeding in which said fees or costs were waived or paid, an amount in excess of three times the total amount of said fees

and costs. In any case in which any fees or costs have been so waived or paid, the court, upon the waiver or payment of any such fees or costs shall notify all parties of the total amount of said fees and costs to date and that any money judgment or settlement in favor of the party for whom said fees or costs were waived or paid which exceeds three times the total amount thereof shall be deposited with the clerk or register of the court in the following manner. Any party obligated to pay any judgment or settlement exceeding three times the total amount of said fees and costs, or any portion of such a judgment or settlemert, shall pay to the clerk or register the total amount of said fees or costs, or if more than one party is so obligated, his proportional share thereof, and deduct the same from such judgment or settlement. The clerk or register shall notify all parties when the total amount of fees and costs has been so reimbursed. When said notification is received by the party obligated to pay such judgment or settlement or portion thereof, or if no such notification is received after the expiration of thirty days after the payment by said party of such fees or costs or his share thereof, said party shall promptly forward the remainder of the judgment or settlement to the party entitled to it. This procedure shall not be construed to excuse any person on whose behalf any fees or costs have been waived or paid from the obligation to repay the same as provided in this section.

Section 27F. The court may, upon its own motion or that of any party, order that the document, service or object for which a normal or extra fee or cost would be charged shall be provided by an alternative means at lower or no cost, if the substitute thereby provided is substantially equivalent and the provision thereof does not materially impair the rights of any party. In any such order the court may direct county payment of the cost of any substitute to the same extent that the court would but for this section have ordered county payment for the document, service or object in question.

Section 27G. The clerk shall receive from any indigent party or his attorney all bills and vouchers for any document, service or object rendered to said party for which an order for county payment has been issued, and shall transmit said bills and vouchers and an attested copy of said order to the county treasurer, or in Suffolk county to the auditor of the city of Boston, hereinafter included in the term "county treasurer", who shall make prompt payment thereon.

The county treasurer shall keep a record of all payments or waivers made pursuant to this section and of all repayments made pursuant to section twenty-seven E, including therein the name of the party, his attorney if any, the names and addresses of the person or persons to whom payment is made, the documents, services or objects for which payment is made, the dates each was rendered to the party and the charge for each, and the dates payment was made by the county treasurer. This record shall be a public record.

Periodically, according to a schedule established by the state treasurer, the several county treasurers shall requisition funds from the commonwealth to reimburse fees and costs paid or waived by the counties during the preceding period. The state treasurer shall pay said requisitions from any sums appropriated therefor, and he may

require any documentation that he deems appropriate before making payment.

The state treasurer shall on or before December first of each year make a written report to the general court indicating the amounts and purposes of all expenditures under sections twenty-seven A to twenty-seven G, inclusive, by the various counties which the commonwealth has reimbursed and making such recommendations for change in the law as he deems necessary.

SECTION 4. The sixth paragraph of section 4 of chapter 262 of the General Laws is hereby amended by striking out the words "; provided, however, that the court may, if it finds that the entering party is destitute and unable to pay, order the payment of such entry fee to be waived", added by chapter 582 of the acts of 1954.

SECTION 5. Section 4 of chapter 280 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph:—

Fees and costs of indigent defendants in criminal prosecutions except attorneys' fees, shall or may be waived or substituted by the court or paid by the county in accordance with the provisions of section twenty-seven A to twenty-seven G, inclusive, of chapter two hundred and sixty-one.

SECTION 6. This act shall take effect on January first, nineteen hundred and seventy-five, and shall apply to fees and costs incurred or becoming due on or after said date.

Approved August 2, 1974.

Chap. 695. AN ACT DIRECTING THE ADJUTANT GENERAL TO CONVEY CERTAIN PARCELS OF LAND IN THE TOWN OF BOURNE TO SAID TOWN.

Be it enacted, etc., as follows:

The adjutant general, on behalf of the commonwealth, is hereby authorized and directed to convey by deed, approved as to form by the attorney general, to the town of Bourne, for the consideration of one dollar, four parcels of land, located in said town and bounded and described as follows:

PARCEL ONE

Beginning at a point N240, 600 - E852, 350 (Mass. Grid Plans Coordinate System) thence due South, 1,000 feet
to N239, 600; E852, 350; thence due East 550 feet
to N239, 600; E852, 900; thence due North 340 feet
to N239, 940; E852, 900; thence due East 260 feet
to N239, 940; E853, 160; thence due North 660 feet
to N240, 600; E853, 160; thence due West 810 feet
to point of beginning along Coordinate to N240, 600
Containing approximately 13.00 acres, more or less, together with the rights of ingress and egress thereto.

PARCEL TWO

Beginning at a point approximately 120 feet North of the intersected centerlines of Nickerson and Walcott Roads, coordinates of which are N239,000 and E852,900; thence due north 600 feet to the south-

westerly corner of a plot of land containing the first increment of Otis Grade School, coordinates of which corner are N239,600 and E852,900; thence due west along the southerly boundary of said school plot 550 feet and beyond the same bearing 175 feet to a point, coordinates of which are N239,600 and E852,175; thence due south 600 feet to a point, coordinates of which are N239,000 and E852,175; thence due east 725 feet to point of beginning; being a rectangle of land, area of which is 10.0 acres, more or less, together with the rights of ingress and egress thereto.

PARCEL THREE

Beginning at a point, coordinates of which are N239, 600 and E852, 350, being the intersection of the west boundary line of the site of Elementary School No. 1 and the north boundary line of the site for Elementary School No. 2; thence due North 700 feet along the West boundary to point, coordinates of which are N240, 300 and E852, 350; thence 800 feet, more or less, Northwesterly along a line running directly to the intersection of the center lines of Carpenter and LeMay Avenues, to a point 30 feet from the center line of LeMay Avenue; thence on a curve on the East side of LeMay Avenue, parallel to and 30 feet from the center line of LeMay Avenue, Southeasterly and Southwesterly to a point on a line being said North boundary extended due West; thence due East 700 feet more or less to the point of beginning, being an irregular parcel of land, area of which is 11.5 acres, more or less, together with the rights of ingress and egress thereto.

PARCEL FOUR

Beginning at a point (intersection of Curtis Blvd. and Tibbetts St.) coordinates of which are N238, 970 and E852, 940 being the north boundary line of the site; thence northeasterly 915 feet, more or less, along said line to a point on the south edge of Curtis Blvd., the coordinates of which are N239, 240, and E853, 810; thence southerly 800 feet, more or less, along a line to a point, coordinates of which are N238, 500 and E854, 099; thence southwesterly 710 feet, more or less, along a line to a point, on the east edge of Tibbetts Street, coordinates of which are N238, 260 and E853, 485; thence northwesterly 920 feet, more or less, along a line following the easterly edge of Tibbetts Street, to the point of beginning, being an irregular parcel of land, area of which is 16.9 acres more or less, together with the rights of ingress and egress thereto.

Said land shall be used for school purposes only and shall revert to and in the commonwealth whenever said land shall cease to be used for school purposes.

Approved August 2, 1974.

Chap. 696. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO APPOINT HALTON T. GRINDLE AS A PERMANENT MEMBER OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

The division of civil service shall place the name of Halton T. Grin-

dle on the list of those eligible for appointment as police officers and shall certify him, in the manner prescribed by law, and the appointing authority of the town of Marshfield may thereafter appoint Halton T. Grindle as a permanent police officer of said town, notwithstanding the fact that he fails to meet the age requirement for said position; and provided he has met all other requirements.

Approved August 2, 1974.

Chap. 697. AN ACT ESTABLISHING THE COMMISSION ON INDIAN AFFAIRS.

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by adding after section 37 the following section:—

Section 38. There shall be in the executive office of administration and finance a commission on Indian affairs, consisting of seven members who shall be appointed by the governor. All of the members shall be of American Indian descent and shall represent the major tribes of American Indian population located within the commonwealth. Each member shall serve for a term of three years.

Said commission shall meet at least four times annually, but may meet as often as it deems necessary for the proper conduct of its affairs, and shall elect from its membership a chairman and such other officers as may be required, each to serve for a term of one year.

Said commission shall investigate problems common to American Indians and persons of American Indian descent who are residents of the commonwealth. It shall assist tribal councils, Indian organizations and individuals in their relationship with agencies of state and local government, assist with social services, education, employment opportunities, health, housing problems, civil rights, legal aid, treaties, taking of a census of Indian residents, and any other rights or services concerning Indian residents of the commonwealth.

Said commission may make recommendations to the secretary of administration and finance concerning programs and policies that will best serve the interest of the Indian residents of the commonwealth and shall make an annual report of its activities to the said secretary and file a copy thereof with the clerks of the senate and house of representatives on or before the last Wednesday in January of each year.

Approved August 2, 1974.

Chap. 698. AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two for the several purposes and subject

to the conditions specified therein are hereby appropriated from the General Fund unless specifically designated otherwise in the item, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter four hundred and thirty-one of the acts of the current year, for the fiscal year ending June the thirtieth, nineteen hundred and seventy-five, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Item

Legislature.

Other Legislative Expenses.

0169-7401 For the joint committee on state administration to study the availability, use and disposition of surplus state property **$170,000**

Special Investigations.

0185-7505 For an investigation and study relative to the awarding of contracts for construction and materials by counties, towns and districts, as authorized by chapter eighty-eight of the resolves of nineteen hundred and sixty-five **$16,500**

Secretary of the Commonwealth.

0511-0000 For the office of the secretary, including not more than one hundred and seven permanent positions; provided, that the positions of director of administrative services, counsel II, and assistant supervisor of public records, director, bilingual information center, assistant director, bilingual information center shall not be subject to the provisions of chapter thirty-one of the General Laws **$40,000**

Treasurer and Receiver-General.

0611-4000 For the administration of the Vietnam bonus payments **$135,800**

Executive Office of Administration and Finance.

Central Services Division.

1102-5010 Item 1102-5010 of section two of chapter four hundred and thirty-one of the acts of nineteen hundred and seventy-four is hereby amended by striking out the word "forty-eight" and inserting in place thereof the word:— sixty-two.

Department of Natural Resources.

2600-1492 Item 2600-1492 of section two of chapter four hundred and twenty-three of the acts of nineteen hundred and seventy-four is hereby amended by inserting after the word "areas" the words:— and construction **$50,000**

Public Access Fund 100.0%

Division of Forests and Parks.

2611-9008 For the construction of a building at Dighton Rock park, pursuant to chapter five hundred and one of the acts of nineteen hundred and seventy-four

State Recreation Fund 100.0%

Division of Conservation Services.

2630-8701) Notwithstanding the provision of section eight A of chapter
) twenty-nine of the General Laws, the sum of nine thousand
2630-8717) five hundred and seventy-six dollars and twenty cents may be
) paid from these items for certain unpaid bills.
2630-9100)

Department of Public Welfare.

4400-1300 For additional expenses of operating a food stamp program for eligible persons in the commonwealth; provided, that any expenditure from this item shall be contingent upon the receipt by the department, and the deposit with the state treasurer, of funds from any source, public or private, other than the commonwealth equal to fifty per cent of such expenditures, and shall be further contingent upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure shall be not less than fifty 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 that no federal grants or reimbursements available for present or future programs other than those herein authorized will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item **$500,000**

Department of Public Health.

Bureau of Chronic Disease Control.

4512-0105 Item 4512-0105 of section two of chapter four hundred and sixty-six of the acts of nineteen hundred and seventy-three is hereby amended by adding the words:— ; including prior-year expenses.

Department of Mental Health.

5011-9001 For a research project and rehabilitation program for chronic mental patients **$273,000**

8072-34) Item 8072-34 of section 2 of chapter nine hundred and seventy-
) six of the acts of nineteen hundred and seventy-one is hereby
5762-9501) amended by striking out the wording and inserting in place thereof the following:—

For the construction of a community mental health center in Bourne and for an area clinic in Barnstable, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069-35 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, provided that nothing shall prevent the construction of said community mental health center from commencing prior to the construction of said area clinic; total project cost not to exceed three million dollars.

Executive Office of Educational Affairs.

Board of Education.

7010-0012 For reimbursement to towns for payment of certain costs incurred under the program 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 in said program **$1,305,000**

7010-0018 For payment to the Massachusetts experimental school for the cost of providing magnet educational programs in accordance with the provisions of sections thirty-seven I and thirty-seven J of chapter seventy-one of the General Laws **89,000**

7010-0042 For the payments to cities, towns, or regional school districts for the cost of providing magnet educational programs in accordance with the provisions of sections thirty-seven I and thirty-seven J of chapter seventy-one of the General Laws **1,961,000**

7010-0043 For the establishment of an Equal Education Improvement Fund for cities, towns, or regional school districts under the provisions of section one I of chapter fifteen of the General Laws **$6,000,000**

Division of Curriculum and Instruction.

7035-0004 For the reimbursement of certain towns and regional school districts for the transportation of pupils **$2,000,000**

Executive Office of Public Safety.

Massachusetts Criminal Justice Training Council.

8200-0200 For the administration and operation of certain training programs to be conducted by the Massachusetts criminal justice training council **$45,000**

Law Enforcement and Criminal Justice Training Fund 100.0%

Approved August 2, 1974.

Chap. 699. AN ACT RELATIVE TO THE CONFIRMATION OF PROCEEDINGS OF MADONNA HALL FOR GIRLS IN MARLBOROUGH, FORMERLY THE HOUSE OF THE GOOD SHEPHERD IN BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The election of Humberto S. Medeiros, Margaret M. Mulligan, Anne Kopf, Lillian Aylward, Mary Powers, Elinor Andreoli, Frances Markham, Patricia Kelley, Ann M. Kennedy, and Mary Hayes as members of the corporation of Madonna Hall for Girls, a body corporate located in the city of Marlborough, is confirmed and made valid; and said persons may, at a meeting called for the purpose, by vote confirm any proceeding of said corporation so far as the same was affected by any defect or irregularity in the manner or time of the calling or holding of any meetings of the corporation, the election or qualification of its members or officers, the amendment of its Articles of Association or by-laws; said persons may at the meeting called as hereinafter provided, or at any subsequent meeting, alter, amend or repeal the Articles of Association, the Articles of Organization, or any by-law by vote of two thirds of those present and voting thereon; and said corporation shall be held to continue and exist as a legal and valid corporation notwithstanding any such defect or irregularity. If any one of the persons named herein dies, resigns or is otherwise unable to serve before the meeting herein authorized is held, then the remaining persons may select another person to take the place of the person unable to serve.

SECTION 2. A meeting of the corporation under the preceding section may be called by any two of the persons therein named by notice, stating the time, place and purpose of said meeting, a copy of which notice shall, seven days at least before the day appointed for the meeting, be given to each of said persons in hand or left at his or her last or usual place of residence.

Approved August 2, 1974.

Chap. 700. AN ACT PROVIDING FOR AN ADDITIONAL JUDGE FOR THE HOUSING COURT OF THE CITY OF BOSTON, FURTHER DEFINING THE JURISDICTION OF SAID COURT, AND CONFORMING JUDGMENTS THEREIN AND APPEALS THEREFROM TO JUDGMENTS IN AND APPEALS FROM THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 185A of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 843 of the acts of 1971, and inserting in place thereof the following paragraph:—

The housing court shall have common law and statutory jurisdiction concurrent with the district courts and superior court of all crimes and of all civil actions, arising within the city, under sections twenty-one to twenty-five, inclusive, of chapter two hundred and eighteen, sections fourteen and eighteen of chapter one hundred and eighty-six and under so much of sections one hundred and twenty-seven A to one hundred and twenty-seven F, inclusive, and sections one hundred and twenty-seven H to one hundred and twenty-seven L, inclusive, of chapter one hundred and eleven, so much of section sixteen of chapter two hundred and seventy, so much of chapters one hundred and forty-three, one hundred and forty-eight, chapter two hundred and thirty-nine of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight, chapter six hundred and sixty-five of the acts of nineteen hundred and fifty-six, all as amended, and any other general or special law, ordinance, rule or regulation as is concerned with the health, safety or welfare of any occupant of any place used, or intended for use, as a place of human habitation. The housing court shall also have jurisdiction in equity, concurrent with the district courts, the probate courts, the superior court, the appeals court, and the supreme judicial court, of all cases and matters so arising.

SECTION 2. The second paragraph of said section 3 of said chapter 185A, as so appearing, is hereby amended by inserting after the word "powers", in line 2, the words:— and jurisdiction.

SECTION 3. Said chapter 185A is hereby further amended by striking out section 8, as so appearing, and inserting in place thereof the following section:—

Section 8. The housing court shall have two judges who shall devote their entire time during ordinary business hours to their duties and shall not directly or indirectly engage in the practice of law. The senior judge shall be designated the chief judge and the other shall be designated the associate judge. In case of a vacancy in the office of chief judge, or of his illness or absence, his duties shall be performed by the associate judge. The chief judge shall receive the same salary as an associate justice of the superior court and the associate judge shall receive ninety per cent of said salary.

SECTION 4. Section 2 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 13, the word "judge" and

inserting in place thereof the words:— chief judge or associate judge.

SECTION 5. Section 4 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 7, the word "judge" and inserting in place thereof the words:— the judge who is presiding.

SECTION 6. Section 5 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 2, the word "judge" and inserting in place thereof the word:— judges—, and by striking out, in line 9, the word "judge" and inserting in place thereof the words:— chief judge.

SECTION 7. Section 10 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 2, the word "judge" and inserting in place thereof the words:— chief judge.

SECTION 8. Section 11 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 1 and in line 7, the word "judge" and inserting in place thereof, in each instance, the words:— chief judge.

SECTION 9. Section 12 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 3, the word "judge" and inserting in place thereof the words:— chief judge.

SECTION 10. Section 13 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 7, the word "judge" and inserting in place thereof the words:— chief judge.

SECTION 11. Section 14 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 10, the word "judge" and inserting in place thereof the words:— chief judge.

SECTION 12. Section 15 of said chapter 185A, as so appearing, is hereby amended by striking out, in lines 1, 4, 6, 11, and 12, the word "judge" and inserting in place thereof, in each instance, the words:— chief judge.

SECTION 13. Section 16 of said chapter 185A, as so appearing, is hereby amended by striking out, in lines 1, 3, 5, 15, and 16, the word "judge" and inserting in place thereof, in each instance, the words:— chief judge.

SECTION 14. Section 18 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 9, the word "judge" and inserting in place thereof the words:— judge presiding at the trial —, and by striking out, in lines 10, 15, and 16, the word "judge" and inserting in place thereof, in each instance, the words:— chief judge.

SECTION 15. Section 19 of said chapter 185A, as so appearing, is hereby amended by striking out, in line 2, the word "judge" and inserting in place thereof the word:— judges.

SECTION 16. Said chapter 185A is hereby further amended by striking out section 24, as so appearing, and inserting in place thereof the following section:—

Section 24. All dispositions of any case before the housing court, whether interlocutory or final, shall be administered, entered, reported and appealed from as in the superior court.

SECTION 17. Sections twenty-six, twenty-eight and twenty-nine of chapter one hundred and eighty-five A of the General Laws are hereby repealed.

Approved August 2, 1974.

Chap. 701. AN ACT INCREASING THE SURVIVOR'S ALLOWANCE PAYABLE TO MARGARET FITZGERALD BY THE HAMPDEN COUNTY RETIREMENT BOARD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the Hampden county retirement board is hereby authorized and directed to increase the survivor's allowance payable to Margaret Fitzgerald, widow of John J. Fitzgerald, a former clerk of the Springfield juvenile court, so long as she remains unmarried, to three thousand six hundred dollars per annum, payable in equal monthly installments.

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

Approved August 2, 1974.

Chap. 702. AN ACT DESIGNATING THE FINE ARTS BUILDING OF THE STATE COLLEGE AT FITCHBURG AS THE FLORENCE D. CONLON FINE ARTS CENTER.

Be it enacted, etc., as follows:

The fine arts building at the state college at Fitchburg shall be designated and known as the Florence D. Conlon Fine Arts Center, in memory of Florence D. Conlon, a former chairman of the fine arts department of said college. A suitable marker bearing such designation shall be attached thereto by the board of trustees of state colleges.

Approved August 2, 1974.

Chap. 703. AN ACT RELATIVE TO THE METHOD OF COMPUTING THE RETIREMENT RIGHTS OF CHARLES H. COPELAND, JOSEPH F. McGRADY AND CLIFTON BOURNE, EMPLOYEES OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY, WHO WERE FORMERLY EMPLOYED BY THE EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of any law, Charles H. Copeland, Joseph F. McGrady and Clifton Bourne, former management employees of the Eastern Massachusetts Street Railway Company, who became employees of the Massachusetts Bay Transportation Authority on or after March thirtieth, nineteen hundred and sixty-two, by reason of the takeover of said company by the Authority, shall be entitled to use their prior years of service with the Eastern Massachusetts Railway Company for qualifying for deferred compensation payments from the Authority as well as using these years of service as creditable service in computing the amount of such deferred compensation payment. Said persons shall be entitled to the same rights to use prior service with the Eastern

Massachusetts Street Railway Company as the Authority affords to former members of the Boston Elevated Railway Company in computing deferred compensation rights of said members.

SECTION 2. In no instance shall the combined total of prior service pension allowance received for Eastern Massachusetts Street Railway Company service plus membership service pension allowance from the Massachusetts Bay Transportation Authority plus benefits received under the provisions of section one of this act entitle said persons retiring from the Authority to receive more than sixty-five per cent of the average annual salary received from the Authority by such persons for the five years next prior to the date of retirement; provided, however, in the event of a change in the method of salary averaging for other members of the Authority from a five-year term, the salary averaging method for the persons named in said section one shall also be changed to be the same as such new salary averaging term.

Approved August 2, 1974.

Chap. 704. AN ACT RELATIVE TO THE SALARIES OF THE MEMBERS OF THE MUNICIPAL LIGHT COMMISSION OF THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 286 of the acts of 1951 is hereby amended by adding the following sentence:— The members of the commission shall receive an annual salary not to exceed twenty-five hundred dollars per annum.

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

Approved August 2, 1974.

Chap. 705. AN ACT AUTHORIZING PETER K. DOYLE OF MILTON TO COMPETE FOR THE CIVIL SERVICE ENTRANCE EXAMINATION FOR THE POLICE SERVICE IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any law or rule to the contrary regulating the minimum standards for visual acuity for applicants for the police service in the commonwealth, Peter K. Doyle of Milton shall be deemed to have met such standards under the civil service law, provided his visual acuity is correctable to 20/20 in each eye by the use of eyeglasses or contact lenses.

SECTION 2. This act shall take effect as of January first, nineteen hundred and seventy-four.

Approved August 2, 1974.

Chap. 706. AN ACT TO PROTECT UNBORN CHILDREN AND MATERNAL HEALTH WITHIN PRESENT CONSTITUTIONAL LIMITS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by inserting after section 12G the following sections:—

Section 12H. As used in sections twelve H through sections twelve T the following words shall have the following meanings:

ABORTION: The knowing destruction of the life of an unborn child or the intentional expulsion or removal of an unborn child from the womb other than for the principal purpose of producing a live birth or removing a dead fetus.

UNBORN CHILD: The individual human life in existence and developing from fertilization until birth.

PREGNANCY: The condition of a mother carrying an unborn child.

HOSPITAL: A hospital as defined in section fifty-two of chapter one hundred and eleven of the General Laws, and duly licensed under the provisions of section fifty-one of chapter one hundred and eleven of the General Laws.

PHYSICIAN: An individual lawfully authorized to practice medicine in the Commonwealth.

Section 12I. If a pregnancy has existed for less than twenty-four weeks no abortion may be performed except by a physician and only if, in the best medical judgment of a physician, the abortion is necessary under all attendant circumstances.

Section 12J. If a pregnancy has existed for twenty-four weeks or more, no abortion may be performed except by a physician and only if it is necessary to save the life of the mother, or if a continuation of her pregnancy will impose on her a substantial risk of grave impairment of her physical or mental health.

Section 12K. Any person who violates the provisions of sections twelve I or twelve J shall be punished by imprisonment for not less than one year nor more than five years. Conduct which violates the provisions of this act, which also violates any other criminal laws of the commonwealth, may be punished either under the provisions of this act or under such other applicable criminal laws.

Section 12L. If an abortion is performed pursuant to section twelve J, no abortion procedure which is designed to destroy the life of the unborn child or injure the unborn child in its mother's womb may be used unless, in the physician's best medical judgment, all other available procedures would create a greater risk of death or serious bodily harm to the mother either at the time of the abortion, or subsequently as the result of a future pregnancy, than the one being used.

Section 12M. If an abortion is performed pursuant to section twelve J, the physician performing the abortion shall take all reasonable steps, both during and subsequent to the abortion, in keeping with good medical practice, consistent with the procedure being used, to

preserve the life and health of the aborted child. Such steps shall include the presence of life-supporting equipment, as defined by the department of public health, in the room where the abortion is to be performed.

Section 12N. Except in an emergency requiring immediate action no abortion may be performed under sections twelve I or twelve J unless

(1) the written informed consent of the proper person or persons has been delivered to the physician performing the abortion as set forth in section twelve P and

(2) if the abortion is during or after the thirteenth week of pregnancy it is performed in a hospital duly authorized to provide facilities for general surgery.

Except in an emergency requiring immediate action no abortion may be performed under section twelve J unless performed in a hospital duly authorized to provide facilities for obstetrical services.

Section 12O. If the physician performing the abortion is not the physician who made the medical judgment required by section twelve J, before performing the abortion he shall obtain from the physician making such judgment a written statement setting forth the exception contained in section twelve J that in his best medical judgment permits the abortion and the specified reasons why the abortion qualifies under that exception. The physician performing the abortion shall retain this written statement as an attachment to the file copy of his report required by this section. Within thirty days after the performance of an abortion, the physician performing such abortion shall file with the commissioner of public health on a form prescribed by him the following information to the best of his knowledge: The date and place of the abortion; if he was the physician making the medical judgment required by section twelve J, the exception contained in either of those sections that in his best medical judgment permitted the abortion and the specific reasons why the abortion qualified under that exception; if he is not the physician who made such medical judgment, (1) the name and address of the physician from whom he received the written statement required by this section and (2) the exception contained in either section twelve J that permitted the abortion and a verbatim recitation of the specific reasons why the abortion qualified under either exception as set forth in the written statement he received from such physician; the age of the mother; the method used to perform the abortion; whether the mother survived the abortion; the details of any morbidity observed in the mother; the gestational age of the child; the weight and crown-rump length of the child if determinable; whether the unborn child was alive when removed or expelled from the mother and if so, the steps taken to preserve its life; and the length of time the child lived after removal or expulsion from the mother. The physician performing the abortion shall retain in his files for seven years after the abortion a copy of the report to which he should attach or otherwise add the name of the mother. The

original of the report filed with the commissioner shall not contain the name of the mother and shall be maintained by the commissioner as a public record. The commissioner shall prepare from these reports such statistical tables with respect to maternal health, abortion procedures, the unborn child and viability as he deems useful and shall make an annual report thereof to the General Court. Nothing in this section shall be construed to limit the authority of the department of public health to require reports pursuant to sections twenty-four A and twenty-five A of chapter one hundred and eleven.

Section 12P. (1) If the mother is less than eighteen years of age and has not married, the consent of both the mother and her parents is required. If one or both of the mother's parents refuse such consent, consent may be obtained by order of a judge of the superior court for good cause shown, after such hearing as he deems necessary. Such a hearing will not require the appointment of a guardian for the mother.

If one of the parents has died or has deserted his or her family, consent by the remaining parent is sufficient. If both parents have died or have deserted their family, consent of the mother's guardian or other person having duties similar to a guardian, or any person who had assumed the care and custody of the mother is sufficient.

(2) The commissioner of public health shall prescribe a written form for such consent. Such form shall be signed by the proper person or persons and given to the physician performing the abortion who shall maintain it in his permanent files.

Nothing in this section shall be construed as abolishing or limiting any common law rights of any other person or persons relative to consent to the performance of an abortion for purposes of any civil action or any injunctive relief under section twelve R.

Section 12Q. Any person who commits an act in violation of sections twelve L or twelve M shall be punished by a fine of not less than five hundred dollars nor more than two thousand dollars, or by imprisonment of not less than three months nor more than five years, or by both said fine and imprisonment. Conduct which violates sections twelve L or twelve M which also violates any other criminal laws of the commonwealth, may be punished either under this section or under such other applicable criminal laws. Any person who willfully violates the provisions of sections twelve N or twelve O shall be punished by a fine of not less than one hundred dollars nor more than two thousand dollars.

Section 12R. The attorney general or any person whose consent is required either pursuant to section twelve P or under common law, may petition the superior court for an order enjoining the performance of any abortion that may be performed contrary to the provisions of sections twelve I through twelve Q.

SECTION 2. If any section, subsection, sentence or clause of this act is held to be unconstitutional, such holding shall not affect the remaining portions of this act.

(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, August 2, 1974, and, in concurrence, by the Senate, August 2, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 707. AN ACT AUTHORIZING THE TOWN OF TEWKSBURY TO TRANSFER A CERTAIN PARCEL OF LAND TO THE TEWKSBURY HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter four hundred and one of the acts of nineteen hundred and sixty-one, the town of Tewksbury is hereby authorized to convey to the Tewksbury Housing Authority, to be used for the purpose of the Authority, a certain parcel of land shown as Lot A on Plan of Land in Tewksbury, Mass., dated January 10, 1973, Robert P. Morris, R.L.S., and as shown on Map 73 of the Assessors Maps as a portion of Lot 19 situated on the westerly side of Livingston street and containing 1.876 acres.

SECTION 2. Any proceedings heretofore or hereafter taken by any town meeting in the town of Tewksbury 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 3. This act shall take effect upon its passage.

Approved August 5, 1974.

Chap. 708. AN ACT AUTHORIZING THE CITY OF PEABODY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of the city of Peabody is hereby authorized to pay from any available funds the sum of three thousand one hundred and twenty dollars to Ralph Kane and Arthur Karchenes, doing business as Kane's Flower World, for materials delivered to said city in the year nineteen hundred and seventy-three, which bills are legally unenforceable against said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the 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 August 5, 1974.

Chap. 709. AN ACT CLARIFYING THE PROCEDURE BY WHICH STATE-WIDE CANDIDATES REPORT CAMPAIGN CONTRIBUTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to clarify forthwith the procedure by which state-wide candidates report campaign contributions, 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. Subsection (*d*) of section 17 of chapter 55 of the General Laws, as appearing in section 8 of chapter 444 of the acts of 1962, is hereby amended by striking out, in line 9, the words "state secretary" and inserting in place thereof the word:— director.

SECTION 2. Subsection (*e*) of said section 17 of said chapter 55, as so appearing, is hereby amended by striking out, in line 2, the words "state secretary" and inserting in place thereof the word:— director.

SECTION 3. Subsection (*f*) of said section 17 of said chapter 55, as so appearing, is hereby amended by striking out, in line 4, the words "state secretary" and inserting in place thereof the word:— director.

Approved August 5, 1974.

Chap. 710. AN ACT PROVIDING FOR THE APPOINTMENT OF THE TREASURER-COLLECTOR IN THE TOWN OF FRAMINGHAM BY THE BOARD OF SELECTMEN OF SAID TOWN WITH THE ADVICE AND CONSENT OF ITS FINANCE COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, in the town of Framingham the treasurer-collector shall be appointed for a three-year term by the board of selectmen of said town with the advice and consent of its finance committee, and the person so appointed shall have all the powers and duties now or from time to time vested by general law in the office of treasurer-collector. Upon the qualification and appointment of the treasurer-collector pursuant to the authority contained in this act, the incumbent of the office of treasurer-collector of said town shall cease to exercise the powers and duties of treasurer-collector under his authority as an

elected official. Said town may establish by by-law such qualifications for said office as deemed necessary and appropriate. Any vacancy in such office shall be filled in like manner for the unexpired portion of the term.

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

Approved August 5, 1974.

Chap. 711. AN ACT EXEMPTING THE OFFICE OF TREASURER AND TAX COLLECTOR OF THE TOWN OF WEST BRIDGEWATER FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter six hundred and fifty-two of the acts of nineteen hundred and seventy-two, the office of treasurer and tax collector of the town of West Bridgewater shall not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. The present incumbent of office of treasurer and tax collector of said town shall continue to serve until such time as his successor is qualified.

SECTION 3. The town of West Bridgewater shall at its next annual town meeting elect by ballot from its registered voters a treasurer and tax collector for a term of three years, and he shall serve as treasurer and tax collector until a successor is elected and qualified.

Approved August 5, 1974.

Chap. 712. AN ACT AUTHORIZING THE TOWN OF AMESBURY TO PLACE ROBERT MASON, A FIRE FIGHTER OF SAID TOWN, UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any law or rule to the contrary, the tenure of office of Robert Mason as a fire fighter for the town of Amesbury shall be unlimited, subject, however, to the provisions of the civil service law and rules, provided, on said effective date and notwithstanding any law or rule relative to age, he shall be subjected by the division of civil service to a noncompetitive, qualifying examination and if he shall pass such examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto without serving any probationary period. If he fails to pass such examination, he may continue to serve in said office for the period for which he was appointed, but shall not be subject to the civil service law and rules.

SECTION 2. This act shall be submitted to the voters of the town of Amesbury at the annual town meeting to be held in the year nineteen hundred and seventy-five in the form of the following question, which shall be placed upon the official ballot to be used for

the election of town officers at said meeting:— "Shall an act passed by the general court in the year nineteen hundred and seventy-four, entitled 'An Act authorizing the town of Amesbury to place Robert Mason, a fire fighter of said town, under the civil service law', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved August 5, 1974.

Chap. 713. AN ACT PROVIDING FOR FULL DISCLOSURE OF FINANCE CHARGES ON HOME MORTGAGES.

Be it enacted, etc., as follows:

SECTION 1. Clause (3) of subsection (*b*) of section 7 of chapter 140C of the General Laws, as appearing in section 1 of chapter 517 of the acts of 1969, is hereby amended by striking out, in lines 2 to 5, inclusive, the words:— ", except in the case of a loan secured by a first lien or equivalent security interest on a dwelling made to finance the purchase of that dwelling and except in the case of a sale of a dwelling,".

SECTION 2. Clause (8) of subsection (*c*) of said section 7 of said chapter 140C, as so appearing, is hereby amended by striking out, in line 1, the words:— "Except in the case of a sale of a dwelling".

SECTION 3. Clause (3) of subsection (*d*) of said section 7 of said chapter 140C, as so appearing, is hereby amended by striking out, in lines 1 to 3, inclusive, the words:— "Except in the case of a loan secured by a first lien or equivalent security interest on a dwelling and made to finance the purchase of that dwelling, the" and inserting in place thereof the word:— The.

Approved August 5, 1974.

Chap. 714. AN ACT REQUIRING SCUBA DIVERS TO DISPLAY DIVERS' FLAGS, SO CALLED, WHILE SWIMMING OR DIVING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90B of the General Laws is hereby amended by inserting after section 13 the following section:—

Section 13A. Scuba divers while swimming on or under the surface of the waters of the commonwealth shall display for each group of ten divers or less, as a warning device to boat operators, a diver's flag, so called, constructed of rigidly supported material at least twelve inches by fifteen inches in area of red background with a white diagonal stripe. Such diver's flag shall be displayed on a boat or surface float and shall extend a minimum distance of three feet from the surface of the water. Divers shall remain in an area within one hundred feet of such displayed diver's flag while at or near the surface of the water. All boat operators shall keep their boats at least one hundred feet from any such displayed diver's flag and pass such flag at a speed not to exceed ten miles per hour.

SECTION 2. Section 14 of said chapter 90B is hereby further amended by striking out subsection (*b*), as most recently amended by chapter 46 of the acts of 1974, and inserting in place thereof the following subsection:—

(*b*) whoever as a scuba diver or boat operator violates any provision of section five, five A, seven, subsection (*b*) of section nine, section twelve or section thirteen A or of any rule or regulation pertaining thereto shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved August 5, 1974.

Chap. 715. AN ACT EXTENDING THE PERMISSIBLE DURATION OF CONTRACTS ENTERED INTO BY CITIES AND TOWNS FOR THE TRANSPORTATION OF SCHOOL CHILDREN.

Be it enacted, etc., as follows:

The seventh paragraph of section 4 of chapter 40 of the General Laws, as most recently amended by chapter 307 of the acts of 1961, is hereby further amended by striking out, in line 3, the word "three" and inserting in place thereof the word:— five.

Approved August 5, 1974.

Chap. 716. AN ACT REQUIRING THE PARTICIPATION IN CERTAIN EDUCATIONAL PROGRAMS AS A CONDITION PRECEDENT TO THE RENEWAL OF REGISTRATION OF OPTOMETRISTS.

Be it enacted, etc., as follows:

Section 69 of chapter 112 of the General Laws is hereby amended by adding the following paragraph:—

Every optometrist registered under the provisions of this chapter shall, as a condition of continuation of his registration, present to the board, on or before February first in each year on such form as it may provide, evidence satisfactory to the board that in the preceding year he attended an educational conference or pursued an educational program within the commonwealth, in conformity with such requirements relating thereto as the board may from time to time establish by regulation.

Approved August 5, 1974.

Chap. 717. AN ACT ESTABLISHING A CRIMINAL PENALTY FOR VIOLATION OF OR FOR CAUSING ANOTHER TO VIOLATE THE FINANCE LAWS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by adding the following section:—

Section 66. Any officer or employee who knowingly violates, authorizes or directs another officer or employee to violate any provision of this chapter, or any rule or regulation promulgated thereunder, or any other provision of law relating to the incurring of liability or expenditure of public funds, shall be punished by a fine of not more than one thousand dollars or by imprisonment in a jail or house of correction for not more than one year, or both.

Approved August 5, 1974.

Chap. 718. AN ACT RELATIVE TO ISSUANCE OF CERTIFICATES OF COMPLIANCE TO LICENSEES AUTHORIZED TO EXPORT OR SELL ALCOHOLIC BEVERAGES TO DOMESTIC LICENSEES.

Be it enacted, etc., as follows:

Section 2 of chapter 1022 of the acts of 1971 is hereby amended by striking out, in line 8, the words "chapter sixty-three A" and inserting in place thereof the words:— section twenty-one of chapter one hundred and thirty-eight.

Approved August 5, 1974.

Chap. 719. AN ACT RELATIVE TO THE PAYMENT OF THE DEATH BENEFIT BY THE RELIEF ASSOCIATION OF THE MALDEN FIRE DEPARTMENT.

Be it enacted, etc., as follows:

The Relief Association of the Malden Fire Department, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing, to pay such member a sum equal to fifty per cent of the death benefit paid upon the death of any such member in good standing; provided, that such member has twenty years or more service in the fire department of the city of Malden; and provided further, that such member, if he so elects, designates such election in a writing filed with the secretary of said association within sixty days after he is retired or pensioned. Any amount so paid shall reduce the death benefits otherwise payable upon the death of such member.

SECTION 2. The option provided in section one shall apply only to members of said association who retire on or after the effective date of this act.

Approved August 5, 1974.

Chap. 720. AN ACT REQUIRING THE SECRETARY OF THE EXECUTIVE OFFICE OF EDUCATIONAL AFFAIRS AND THE SECRETARY OF THE EXECUTIVE OFFICE OF HUMAN SERVICES TO PREPARE A PLAN OF IMPLEMENTATION OF THE LAW REQUIRING PROGRAMS FOR CHILDREN REQUIRING SPECIAL EDUCATION.

Be it enacted, etc., as follows:

The secretary of the executive office of educational affairs and the secretary of the executive office of human services on or before August first, nineteen hundred and seventy-four, shall file with the state secretary a plan specifying in detail the progress towards implementation of each section of chapter seven hundred and sixty-six of the acts of nineteen hundred and seventy-two, including the administration and coordination responsibilities of the division of special education, the department of mental health, the department of public welfare, the department of youth services, the office for children, the Massachusetts rehabilitation commission, the department of public health, and the commission for the blind. The plan shall in addition include the specific number of personnel from each of these departments in each city and town who are responsible for implementation and a definition of their roles.

Said plans shall present a specific estimate of the number of children and the average cost of each of the eleven programs defined in said chapter seven hundred and sixty-six for each city and town. It shall include an itemized estimate of the cost of:

(1) A complete core evaluation.

(2) A partial core evaluation.

(3) The services which may be contracted to private, state or federal agencies.

The plan shall include the specific estimate of funding available to each town and city and the commonwealth, from federal programs.

In addition, it shall indicate all monies which will be available to the cities and towns for the planning, training and development required in said chapter seven hundred and sixty-six, and shall designate the positions and persons necessary for implementation.

It shall present a timetable and a mechanism for implementation, recognizing the crucial aspect of providing services to these children before they have become adults.

The school committee of each city and town shall keep records of all educational and noneducational services during the first three months of the implementation of said chapter seven hundred and sixty-six, September first, nineteen hundred and seventy-four to December first, nineteen hundred and seventy-four. They shall file a report of these costs with the secretary of the executive office of educational affairs and the secretary of the executive office of human services on or before December fifteenth, nineteen hundred and seventy-four.

On the basis of that cost data the secretary of the executive office of educational affairs and the secretary of the executive office of human

services shall file a report with the general court on or before January fifteenth, nineteen hundred and seventy-five, estimating the costs of these expenditures on a yearly basis.

Approved August 5, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
August 7, 1974

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 720 of the Acts of 1974, entitled "AN ACT REQUIRING THE SECRETARY OF THE EXECUTIVE OFFICE OF EDUCATIONAL AFFAIRS AND THE SECRETARY OF THE EXECUTIVE OFFICE OF HUMAN SERVICES TO PREPARE A PLAN OF IMPLEMENTATION OF THE LAW REQUIRING PROGRAMS FOR CHILDREN REQUIRING SPECIAL EDUCATION." and the enactment of which received my approval on August 5, 1974, should take effect forthwith.

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

It is in the public interest that the provisions of this Act be effective immediately in order that the required planning and reporting processes may proceed without undue delay, thereby facilitating compliance with the January 15, 1975 date for reporting to the General Court.

Sincerely,

FRANCIS W. SARGENT,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, Boston, August 7, 1974.

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

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

Chap. 721. AN ACT REQUIRING CERTAIN TOWNS AND DISTRICTS TO CERTIFY THE COSTS OF GROUP INSURANCE COVERAGES FOR PUBLIC EMPLOYEES TO BOARDS OF ASSESSORS.

Be it enacted, etc., as follows:

The first paragraph of section 3 of chapter 32B of the General Laws is hereby amended by striking out the eighth sentence, as most recently amended by section 4 of chapter 100 of the acts of 1968, and inserting in place thereof the following sentence:— If a town or district having accepted the provisions of section ten accepts any other section of this chapter but fails to appropriate the funds necessary to implement said provisions, the selectmen, in the case of a town, or the prudential committee or district commissioner, in the case of a district, shall certify the cost to the town or district, as the case may be, in carrying out the provisions of this chapter to the board of assessors who shall include the amount so certified in the determination of the tax rate of that year.

Approved August 5, 1974.

Chap. 722. AN ACT FURTHER REGULATING THE TAXATION OF DIVIDENDS ON STOCK AND THE TAXATION OF SALES AND EXCHANGE OF CAPITAL ASSETS ON THE SAME BASIS AS DEFINED UNDER THE PROVISIONS OF THE FEDERAL INTERNAL REVENUE CODE FOR CORPORATIONS UNDER THE CORPORATION EXCISE LAW.

Be it enacted, etc., as follows:

SECTION 1. Subsection (*a*) of section 38 of chapter 63 of the General Laws is hereby amended by striking out clause (1), as amended by section 4 of chapter 752 of the acts of 1973, and inserting in place thereof the following clause:—

(1) Dividends included therein shall be deducted other than dividends from or on account of the ownership of:

(*i*) shares in a corporate trust, as defined in section one of chapter sixty-two, engaged in business in the commonwealth, or

(*ii*) deemed distributions and actual distributions, except actual distributions out of previously taxed income, from a DISC which is not a wholly owned DISC, or

(*iii*) any class of stock, if the corporation owns less than fifteen per cent of the voting stock of the corporation paying such dividend.

SECTION 2. Said subsection (*a*) of said section 38 of said chapter 63 is hereby further amended by striking out clause (2), as appearing in section 58 of chapter 698 of the acts of 1966, and inserting in place thereof the following clause:—

(2) Long-term capital gains realized and long-term capital losses sustained from the sale or exchange of intangible property affected under the provisions of the Federal Internal Revenue Code, as

amended, and in effect for taxable years ended on or before December thirty-first, nineteen hundred and sixty-two, shall not be included in any part therein.

SECTION 3. This act shall apply to taxable years ending on or after December thirty-first, nineteen hundred and seventy-four.

Approved August 5, 1974.

Chap. 723. AN ACT RELATIVE TO THE REGISTRATION OF PERSONS WHO ARE LICENSED AS PHYSICIANS WITHOUT THE COMMONWEALTH OR ARE DIPLOMATES OF SPECIALTY BOARDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to alleviate the inequities in the law relative to the registration of physicians in order to enable state agencies to recruit and immediately attract qualified physicians to state service, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and health.

Be it enacted, etc., as follows:

SECTION 1. The third sentence of the first 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 striking out, in line 9, the words "except as hereinafter provided," and inserting in place thereof the words:— unless granted an exemption by the board,.

SECTION 2. Said third sentence of said first paragraph of said section 2 of said chapter 112, as so appearing, is hereby further amended by striking out, in lines 11 to 14, inclusive, the words "Graduates; provided, however, that if he is a diplomate of a specialty board recognized by the American Medical Association he shall be admitted to examination licensure without being required to present such a certificate" and inserting in place thereof the word:— Graduates.

SECTION 3. Said section 2 of said chapter 112, as so appearing, is hereby further amended by striking out the second to fifth paragraphs, inclusive, and inserting in place thereof the following three paragraphs:—

An applicant failing to pass an examination satisfactory to the board shall be entitled to two reexaminations within two years at a meeting of the board called for the examination of applicants upon payment of a further fee of seventy-five dollars for each reexamination; but two such reexaminations shall exhaust his privilege under his original application. The board, after due notice and hearing may revoke any certificate issued by it to, and cancel the registration of, any physician convicted of a felony, or any physician who has been shown at any such hearing to have been guilty of the use of narcotic drugs in any way other than for therapeutic purposes, and may, at any time after the expiration of one year thereafter, reissue any certificate so revoked, and register anew any physician whose

registration was so cancelled. The board, after due notice and hearing, may suspend, for a period not exceeding one year, any certificate issued by it to, and cancel the registration of, any physician who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession; or of acting as principal or assistant in the carrying on of the practice of medicine by an unregistered person or by any person convicted of the illegal practice of medicine or by any physician whose registration has been cancelled, and whose certificate has been revoked or suspended, by the board; or of aiding and abetting in any attempt to secure registration, either for himself or for another, by fraud; or, in connection with his practice, of defrauding or attempting to defraud any person. Except as otherwise provided herein, the board may, at any time, reissue any certificate so revoked and register anew any physician whose registration was cancelled.

The board may, without examination grant certificates of registration as qualified physicians to such graduates of medical schools (1) who shall furnish with their applications satisfactory proof that they have the qualifications required in the commonwealth to entitle them to be examined and have been licensed or registered upon a written examination in another state whose standards, in the opinion of the board, are equivalent to those in the commonwealth, or (2) who are diplomates of specialty boards recognized by the American Medical Association or the American Osteopathic Association; provided that any person who has previously attempted unsuccessfully to secure registration in the commonwealth shall be registered under the provisions of this paragraph without examination only at the discretion of the board. The fee for such registration without examination shall be seventy-five dollars.

Notwithstanding any other provisions of this chapter the board may without examination grant a certificate of registration as a qualified physician to such person as shall furnish with his application satisfactory evidence that he is: (1) a graduate of a Canadian medical school and is licensed by the Medical Council of Canada and by a provincial licensing authority; (2) or is licensed in the commonwealth of Puerto Rico or in the province of Saskatchewan in Canada upon obtaining a grade of 75 or better in the federation licensing examination of the federation of state medical boards of the United States. Any person granted a certificate of registration under the provisions of this paragraph shall pay a fee of seventy-five dollars.

Approved August 6, 1974.

Chap. 724. AN ACT RELATIVE TO COST-OF-LIVING ADJUSTMENTS FOR RETIRED PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 102, as most recently amended by section 4 of chapter 1211 of the acts of 1973, and inserting in place thereof the following section:—

Section 102. (*a*) Beginning in the year nineteen hundred and seventy-five, the life actuary in the division of insurance shall annually in the month of January determine the percentum of change in the average 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 said index for the year nineteen hundred and seventy-three, or for the last previous year which was the basis for an increase or decrease as provided herein, or in any case where a retirement allowance, pension, or annuity became effective subsequent to the last previous year in which an increase or decrease as provided herein became effective, for the year in which such retirement allowance, pension, or annuity became effective. In the event that such comparison indicates an increase in the cost of living of at least three per cent, the retirement allowance, pension, or annuity of every former employee of the commonwealth or of any county, city, town district housing or redevelopment authority, or of the Massachusetts Turnpike Authority, or of the spouse or other beneficiary of any such former employee who is receiving a retirement allowance, pension, or annuity shall be increased by such percentum. In the event that such comparison indicates a decrease in the cost of living of at least three per cent, the retirement allowance, pension, or annuity of every former employee of the commonwealth or of any county, city, town, district, housing or redevelopment authority, or of the Massachusetts Turnpike Authority, or of the spouse or other beneficiary of any such former employee who is receiving a retirement allowance, pension, or annuity shall be decreased by such percentum; provided, that no decrease shall be made which would reduce any retirement allowance, pension, or annuity to an amount less than the amount fixed for such retirement allowance, pension, or annuity as of December thirty-first, nineteen hundred and seventy-three. The sum of the dollar amount of each cost-of-living increase or decrease together with the amount of retirement allowance, pension, or annuity to which the cost-of-living percentum factor is applied shall become the fixed retirement allowance, pension, or annuity for all future purposes including the application of subsequent cost-of-living adjustments in future years; provided, that whenever the amount of any pension, retirement allowance or annuity is increased under any general or special law other than through a cost-of-living adjustment pursuant to this section, the fixed retirement allowance, pension or annuity shall be determined by adding either the increase under any general or special law, or the cost-of-living adjustment, whichever is greater, but not both.

(*b*) Whenever the amount of any retirement allowance, pension, or annuity is revised in accordance with the provisions of this section, the monthly payment provided for in section thirteen shall be recomputed on the basis of such revised retirement allowance, pension, or annuity, and one twelfth of such new figure shall be due and payable each month. In any case where such revised retirement allowance, pension, or annuity cannot be administratively determined in time for adjusting the monthly payment for January pursuant to said section thirteen, such cost-of-living adjustment shall be added to or deducted from the monthly retirement allowance, pension or annuity in February or March, as the case may be.

(*c*) In any case where such former employee, spouse or other beneficiary is receiving an annual retirement allowance, pension or annuity which is six thousand dollars or more, exclusive of additional annuity obtained by special purchase under paragraph (*g*) of subdivision (1) of section twenty-two, or any similar law, the cost-of-living adjustment, as determined by the life actuary in the division of insurance pursuant to paragraph (*a*), shall be in an amount as determined by applying such percentum of change to the sum of six thousand dollars. Beginning annually in January, nineteen hundred and seventy-five, whenever the cost-of-living adjustment pursuant to paragraph (*a*) of this section indicates an increase or decrease in the cost of living of at least three per cent, the dollar amount of such increase or decrease as determined in the first sentence of this paragraph shall be added to or deducted from each retirement allowance, pension or annuity which is in excess of six thousand dollars. The sum of the dollar amount of such cost-of-living adjustments, together with the amount of retirement allowance, pension, or annuity to which the cost-of-living percentum factor is applied and any amounts in excess of said six thousand dollars shall become the fixed retirement allowance, pension or annuity for all future purposes including the application of subsequent cost-of-living adjustments in future years; provided, however, that the limitations of this paragraph shall continue to apply.

(*d*) Whenever the amount of any retirement allowance, pension or annuity is revised in accordance with the provisions of paragraph (*c*), the monthly payment provided for in section thirteen shall be recomputed on the basis of such revised retirement allowance, pension or annuity and one twelfth of such new figure shall be due and payable each month. In any case where such revised retirement allowance, pension or annuity cannot be administratively determined in time for adjusting the monthly payment for January pursuant to said section thirteen, such cost-of-living adjustment shall be added to or deducted from the monthly retirement allowance, pension or annuity in February or March, as the case may be.

(*e*) Whenever the cost-of-living comparison pursuant to paragraph (*a*) indicates an increase or decrease in the cost of living of at least three per cent, the minimum allowance due and payable to a spouse under the provisions of option (*d*) of subdivision (2) of section twelve, or under the provisions of chapter five hundred and twenty-six of the

acts of nineteen hundred and sixty-three, or to any spouse, child or children under the provisions of section twelve B shall be recomputed and adjusted by such percentum. Such revised total shall become the fixed allowance payable under said section twelve B for all future purposes, including the application of subsequent cost-of-living adjustments in future years. The monthly payments pursuant to section thirteen shall be recomputed on the basis of such revised total, and one twelfth of such revised total shall be due and payable each month. In any case where such revised total cannot be administratively determined in time for adjusting the monthly payment for January pursuant to said section thirteen, such cost-of-living adjustment shall be added to or deducted from the monthly allowance in February or March, as the case may be.

(*f*) On January first, nineteen hundred and seventy-five, the cost-of-living percentage used as a basis for determining the nineteen hundred and seventy-four cost-of-living adjustments paid in March, July, September and December of nineteen hundred and seventy-four, pursuant to section one hundred and two of chapter thirty-two, shall be applied to and added to the retirement allowance, pension or annuity of every former employee of the commonwealth or of any county, city, town, district, housing or redevelopment authority or of the Massachusetts Turnpike Authority, or of the spouse or other beneficiary of any such former employee who is receiving a retirement allowance, pension or annuity, and such revised total shall become the fixed retirement allowance, pension or annuity for all future purposes, including the application of subsequent cost-of-living adjustments in nineteen hundred and seventy-five, or any future years.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved August 6, 1974.

Chap. 725. AN ACT PROVIDING FOR DISCRETIONARY HEARINGS BY SINGLE MEMBERS OR AGENTS OF THE LABOR RELATIONS COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 150A of the General Laws, as most recently amended by section 6 of chapter 576 of the acts of 1964, is hereby further amended by striking out subsection (*d*) and inserting in place thereof the following two subsections:—

(*d*) Any hearing under subsection (*c*) 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 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.

(*e*) Whenever an order of the commission made pursuant to subsection (*c*) of section six is based in whole or in part upon facts certified following an investigation pursuant to subsection (*c*) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsection (*e*) or (*f*) of section six and thereupon the decree of the court enforcing, modifying or setting aside in whole or in part the order of the commission shall be made and entered upon the pleadings, testimony and proceedings set forth in such transcript.

SECTION 2. Section 6 of said chapter 150A is hereby amended by striking out subsections (*c*) and (*d*) and inserting in place thereof the following two subsections:—

(*c*) If upon the record before him such member or agent shall determine that an unfair labor practice has been committed by a person named in the complaint, he shall issue and cause to be served upon such person an order requiring such person to cease and desist from such unfair labor practice, and to take such further affirmative action as will effectuate the provisions of this chapter. If the member or agent determines that an unfair labor practice has not been committed, he shall issue an order dismissing the complaint. An order issued pursuant to this subsection shall become final and binding unless, within ten days after notice thereof, any party requests 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, if any, together with such other testimony as the commission may require.

If upon the record before it the commission determines that an unfair practice has been committed it shall state its findings of fact and issue and cause to be served on the person an order requiring such person to cease and desist from such unfair labor practice, and to take such further affirmative action as will effectuate the provisions of this chapter. If upon the record before it the commission determines that an unfair labor practice has not been committed, it shall state its findings of fact and shall issue an order dismissing this complaint.

(*d*) Until the record in a case shall have been filed in a court, as hereinafter provided, the commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

SECTION 3. Subsection (*e*) of said section 6 of said chapter 150A, as appearing in section 2 of chapter 345 of the acts of 1938, is hereby

amended by striking out, in lines 6 to 9, inclusive, the words "a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the commission" and inserting in place thereof the words:— the record in the proceeding, including the findings and order of the commission, which record shall be certified by the commission.

SECTION 4. Subsection (*f*) of said section 6 of said chapter 150A, as so appearing, is hereby amended by striking out, in lines 10 to 13, inclusive, the words "a transcript of the entire record in the proceeding, certified by the commission, including the pleading and testimony upon which the order complained of was entered and the findings and order of the commission" and inserting in place thereof the words:— the record in the proceeding including the findings and order of the commission, which record shall be certified by the commission.

Approved August 6, 1974.

Chap. 726. AN ACT INCREASING THE SALARIES OF CLERKS AND ASSISTANT CLERKS IN THE SUPERIOR COURT AND THE HOUSING COURT OF THE COUNTY OF HAMPDEN.

Be it enacted, etc., as follows:

SECTION 1. Section 94 of chapter 221 of the General Laws is hereby amended by striking out the subdivisions captioned SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK and SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK, and inserting in place thereof the following two subdivisions:—

SUPERIOR COURT FOR CRIMINAL BUSINESS
IN THE COUNTY OF SUFFOLK

Clerk. — Twenty-seven thousand one hundred and forty-nine 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 seventy per cent of the salary of the clerk.

SUPERIOR COURT FOR CIVIL BUSINESS
IN THE COUNTY OF SUFFOLK

Clerk. — Twenty-seven thousand one hundred and forty-nine 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 seventy 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-seven thousand one hundred and forty-nine dollars.

Essex — Twenty-five thousand three hundred and fifty-two dollars.

Worcester — Twenty-five thousand three hundred and fifty-two dollars.

Norfolk — Twenty-five thousand three hundred and fifty-two dollars.

Hampden — Twenty-three thousand five hundred and forty-six dollars.

Bristol — Twenty-three thousand five hundred and forty-six dollars.

Plymouth — Twenty-three thousand one hundred and thirty dollars.

Berkshire — Twenty thousand four hundred and forty-three dollars.

Hampshire — Twenty thousand four hundred and forty-three dollars.

Barnstable — Eighteen thousand one hundred and seven dollars.

Franklin — Eighteen thousand one hundred and seven dollars.

Dukes — Eight thousand seven hundred and sixty-one dollars.

Nantucket — Eight thousand seven hundred and sixty-one 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 seventy per cent of the salary of the clerk.

SECTION 1A. Section 9 of chapter 185B of the General Laws, inserted by chapter 591 of the acts of 1973, is hereby amended by striking out, in lines 5 and 6, the words "twenty-two thousand one hundred and seventy-one" and inserting in place thereof the words:— twenty-three thousand five hundred and forty-six.

SECTION 2. This act shall take effect as of January first, nineteen hundred and seventy-four.

Approved August 6, 1974.

Chap. 727. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO EXTEND THE PODUNK PIKE.

Be it enacted, etc., as follows:

Notwithstanding any provision of general or special law to the contrary, the department of public works is hereby directed to extend

Podunk pike from its present junction at state highway route 49 and state highway route 9 in the town of Spencer to connect to state highway route 31 north of said town, and thence in a northerly direction to state highway route 68 in the North Rutland, Hubbardston area.

Approved August 6, 1974.

Chap. 728. AN ACT RELATIVE TO MUNICIPAL ACCOUNTING SYSTEMS AND CLASSIFICATIONS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 57 of chapter 41 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The town accountant shall keep a complete set of books wherein shall be entered the amount of each specific appropriation, the amounts and purposes of expenditures made therefrom, the receipts from each source of income, the amount of each assessment levied, and the abatements made; and he shall keep his accounts, so far as practicable, in conformity with the classifications and forms prescribed by the director of accounts in accordance with section forty-three of chapter forty-four and in conformity with any systems, classifications, forms and designations prescribed pursuant to regulations of the board of education for use by school committees.

SECTION 2. Section 38 of chapter 44 of the General Laws is hereby amended by adding the following sentence:— Such accounting systems and classifications, so far as they pertain to school committees, shall be subject to the advice and approval of the board of education.

Approved August 6, 1974.

Chap. 729. AN ACT AUTHORIZING THE TOWN OF AGAWAM TO ESTABLISH IN THE TOWN TREASURY A PARK AND RECREATION COMMISSION REVOLVING FUND.

Be it enacted, etc., as follows:

SECTION 1. The town of Agawam may establish in the town treasury a revolving fund in which shall be deposited all receipts of the park and recreation commission created by the town under the provisions of section one of chapter twelve of the code of the town of Agawam. Any and all such funds received by the town treasurer shall be kept separate from any other moneys, funds or property of said town, and the principal and interest thereof shall be expended at the discretion of the parks and recreation director and the town manager without further appropriation in such manner and at such times as shall, in the discretion of the parks and recreation director and town manager, best serve and promote the purposes and programs for

which such receipts were collected by the parks and recreation department, notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws; provided, however, that the town treasurer shall submit annually an audit of said revolving fund to the town council of said town for its approval and a copy of said audit shall be submitted to the director of the bureau of accounts; and provided further, that said revolving fund shall not exceed the sum of three thousand dollars.

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

Approved August 6, 1974.

Chap. 730. AN ACT PLACING THE POSITION OF HEAD CLERK IN THE CITY COUNCIL DEPARTMENT OF THE CITY OF FALL RIVER UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of head clerk in the city council department of the city of Fall River shall be subject to the civil service law and rules.

SECTION 2. Theresa F. Toulan, incumbent of the position of head clerk in the city council department of said city, shall be required by the division of civil service to take a qualifying examination, and if she passes said examination, she shall be deemed to be permanently appointed to said position, and she shall not be removed thereafter or lowered in compensation except after a hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws. If she fails to pass said examination she may continue to serve in said position but shall not be subject to said chapter thirty-one.

SECTION 3. Upon the termination of employment of Theresa F. Toulan in the office of head clerk in the city council department of the city of Fall River, said position shall be exempt from the civil service law and rules.

Approved August 6, 1974.

Chap. 731. 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 1027 of the acts of 1973, and inserting in place thereof the following section:—

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) Fifteen court officers:—

municipal court of the Roxbury district

(2) Nine court officers:—
municipal court of the Dorchester district
(3) Eight court officers:—
district court of Springfield
Boston juvenile court
(4) Seven court officers:—
central district court of Worcester
third district court of eastern Middlesex
(5) Six court officers:—
first district court of eastern Middlesex
(6) Five court officers:—
first district court of Barnstable
first district court of southern Middlesex
district court of East Norfolk
district court of Lowell
(7) Four court officers:—
East Boston district court
second district court of eastern Middlesex
fourth district court of eastern Middlesex
municipal court of the West Roxbury district
district court of southern Essex
district court of Somerville
(8) Three court officers:—
second district court of Plymouth
municipal court of Brookline
district court of Brockton
district court of Chelsea
district court of Lawrence
district court of central Middlesex
district court of northern Norfolk
first district court of northern Middlesex
third district court of Bristol
(9) Two court officers:—
second district court of Barnstable
Bristol county juvenile court
central district court of northern Essex
district court of Hampshire
district court of Marlborough
district court of Newton
district court of western Norfolk
first district court of eastern Worcester
first district court of Essex
municipal court of the Charlestown district
municipal court of the South Boston district
second district court of Bristol
Springfield juvenile court
third district court of Plymouth
third district court of southern Worcester
Worcester juvenile court

(10) 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 first justice of each said court as chief court officer and one as assistant chief court officer. In the district court of Chelsea and 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.

Approved August 6, 1974.

Chap. 732. AN ACT PROVIDING FOR THE PROMPT PAYMENT OF BENEFITS TO SUBSCRIBERS BY HOSPITAL SERVICE CORPORATIONS AND MEDICAL SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*c*) of section 8 of chapter 176A of the General Laws is hereby amended by adding after clause (5) the following clause:—

(6) A statement that within fifteen days after receipt by the corporation of notice by a subscriber, or someone acting on his behalf, that such subscriber or a covered dependent of such subscriber has received services for which the subscriber is entitled to direct payment of benefits under a contract, the corporation shall furnish the subscriber such forms as are usually furnished by it to establish a subscriber's entitlement to such benefits; and that within forty-five days after receipt by the corporation of completed forms for such benefits, the corporation will (*i*) make payment for such benefits, (*ii*) notify the subscriber in writing of the reason or reasons for nonpayment, or (*iii*) notify the subscriber in writing of what additional information or documentation is necessary to establish entitlement to such benefits.

SECTION 2. Section 6 of chapter 176B of the General Laws is hereby amended by adding after paragraph (*d*) the following paragraph:—

(*e*) A statement that within fifteen days after receipt by the corporation of notice by a subscriber, or someone acting on his behalf, that such subscriber or a covered dependent of such subscriber has received services for which the subscriber is entitled to direct payment of benefits under a subscription certificate, the corporation shall furnish the subscriber such forms as are usually furnished by it to establish a subscriber's entitlement to such benefits; and that within forty-five days after receipt by the corporation of completed forms for such benefits, the corporation will (*i*) make payment for such benefits, (*ii*) notify the subscriber in writing of the reason or reasons for nonpayment, or (*iii*) notify the subscriber in writing of

what additional information or documentation is necessary to establish entitlement to such benefits.

Approved August 6, 1974.

Chap. 733. AN ACT AUTHORIZING THE ESTABLISHMENT OF A GROUP PRACTICE PLAN AT THE UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. *Definitions.* — As used in this act, the following words, unless the context otherwise requires, shall have the meanings herein given:—

(*a*) "Annual base salary", shall mean that compensation provided for the officers and members of the professional staff of the medical school by the trustees of the university pursuant to the provisions of section thirty-five of chapter seventy-five of the General Laws.

(*b*) "Group Practice", shall mean the University of Massachusetts medical school group practice providing medical care as authorized by section two of this act.

(*c*) "Medical school", shall mean the University of Massachusetts medical school.

(*d*) "Teaching hospital", shall mean the University of Massachusetts Teaching Hospital at Worcester or whatever name shall be given to said facility upon its completion or thereafter, and any medical or health clinics established by said hospital.

(*e*) "Trust fund", shall mean the University of Massachusetts medical school group practice trust fund, authorized by section three of this act.

(*f*) "University", shall mean the University of Massachusetts.

SECTION 2. The trustees of the university are hereby authorized to establish a University of Massachusetts medical school group practice plan, which shall be subject to the supervision or regulation of the department of education or of any department, commission, board, office, bureau or agency of the commonwealth only to the extent and in the manner provided in this act. Every member of the professional staff of each clinical department of the medical school, the majority of whose medical practice consists of rendering patient care at the teaching hospital, whether inpatient or outpatient, shall be a member of the group practice, and all patients receiving medical care from such members of the group practice shall be patients of the group practice. In addition, every other member of the professional staff of each clinical department of the medical school who renders patient care at the teaching hospital, whether inpatient or outpatient, shall to that extent be subject to the rules and regulations of the group practice and a member thereof with reference to such care and the fees for such care.

In addition to charges for hospital care, patients of the group practice may be charged fees for professional services rendered to them

by members of the group practice. Any such fee shall be charged in the name of and collected through the medium of the group practice and upon collection shall be deposited in the trust fund authorized by section three of this act; provided, however, that should any provision of Titles XVIII or XIX of the Social Security Act (P.L. 89-97), any regulation promulgated thereunder or any other applicable law or regulation require that said fees for professional services be charged in the name of the rendering physician, the fees shall be so charged and upon collection shall be deposited in the trust fund authorized by section three of this act.

SECTION 3. Notwithstanding any provisions of section eleven of chapter seventy-five of the General Laws, the trustees of the university shall establish and maintain a University of Massachusetts medical school group practice trust fund. All monies received from the collection of fees for professional services, as authorized by section two of this act, shall be deposited into the trust fund and shall be expended in accordance with the following purposes:—

(*a*) to pay the administrative costs and overhead of operating and maintaining the group practice;

(*b*) for the improvement and development of the medical school, including, but not limited to, subsidizing scholarship awards, educational and research projects, and the acquisition of medical and academic equipment and materials;

(*c*) to provide compensation, including fringe benefits, in addition to the annual base salary, for members of the group practice and such other members of the professional staff of the medical school as the trustees of the university may authorize and direct.

SECTION 4. The trustees shall annually prepare a projected revenue and disbursement schedule of the trust fund, to be submitted with, but not as part of, the budget prepared and filed in accordance with the provisions of section seven of chapter seventy-five of the General Laws.

SECTION 5. The trustees of the university may adopt, amend or repeal such rules and regulations for the management, control and administration of the group practice, for the determination of fees for professional services, and for regulating or limiting the method and amounts which may be disbursed from the trust fund. The trustees shall publish such rules and regulations and shall file copies thereof with the governor, the executive office for administration and finance, and the house and senate committees on ways and means.

SECTION 6. All members of the professional and nonprofessional staff of the medical school shall continue to be employees of the commonwealth irrespective of the source of funds from which their salaries are paid. They shall have the same privileges and benefits of other employees of the commonwealth such as retirement benefits, group insurance, industrial accident coverage, and other coverage enjoyed by all employees of the commonwealth; provided, however, that in computing the state retirement benefits for those employees who receive both an annual base salary and compensation from the trust fund authorized by section three of this act, consideration will only be given to said employees' annual base salary.

SECTION 7. The trustees may, except as to the duties imposed or powers granted under section five of this act, delegate their authority or any portion thereof to the president of the university or any other officer of the university whenever in their judgment such delegation may be necessary or desirable.

Approved August 6, 1974.

Chap. 734. AN ACT AUTHORIZING THE COUNTY TREASURER OF ESSEX COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the county treasurer of Essex county is hereby authorized to pay from any available funds in the county treasury such of the unpaid bills of said county, incurred eighteen months or more prior to the passage of chapter five hundred and twenty-nine of the acts of nineteen hundred and sixty-four, as appear on a list approved by the director of accounts totaling three thousand two hundred and ninety-nine dollars and eighty-five cents.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer 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 said 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.

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

Approved August 7, 1974.

Chap. 735. AN ACT AUTHORIZING THE CITY OF BEVERLY TO ENTER INTO A CERTAIN CONTRACT WITH GORDON COLLEGE FOR SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five and chapter six hundred and forty-three of the acts of nineteen hundred and seventy-two, and any acts in amendment or addition thereto, or any other law to the contrary, the city of Beverly is hereby authorized to enter into a contract with the educational institution presently known as Gordon College located in the town of Wenham, for the disposal of sewage emanating from said college. Said contract

shall be subject to the approval of the South Essex sewerage board.

Said contract may allow for the use of the system of sewer mains, or any portion thereof, belonging to the city of Beverly. The aldermen of the city of Beverly shall have the authority to enter into, extend, renew, amend or alter said contract, or any part thereof in agreement with said college and subject to the approval of the South Essex sewerage board.

Said college shall pay all costs, charges, and fees arising from, or incidental to its utilizing the mains, pumping stations, and related facilities owned by or available to the city of Beverly, including:

(a) Engineering, planning and drawing fees for the design or redesign of any mains or systems necessary to carry the flow from said college.

(b) Obtaining, utilizing and protecting easements or other rights necessary for laying mains to transport sewage from said college to the mains of the city of Beverly.

(c) The laying, maintaining, and servicing of the mains laid from said college to the mains of the city of Beverly.

(d) All legal, engineering or other costs and fees connected with, or incidental to, the preparation for, connection with, or operation of the connection of mains belonging to said college to the mains of the city of Beverly.

(e) The periodic cost of operation, as determined by the city of Beverly.

The state tax commissioner is hereby authorized and directed to certify the valuation of that property of Gordon College from which the sewage emanates for the purpose of assessing costs by:

(a) The South Essex sewerage district to the city of Beverly for its share of district costs, and

(b) The city of Beverly to Gordon College for periodic costs of operation.

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

Approved August 7, 1974.

Chap. 736. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster is hereby authorized to appropriate money for the payment of certain unpaid bills, and after such appropriation the treasurer of said city is hereby authorized to pay, to Angela McQuade the sum of one hundred and thirty-two dollars, to Clarence Daniels the sum of one hundred dollars, to the Leominster Chamber of Commerce the sum of four hundred dollars, and to the New England Telephone and Telegraph Company the sum of three hundred and seventeen dollars and forty-seven cents, said bills having been incurred by the Leominster Industrial Development Commission and being legally unenforceable against said city, having been incurred in excess of available appropriations.

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

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

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

Approved August 7, 1974.

Chap. 737. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster is hereby authorized to appropriate money for the payment of certain unpaid bills, and after such appropriation the treasurer of said city is hereby authorized to pay, Williams' School Transportation Co., located in the town of Methuen, the sum of one hundred and eleven dollars, Barre Bus Company, Inc., the sum of one hundred and seventy-six dollars, and James H. McCarty Limousine Service, located in the city of Leominster, the sum of three thousand four hundred and seventy-seven dollars and fifty cents, said bills having been incurred by the school department of said city for the transportation of children with special needs and being legally unenforceable against said city, having been incurred in excess of available appropriations.

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

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

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

Approved August 7, 1974.

Chap. 738. AN ACT FURTHER REGULATING THE BORROWING POWER OF THE LOWELL TECHNOLOGICAL INSTITUTE BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith urgently needed facilities for students at the Lowell Technological Institute, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 557 of the acts of 1961 is hereby amended by striking out the third paragraph, as appearing in section 11 of chapter 685 of the acts of 1963, and inserting in place thereof the following paragraph:—

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder; provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed seven years.

SECTION 2. The fourth sentence of the fifth paragraph of said section 7 of said chapter 557 is hereby amended by striking out the word "seventy-four", inserted by section 1 of chapter 589 of the acts of 1973, and inserting in place thereof the word:— seventy-six.

Approved August 7, 1974.

Chap. 739. AN ACT RELATIVE TO THE ADMINISTRATION OF THE PROMOTION OF THE RESOURCES OF NORFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one of chapter eighteen of the acts of nineteen hundred and seventy-two or any other provisions of law to the contrary, the county commissioners of Norfolk county may expend from available funds a sum not exceeding three times the sum which has been contributed by public subscription or by donation deposited with the county treasurer or by the receipt by said county or any agent acting on its behalf, between February twenty-second, nineteen hundred and seventy-two and the effective date of this act, of monies, goods or services which have been expended by said county or such agents for the purpose of promoting the recreational, vacation and convention, commercial and industrial resources of said county; provided, that receipt of such funds shall be evidenced by a certificate signed by said county commissioners and filed with the county treasurer of said county, stating

the nature and source of such monies, goods and services received or expended for the purpose aforesaid.

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

Approved August 7, 1974.

Chap. 740. AN ACT PROVIDING THAT THE DEPARTMENT OF CORPORATIONS AND TAXATION COMPILE AND PREPARE A COLLECTOR-TREASURER MANUAL AND CAUSE THE SAME TO BE DISTRIBUTED TO EACH TREASURER AND COLLECTOR IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 3 of chapter 58 of the General Laws, as most recently amended by chapter 926 of the acts of 1971, is hereby further amended by adding the following paragraph:—

The commissioner shall prepare a manual outlining in detail the procedures which collectors of taxes should use in the performance of the duties of the office of collector. Said manual shall be revised annually. He shall furnish one copy thereof free of charge to each city and town. Additional copies may be furnished at such charge as may be determined by the state purchasing agent.

Approved August 7, 1974.

Chap. 741. AN ACT INCREASING THE SALARIES OF THE JUSTICES OF THE WORCESTER JUVENILE COURT, THE SPRINGFIELD JUVENILE COURT, AND THE BRISTOL COUNTY JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 76A, as most recently amended by section 11 of chapter 558 of the acts of 1974, and inserting in place thereof the following section:—

Section 76A. The salary of the justices of the Worcester juvenile court, the Springfield juvenile court and the Bristol county juvenile court shall be thirty thousand one hundred and sixty-eight dollars.

SECTION 2. Notwithstanding the provisions of section one of this act to the contrary, the provisions of section seventy-six A of chapter two hundred and eighteen of the General Laws, in effect immediately prior to the effective date of this act, shall remain in effect and apply to appointments to the offices referred to therein which are made on or after said effective date.

SECTION 3. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved August 7, 1974.

Chap. 742. AN ACT PROVIDING FOR THE REPLACEMENT OR REPAIR OF EYEGLASSES, DENTURES OR PROSTHETIC DEVICES DESTROYED OR DAMAGED ON STATE ACTIVE DUTY OF MEMBERS OF THE MASSACHUSETTS NATIONAL GUARD.

Be it enacted, etc., as follows:

The first paragraph of section 88 of chapter 33 of the General Laws, as appearing in section 1 of chapter 629 of the acts of 1958, is hereby amended by inserting after the word "hospitalization,", in line 18, the words:— replacement or repair of eyeglasses, dentures or prosthetic devices worn or carried.

Approved August 7, 1974.

Chap. 743. AN ACT PROVIDING FOR THE DESTRUCTION OF CERTAIN DISEASED ANIMALS AND PARTIAL REIMBURSEMENT FOR THE VALUE THEREOF BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 129 of the General Laws is hereby amended by inserting after section 13 the following section:—

Section 13A. All sheep and other domestic animals which are affected with, or have been exposed to, scrapie shall be destroyed when, in the opinion of the director, the public good so requires, and their carcasses shall be buried or otherwise disposed of. An order for killing and for the disposal of carcasses shall be issued in writing by said director, and may be directed to an agent, inspector or other person. The director may appoint persons to make appraisals on live stock, the destruction of which is ordered under this section, and fifty per cent of the full value of such live stock, as determined by the appraisal, may be paid from the annual appropriation for the extermination of contagious diseases among domestic animals. If the federal government appropriates monies for payment of a certain portion of the value of any animals destroyed under this section, the amount of payment by the commonwealth for such animals shall be limited to the difference between such federal payment plus the net salvage received by the owner, and the full value as herein determined, which amount shall not exceed fifty per cent of such value.

Approved August 7, 1974.

Chap. 744. AN ACT PROVIDING FOR THE EDUCATION OF SPOUSE AND CHILDREN OF NATIONAL GUARDSMEN KILLED OR PERMANENTLY AND TOTALLY DISABLED WHILE ON STATE ACTIVE DUTY.

Be it enacted, etc., as follows:

Chapter 33 of the General Laws is hereby amended by inserting after section 88 the following section:—

Section 88A. The commonwealth shall pay the matriculation fees and tuition at the University of Massachusetts, at any state college or regional community college, for the spouse or children of any member of the active national guard, army or air, of the commonwealth, who dies or sustains a permanent total disability resulting from duty as a guardsman while on state active duty or any authorized training duty.

The provisions of this section shall be administered by the executive office for administration and finance, which shall adopt such rules and regulations as are needed to properly administer said program.

Approved August 7, 1974.

Chap. 745. AN ACT EXEMPTING CADET ENGINEERS IN GRADUATE ON THE JOB TRAINING IN MUNICIPAL LIGHT AND GAS PLANTS FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The third paragraph of section 69E of chapter 164 of the General Laws, as amended by chapter 94 of the acts of 1964, is hereby further amended by striking out the first two sentences and inserting in place thereof the following sentence:— The employment of a cadet engineer in "graduate on the job training" shall not be subject to the civil service law and rules but such cadet engineer shall be subject to and entitled to the benefits of retirement laws or pensions, and deductions shall be made from his salary and paid into the contributory retirement system of the city or town in accordance with the provisions of the contributory retirement act.

Approved August 7, 1974.

Chap. 746. AN ACT AUTHORIZING SINGLE MEMBERS OF THE INDUSTRIAL ACCIDENT BOARD TO RENDER DECISIONS AS TO PROPER FEES FOR LEGAL OR MEDICAL SERVICES.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 13, as amended by section 4M of chapter 1229 of the acts of 1973, and inserting in place thereof the following section:—

Section 13. Fees of attorneys and physicians for services adjudged compensable under this chapter shall be subject to the approval of the division. The rate of payment by insurers to hospitals for care adjudged compensable under this chapter shall be established by the rate setting commission under chapter six A. If the insurer, or any physician or the employee or any attorney fails to agree as to the amount of any bill for such services, except rates to be paid for health care services, as defined in chapter six A, which shall be reviewable

under chapter six A, either party may notify the division, which may thereupon assign the case for hearing by a member thereof, in accordance with the provisions of section eight. No insurer shall be liable for hospitalization expenses, adjudged compensable under this chapter at a rate in excess of the rate set by the rate setting commission, or in excess of the rate established for that service by the aforesaid rate setting commission. Nor shall any employee be liable for services adjudged compensable under this chapter which have been paid for at the rates established by the rate setting commission; the employees, however, shall continue to be liable for services which are not adjudged compensable under this chapter.

Approved August 7, 1974.

Chap. 747. AN ACT AUTHORIZING THE COMMISSIONER OF CORPORATIONS AND TAXATION, SUBJECT TO THE APPROVAL OF THE TREASURER OF THE COMMONWEALTH, TO DESIGNATE DEPOSITARIES FOR THE COLLECTION OF STATE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by adding after section 49, inserted by section 1 of chapter 922 of the acts of 1973, the following section:—

Section 50. The commissioner is authorized, subject to the approval of the treasurer of the commonwealth, to designate any bank doing business in the commonwealth as a depositary and fiscal agent for the purpose of receiving any tax imposed under the provisions of chapters sixty-two to sixty-five B, inclusive, and section twenty-one of chapter one hundred and thirty-eight in such manner, at such times and under such conditions as the commissioner may prescribe and as approved by the commission. He shall also prescribe the manner, times and conditions under which the receipt of any such tax by a designated bank is to be treated as payment of such tax to the commissioner. The designated bank shall transmit to the commissioner the taxes collected by it on his behalf at such times and in such manner as the commissioner may prescribe and as approved by the commission.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved August 7, 1974.

Chap. 748. AN ACT FURTHER PROVIDING FOR SERVICE OF PROCESS.

Be it enacted, etc., as follows:

Section 31 of chapter 223 of the General Laws, as most recently amended by section 90 of chapter 1114 of the acts of 1973, is hereby further amended by adding the following two sentences:— If service

is made at the last and usual place of abode, the officer making service shall forthwith mail first class a copy of the summons to such last and usual place of abode. The date of mailing and the address to which the summons was sent shall be set forth as required by section thirty-five in the officer's return.

Approved August 7, 1974.

Chap. 749. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO ENCLOSE WITH A PIPE CULVERT A BROOK IN THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to enclose with a pipe culvert an open brook one hundred and sixty feet long flowing on the property of said commission and through property of John D. Costedio and Joanne E. Costedio located at 69 Maple Street in the city of Marlborough.

Approved August 7, 1974.

Chap. 750. AN ACT FURTHER INCREASING THE AMOUNT OF EXEMPTION TO WHICH OWNERS OF ESTATES OF HOMESTEAD ARE ENTITLED.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 188 of the General Laws is hereby amended by striking out the word "twenty", inserted by section 1 of chapter 487 of the acts of 1973, and inserting in place thereof the words:— twenty-four.

SECTION 2. Section 9 of said chapter 188 is hereby amended by striking out the word "twenty", inserted by section 2 of said chapter 487, and inserting in place thereof the word:— twenty-four.

SECTION 3. Section 21 of chapter 209 of the General Laws is hereby amended by striking out the word "twenty", inserted by section 3 of said chapter 487, and inserting in place thereof the word:— twenty-four.

SECTION 4. Chapter 236 of the General Laws is hereby amended by striking out section 18, as most recently amended by section 4 of said chapter 487, and inserting in place thereof the following section:—

Section 18. If a judgment creditor requires an execution to be levied on property which is claimed by the debtor to be as a homestead exempt from such levy and if the officer holding such execution is of the opinion that the premises are of greater value than twenty-four thousand dollars, appraisers shall be appointed to appraise the property in the manner provided by section six. If, in the judgment of the appraisers, the premises are of greater value than twenty-four thousand dollars, they shall set off to the judgment debtor so much of the

premises including the dwelling house, in whole or in part, as shall appear to them to be of the value of twenty-four thousand dollars; and the residue of the property shall be levied upon and disposed of in like manner as land not exempt from levy on execution; and if the property levied on is subject to a mortgage, it may be set off or sold subject to the mortgage and to the estate of homestead, in like manner as land subject to a mortgage only.

SECTION 5. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved August 7, 1974.

Chap. 751. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five 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	$3,605,571 65
2.	For contractual services	545,700 00
3.	For supplies and materials	546,075 00
4.	For current charges and obligations	325,959 02
5.	For equipment	178,750 00
8.	For debt and interest	100,000 00
10.	For unpaid bills of previous years	95 25
11.	For reserve fund	75,000 00
11a.	For reserve for salary increases	350,000 00
12.	For group insurance	172,400 00
	For total expenditures	$5,899,550 92

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

Approved August 7, 1974.

Chap. 752. AN ACT FURTHER REGULATING THE ADMINISTRATION OF THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 18 of the General Laws is hereby amended by striking out section 4, as most recently amended by sections 23 to 28, inclusive, of chapter 422 of the acts of 1974, and inserting in place thereof the following section:—

Section 4. The commissioner shall appoint a deputy commissioner and such assistant commissioners, not to exceed five in number, as the commissioner may determine to be necessary or desirable to carry out the work of the department. The deputy and assistant commissioners shall be assigned areas of responsibility to be specified by the commissioner. At the time of appointment the deputy commissioner and each such assistant commissioner shall possess qualifications of training and experience generally similar to those required of the commissioner or otherwise suitably preparing him for the work of his office. The deputy commissioner shall receive a salary of thirty thousand four hundred and forty-three dollars. Each assistant commissioner shall receive a salary of twenty-four thousand eight hundred and sixty-four dollars.

The deputy commissioner and the assistant commissioners shall devote their full time during business hours to the duties of their respective offices. If the office of the commissioner becomes vacant, the deputy commissioner shall discharge the duties and have the powers of the commissioner. During the absence or disability of the commissioner, the deputy commissioner shall discharge the duties and have the powers of the commissioner; and, if the office of the deputy commissioner is vacant or if the deputy commissioner is absent or disabled at the same time as the commissioner, an assistant commissioner designated by the commissioner shall discharge the duties and have the powers of the commissioner. The deputy commissioner and each assistant commissioner shall give a bond to the state treasurer for the faithful performance of his duties in such sum as the comptroller may prescribe.

SECTION 2. The second paragraph of section 5 of said chapter 18, as appearing in section 1 of chapter 658 of the acts of 1967, is hereby amended by striking out, in lines 3 and 5, the word "centers" and inserting in place thereof, in each instance, the following word:— areas.

SECTION 3. The third paragraph of said section 5 of said chapter 18, as so appearing, is hereby amended by striking out, in lines 1 and 3, the word "centers" and inserting in place thereof, in each instance, the word:— areas — , by striking out, in lines 6 and 8, the word "center" and inserting in place thereof, in each instance, the word:— area — , and by inserting after the word "service", in line 8, the word:— area.

SECTION 4. The fourth paragraph of said section 5 of said chapter 18, as amended by section 4 of chapter 885 of the acts of

1969, is hereby further amended by striking out, in lines 1 and 13, the word "centers" and inserting in place thereof, in each instance, the word:— areas — , and by striking out, in line 8, the word "center" and inserting in place thereof the word:— area.

SECTION 5. The fifth paragraph of said section 5 of said chapter 18, as appearing in section 1 of chapter 658 of the acts of 1967, is hereby amended by striking out, in line 1, the word "center" and inserting in place thereof the word:— area —, and by striking out, in line 2, the words "a center" and inserting in place thereof the words:— an area.

SECTION 6. The third paragraph of section 6 of said chapter 18, as appearing in section 7 of chapter 885 of the acts of 1969, is hereby amended by inserting after the word "service", in line 2, the word:— area — , by striking out, in line 4, the word "centers" and inserting in place thereof the word:— areas — , by striking out, in line 10, the word "center" and inserting in place thereof the word:— area.

SECTION 6A. The fourth paragraph of said section 6 of said chapter 18, as so appearing, is hereby amended by striking out, in line 3, the words "within the commonwealth".

SECTION 7. Section 7 of said chapter 18, as amended by section 8 of said chapter 885, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— There shall be established for each community service area a community service area board, the members of which shall be appointed for three-year terms by the commissioner, two of whom shall be recipients of assistance under chapter one hundred and eighteen, two of whom shall be recipients of assistance on account of age under chapter one hundred and eighteen A, two of whom shall be recipients of assistance on account of disability under said chapter one hundred and eighteen A, and one of whom shall be a recipient of assistance under chapter one hundred and eighteen E —, by striking out the fourth sentence and inserting in place thereof the following sentence:— Thereafter new appointments shall be made by the commissioner from a list of nominees prepared by the community service area board of persons with qualifications that will maintain the distribution of interest broadly representative of the various segments of the population in the area served. — , by inserting after the word "service", in lines 26, 29 and 53, in each instance, the word:— area — , by inserting before the word "director", in lines 27, 33, 40, 41 and 48, in each instance, the word:— area — , by striking out, in lines 27, 33, 41 and 48, in each instance, the words "of the center" — , by striking out, in lines 31 and 32, the words "by the center" — , by striking out, in line 40, the words "of the community service center" — , by striking out, in line 43, the word "center" and inserting in place thereof the word:— area — , and by striking out the last paragraph.

SECTION 8. Section 8 of said chapter 18, as amended by chapter 149 of the acts of 1968, is hereby further amended by inserting after the word "commissioner" in line 3 and in line 5, in each instance, the words:— , deputy commissioner or assistant commissioner.

SECTION 9. Section 9 of said chapter 18, as appearing in section

1 of chapter 658 of the acts of 1967, is hereby amended by adding the following paragraph:—

The commissioner may delegate all or a portion of his responsibilities as appointing authority under section forty-three of chapter thirty-one to one or more subordinates in the department. The decision of an employee to whom responsibility has been so delegated shall be the decision of the appointing authority.

SECTION 10. Section 16 of said chapter 18, as most recently amended by section 11 of chapter 885 of the acts of 1969, is hereby further amended by striking out the first paragraph and inserting in place thereof the following four paragraphs:—

There shall be within the office of the deputy commissioner a division of hearings for the purpose of holding the hearings referred to herein and rendering decisions. Said division shall be under the supervision of a director appointed by the commissioner and shall be independent of all other divisions and personnel of the department.

Any person aggrieved by the failure of the department to render adequate aid or assistance under any program of aid or assistance administered by the department or to approve or reject an application for aid or assistance thereunder within thirty days after receiving such application, or aggrieved by the withdrawal of such aid or assistance, or by coercive or otherwise improper conduct on the part of his social worker, shall have a right to a hearing, after due notice, upon appeal to the commissioner.

A hearing held pursuant to this section shall be conducted by a referee designated by the director at a location convenient to the person appealing and shall be conducted as an adjudicatory proceeding under chapter thirty A. The director of the division of hearings shall be responsible for the fair and efficient operation of the division in conformity with state and federal laws and regulations and for the training of referees, scheduling of hearings and the compilation of decisions. Neither he nor any other employee of the department shall review, interfere with, change or attempt to influence any hearing decision by a referee. A referee may subpoena witnesses, administer oaths, take testimony and secure the production of such books, papers, records and documents as may be relevant to such hearing. The person appealing shall have the opportunity to confront and cross-examine all adverse witnesses and to question or refute any testimony, evidence, materials, or legal arguments. The referee shall base his decision solely on the testimony, evidence, materials and legal rules adduced at the hearing. The referee may reopen a hearing for the purpose of considering further testimony, evidence, materials or legal rules before rendering his decision and shall, if he reopens the hearing, send seven days' written notice to all parties of the reopening and his reasons therefor, including the date, time and place of the resumed hearing, which shall be held at a location convenient to the person appealing. The decision of the referee shall be the decision of the department.

A referee shall render and issue his decision within ninety days after the date of the filing of the aggrieved person's appeal, except

that when an aggrieved person appeals the rejection of his application for aid or assistance, or the failure to act on said application, or the failure of the department to render assistnce to meet an emergency or hardship situation, the referee shall render and issue his decision within forty-five days after the date of filing of said appeal. The decision of the department shall be subject to review in accordance with the provisions of chapter thirty A.

SECTION 11. Said chapter 18 is hereby further amended by striking out section 22, as most recently amended by section 15 of chapter 1210 of the acts of 1973, and inserting in place thereof the following section:—

Section 22. For the purpose of considering the recipient's need for services, as described in section two, each worker shall make periodic visits to each recipient assigned to such worker, in accordance with federal law and the rules and regulations of the department.

SECTION 12. Sections twenty-three to twenty-five, inclusive, of said chapter eighteen are hereby repealed.

SECTION 13. The first paragraph of section 22 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 the last sentence and inserting in place thereof the following sentence:— The decision of the commissioner, when he conducts the hearing, or of the referee designated to conduct the hearing shall be the decision of the department. Such appeals, hearings, and decisions shall be subject to the provisions of section sixteen of chapter eighteen.

SECTION 14. The community service boards in the department of public welfare are hereby abolished, and the offices of the members of the community service boards and of the community service center directors in said department are hereby terminated. All powers and duties exercised and performed by said community service boards are hereby transferred to and shall hereafter be exercised and performed by the area directors created under section five of chapter eighteen of the General Laws, as amended by sections two to five, inclusive, of this act.

SECTION 15. Any person employed as a deputy commissioner or an assistant commissioner in the department of public welfare on the effective date of this act shall continue in such position within said department without impairment of civil service status, seniority, retirement and other employment rights, and without interruption of service within the meaning of chapter thirty-one of the General Laws or section nine A, nine B or nine D of chapter thirty of the General Laws and without reduction in compensation and salary grade, notwithstanding any change in title or duties made under this act. The provisions of this act shall not affect the civil service status of any such employee.

SECTION 16. The members and chairmen of the community service boards in the department of public welfare shall serve out their terms as members and chairmen, respectively, of the corresponding community service area boards in said department. All persons employed as community service center directors in said department

shall continue their employment as area directors in said department, without impairment of civil service status, seniority, retirement or other rights of the employee, without interruption of service within the meaning of chapter thirty-one of the General Laws or section nine A, nine B or nine D of chapter thirty of the General Laws, and without reduction in compensation or salary grade, notwithstanding any change in title.

SECTION 17. All books, papers, records, documents, equipment, lands, interests in land, buildings, facilities and other property, both personal and real, which, immediately prior to the effective date of this act, are in the custody of a community service board in the department of public welfare and which relate to or are maintained for the purpose of the exercise of its powers or the performance of its duties, are hereby transferred to the corresponding community service area board in said department; provided, that all such property held in trust shall continue to be held in trust, and be administered in accordance with the terms of such trust, by such community service area board.

SECTION 18. All money heretofore appropriated for any community service board in the department of public welfare for the purpose of the exercise of its powers or the performance of its duties and remaining unexpended on the effective date of this act are hereby transferred to, and shall be available for expenditure by, the corresponding community service area board in said department.

SECTION 19. All duly existing contracts, leases and obligations of any community service board in the department of public welfare which relate to the exercise of its powers or the performance of its duties, and which are in force immediately prior to the effective date of this act, shall thereafter be performed by the corresponding community service area board in said department. This section shall not affect any renewal provision or option to renew contained in any such lease in existence on said effective date, all of which may thereafter be exercised by said community service area boards.

SECTION 20. Upon the effective date of this act the subdivision of appeals within the department of public welfare is hereby abolished. All powers and duties exercised by said subdivision are hereby transferred to the division of hearings established by section sixteen of chapter eighteen of the General Laws, as amended by section ten of this act. The officers and employees of such subdivision, who immediately prior to the effective date of this act held 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 shall, without impairment of civil service status, seniority, retirement, group insurance and other rights, without interruption of service within the meaning of chapter thirty-one or section nine A of chapter thirty, and without reduction in compensation or salary grade, become employees of said division notwithstanding any change in title or duties made as a result of such commencement of employment with the division; provided, however, that no such employee shall, on account of the passage of this act, become ineligi-

ble to take any promotional examination to which he would otherwise have been eligible.

Approved August 7, 1974.

Chap. 753. AN ACT REQUIRING THE INSTRUCTION OF HEALTH EDUCATION IN THE PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Section 1 of chapter 71 of the General Laws is hereby amended by striking out the fourth and fifth sentences and inserting in place thereof the following three sentences:— Such schools shall be taught by teachers of competent ability and good morals, and shall give instruction and training in orthography, reading, writing, the English language and grammer, geography, arithmetic, drawing, music, the history and constitution of the United States, the duties of citizenship, health education, physical education and good behavior. Instruction in health education shall include, but shall not be limited to: consumer health, ecology, community health, body structure and function, safety, nutrition, fitness and body dynamics, dental health and emotional development. Instruction as to the effects of alcoholic drinks and of stimulants, including tobacco, and narcotics on the human system, as to tuberculosis and its prevention, and as to fire safety, including instruction in the flammable qualities of certain fabrics, and the prevention and treatment of burn injuries, shall be given to all pupils in all schools under public control, except schools maintained solely for instruction in particular subject areas.

Approved August 7, 1974.

Chap. 754. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-FIVE 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 fiscal year nineteen hundred and seventy-five 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	$1,238,125 85
2. For contractual services	73,450 00
3. For supplies and materials	282,820 00
4. For current charges and obligations	114,297 60
5. For equipment	14,331 85
8. For debt and interest	10,000 00

11. For reserve fund	20,000 00
11a. For reserve for salary increases	114,000 00
12. For group insurance	30,000 00
For total expenditures	$1,897,025 30

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-four.

Approved August 7, 1974.

Chap. 755. AN ACT PROVIDING FOR CERTAIN ALLOWANCES UNDER THE EMPLOYMENT SECURITY LAW TO CERTAIN PERSONS FOR DEPENDENT CHILDREN OVER EIGHTEEN YEARS OF AGE WHO ARE FULL-TIME STUDENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide, effective as of October sixth, nineteen hundred and seventy-four, payments under the employment security law on account of certain children attending educational institutions, 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. Subsection (*c*) of section 29 of chapter 151A of the General Laws, as most recently amended by chapter 906 of the acts of 1973, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— An individual in total or partial unemployment and otherwise eligible for benefits shall be paid for each week of such unemployment, in addition to the amount payable under subsections (*a*), (*b*) or (*d*) as the case may be, the sum of six dollars for each unemancipated child of such individual who in a benefit year is in fact dependent upon and is being wholly or mainly supported by such individual, and who is under the age of eighteen, or who is eighteen years of age or over and incapable of earning wages because of mental or physical incapacity, or who is a full-time student at an educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, or who is in his custody pending the adjudication of a petition filed by such individual for the adoption of such child in a court of competent jurisdiction, and for each such child for whom he is under a decree or order from a court of competent jurisdiction to contribute to such child's support and for whom no other person is receiving allowances hereunder; provided, that such child is domiciled within the United States or the territories or possessions thereof.

SECTION 2. This act shall take effect as of October sixth, nineteen hundred and seventy-four, and shall apply only to those individuals whose benefit years begin on or after said effective date.

Approved August 8, 1974.

Chap. 756. AN ACT VALIDATING ADOPTION BY TRI-COUNTY REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT OF AN AMENDMENT TO ITS AGREEMENT ESTABLISHING SAID DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the Tri-County Regional Vocational Technical School District relative to the adoption of the amendment to its regional school district agreement entitled "Amendment No. 1 to the Agreement Establishing the Tri-County Regional Vocational Technical School District", which amendment was initiated by vote of the regional district school committee adopted on November fourteenth, nineteen hundred and seventy-three and approved by the town of Seekonk at a special town meeting held on January twenty-eighth, nineteen hundred and seventy-four, and by the towns of Franklin, Medfield, Medway, Millis, Norfolk, Sherborn and Walpole at town meetings held subsequent thereto, is hereby validated and confirmed. Said amendment shall take full effect upon its approval on or before November first, nineteen hundred and seventy-four by the town of North Attleborough, notwithstanding the provision of said amendment that approval by all the member towns shall take place prior to July first, nineteen hundred and seventy-four.

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

Approved August 8, 1974.

Chap. 757. AN ACT PROVIDING THAT THE ORDER IN WHICH NAMES OF CANDIDATES APPEAR ON MUNICIPAL ELECTION BALLOTS IN THE CITY OF SALEM SHALL BE DETERMINED BY LOT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or any ordinance of the city of Salem to the contrary, in all municipal elections held in said city, 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 of said city. Each candidate or his duly authorized representative shall have an opportunity to be present at such drawing.

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

Approved August 8, 1974.

Chap. 758. AN ACT ASCERTAINING THE WILL OF THE PEOPLE CONCERNING THE DESIRABILITY OF REORGANIZING STATE GOVERNMENT BY CREATING A DEPARTMENT OF HEALTH SYSTEMS REGULATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to place a certain question on the official ballot to be used at the biennial state 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 1. For the purpose of ascertaining the will of the people concerning the desirability of reorganizing state government by creating a Department of Health Systems Regulation in accordance with the provisions of House, No. 6579 of nineteen hundred and seventy-four, the state secretary shall cause to be placed on the official ballot to be used at the biennial state election in the current year, immediately following any questions submitted under the provisions of Article XLVIII of the Amendments to the Constitution, the following question:

QUESTION

Should the General Court enact legislation during the nineteen hundred and seventy-five session reorganizing state government by creating a Department of Health Systems Regulation which shall have the power to administer the medicaid program, control and set rates for nursing homes, hospitals, and other health providers under medicaid, license and inspect health facilities, and regulate private health insurance policies, medical and hospital service plans?

YES	
NO	

SECTION 2. 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 senate and the clerk of the house of representatives.

Approved August 8, 1974.

Chap. 759. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW PROTECTING LAND AND WATER ON MARTHA'S VINEYARD.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to preserve the natural and cultural character of the island of Martha's Vineyard, and to prevent any unnecessary or substantial hardship, 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 637 of the acts of 1974 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Nothing in this act shall be construed to prohibit the planning board of a town on Martha's Vineyard from approving any definitive subdivision plan pursuant to chapter forty-one of the General Laws, provided that such definitive subdivision plan was duly submitted to said planning board prior to the effective date of this act. Nothing in this act shall be construed to prohibit said planning boards from accepting for consideration for approval after the effective date of this

act any preliminary or definitive subdivision plans pursuant to chapter forty-one of the General Laws, provided, however, that no approval on any such definitive plan shall be granted by a planning board before the end of the temporary moratorium, except for those subdivisions permitted by subparagraph (*e*) of the first paragraph of this section.

Approved August 8, 1974.

Chap. 760. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF NATICK AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS OFFICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws, as most recently amended by section 12 of chapter 558 of the acts of 1974, is hereby further amended by inserting after the line reading "first district court of northern Middlesex," the following line:— district court of Natick,.

SECTION 2. The first paragraph of section 78 of said chapter 218, as most recently amended by section 14 of said chapter 558, is hereby further amended by striking out the line reading "district court of Natick,".

SECTION 3. This act shall take effect on July first, nineteen hundred and seventy-five.

Approved August 8, 1974.

Chap. 761. AN ACT MAKING CERTAIN CHANGES IN THE ASSIGNMENT OF REJECTED RISKS AND POOLING RELATIVE TO WORKMEN'S COMPENSATION INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by inserting after section 65N the following section:—

Section 65 O. Any employer to whom an insurer is assigned under the provisions of section sixty-five A shall be entitled to designate any licensed insurance agent or insurance broker to assist him in dealing with said insurer to which he is assigned and with the reinsurance pool described in section sixty-five C. The said agent or broker shall be entitled to a service fee from the premium for such coverages issued to such employer from the insurer pursuant to section sixty-five A or section sixty-five D at a rate set by the commissioner from time to time, at such percentage of the average commission rate customarily paid by insurance companies which compensate agents by commissions. The commissioner shall set the service fee at a rate he finds sufficiently attractive to encourage agents and brokers to assist such employers to obtain and maintain coverage

while at the same time leaving a further incentive to such agents or brokers to place such insurance through their customary markets when that is practicable. The service fees authorized by this section shall be paid on original issue of coverage and on each renewal or reissue thereof.

SECTION 2. Section 65F of said chapter 152 is hereby amended by adding the following sentence:— Nothing in this section shall be construed to permit an insurer which voluntarily provides insurance hereunder to avoid the payment of a service fee to a broker or agent designated in accordance with section sixty-five O based upon coverages issued to employers assisted by such broker or agent, or any renewal or reissue thereof.

Approved August 8, 1974.

Chap. 762. AN ACT RELATIVE TO THE MINIMUM HEIGHT REQUIREMENT FOR CERTAIN POLICE OFFICERS AND FIRE FIGHTERS.

Be it enacted, etc., as follows:

Section 5B of chapter 31 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 351 of the acts of 1973, and inserting in place thereof the following paragraph:—

No person shall be ineligible for appointment and no person shall be denied employment as a fire fighter or police officer in a city or town, the metropolitan district police force, the Massachusetts Bay Transportation Authority police force or capitol police force because of failure to attain a minimum height, unless the appointing authority has petitioned the director that in his opinion a minimum height is necessary for the performance of the duties of the position, and the director has approved of said petition. The appointing authority shall include in said petition a validation study which demonstrates the necessity for a minimum height, as well as any other evidence which the director may require.

Approved August 8, 1974.

Chap. 763. AN ACT ESTABLISHING AN ADVISORY COMMITTEE ON CHAPLAINS IN STATE INSTITUTIONS.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 166A, inserted by section 9 of chapter 1210 of the acts of 1973, the following section:—

Section 166B. There shall be within the executive office of human services an advisory committee on chaplains in state institutions, hereinafter called the committee. The committee shall consist of at least three chaplains, representative of Catholic, Jewish and Protestant faith groups, a representative of other faith groups who may

make application based on the size of the constituency of such groups related to the population of such groups in state institutions, the secretary of the executive office of human services or his designee, a representative of the superintendents of state institutions, and two members at large, all to be appointed by the governor. The chaplain members of the committee shall be recommended to the governor by their respective governing bodies. Members of the committee shall be appointed for terms of three years and a chairman shall be designated by the governor. The committee shall meet at least four times a year. Special meetings may be called at the request of the chairman, the secretary of the executive office of human services, or a majority of the members of the committee.

The committee shall be responsible for maintaining consistent communication between religious bodies and departments of the commonwealth making use of services of chaplains and when necessary shall propose appropriate legislation to provide for and regulate the services of chaplains in the institutions of the commonwealth.

No provision of this section shall be construed as lessening the authority of any judicatory executive whose tradition requires that he be ultimately responsible for establishing criteria for appointment or actually appointing chaplains who would then be accepted for service in state institutions or regions.

Approved August 8, 1974.

Chap. 764. AN ACT PROVIDING A PROGRAM FOR THE IMPROVEMENT AND DEVELOPMENT OF COMPREHENSIVE LIBRARY MEDIA SERVICES BY THE BOARD OF LIBRARY COMMISSIONERS.

Be it enacted, etc., as follows:

Chapter 78 of the General Laws is hereby amended by inserting after section 19D the following section:—

Section 19E. The board of library commissioners, hereinafter called the board, shall, subject to appropriation, establish a comprehensive statewide program for the improvement and development of library and media resources for all citizens. For the purposes of this section, "library media" shall mean print or nonprint resources, including but not limited to, books, periodicals, newspapers, pamphlets, serials, musical scores, manuscripts, sound recordings, tapes, films, filmstrips, transparencies, video tapes, microfilms, maps, art prints and realia. The term "library media center" shall be synonymous with the terms "public library", "school library", "school media center", "academic library", "state" or "county institution library" and "special library".

Such funds as may be appropriated shall be disbursed by the board for any or all of the following purposes:

(1) For the establishment and development of cooperation and coordination among library media centers, including in addition to the power to award grants to establish or expand interlibrary media center networks:

(*a*) the power to provide technical and support services, including consultative services;

(*b*) the power to acquire, rent, or contract for materials and resources;

(*c*) the power to provide staff at the service level;

(*d*) the power to participate in interstate library media services if such participation will increase the availability of library media.

(2) For demonstration grants for exemplary library media services, contingent upon the board conducting an evaluation of said services on a periodic basis.

(3) For the establishment and development of school library media services, including:

(*a*) the acquisition or rental of library media materials, resources and appropriate equipment;

(*b*) supplementary subprofessional library media personnel;

(*c*) consultative services.

Funds as may be appropriated shall be disbursed according to a formula established by the board which shall take into account the following factors: the average expenditure over the immediately preceding five years by the local school committee for the library media resources; the ratio of library media center professional staff to pupil enrollment; the per pupil expenditures for said staff; and the current year school committee expenditure for library media resources.

In certifying school library media programs eligible for aid under this clause, the board shall establish minimum standards for personnel, accessibility of resources, appropriateness of library media services; and local budget support.

(4) For the establishment and development of library media centers in county and state institutions.

In making grants under this clause the board shall establish minimum standards for such library service which take into account:

(*a*) the type of institution;

(*b*) the size of the resident population;

(*c*) the availability of library media services to the institutional population;

(*d*) the qualifications of personnel for staffing of a library media center;

(*e*) the institution's commitment to annual budgetary support for library media services.

(5) For the establishment and development of services from library media centers of all types to the handicapped and disadvantaged including:

(*a*) the establishment and development of library media services and centers for persons whose native language is not English. The board shall establish standards for such services and centers;

(*b*) the development of library media services for the elderly, the unemployed, the poor, the functionally illiterate, and those persons who have cultural, social, or educational disadvantages that prevent them from using library media centers and services designed for persons without said disadvantages;

(*c*) the establishment and development of library media services for persons who are visually impaired, mentally, physically, or emotionally handicapped.

(6) To aid public library planning, reconstruction and construction. The board shall adopt standards for the cities and towns receiving funds under this clause. In allocating funds under this clause the board shall take into account:

(*a*) local financial support for library media services;

(*b*) local financial support for a building program for a library media center;

(*c*) compliance with the standards established under this clause.

(7) To conduct, contract for, fund or publish studies relative to needs and services of library media centers of the commonwealth. The funding of such studies shall be for the purpose of advising the board in carrying out the provisions of this section. Such studies may include the testing and evaluation of findings by the board.

Approved August 8, 1974.

Chap. 765. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE IMPROVEMENTS AT LAKE QUANNAPOWITT IN THE TOWN OF WAKEFIELD.

Be it enacted, etc., as follows:

The department of public works, with the approval of the department of public works of the town of Wakefield, shall make improvements at Lake Quannapowitt, in said town, including the control of weeds and aquatic nuisances.

Approved August 8, 1974.

Chap. 766. AN ACT INCREASING THE FEE CHARGED FOR THE PERIODIC INSPECTION OF MOTOR VEHICLES AND TRAILERS.

Be it enacted, etc., as follows:

SECTION 1. The last sentence of section 7A of chapter 90 of the General Laws, as appearing in section 1 of chapter 241 of the acts of 1945, is hereby amended by inserting after the word "equipped", in line 6, the words:— ; provided, however, that the fee charged for each such inspection shall be two dollars.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved August 8, 1974.

Chap. 767. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MODIFY MARKING SIGNS ON THE AMVETS MEMORIAL HIGHWAY.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to modify marking signs on the AMVETS Memorial highway, with appropriate AMVETS emblems, which shall include the word "Vietnam".

Approved August 8, 1974.

Chap. 768. AN ACT FURTHER REGULATING THE RESIDENTIAL QUALIFICATIONS FOR VOTING FOR PRESIDENTIAL ELECTORS.

Be it enacted, etc., as follows:

The first sentence of section 1A of chapter 51 of the General Laws, as amended by section 1 of chapter 637 of the acts of 1972, is hereby further amended by striking out, in line 3 and in line 7, the word "twenty-nine" and inserting in place thereof, in each instance, the word:— twenty-eight.

Approved August 8, 1974.

Chap. 769. AN ACT PROVIDING FOR THE OPENING OF THE STATE HOUSE ON CERTAIN SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS DURING THE BICENTENNIAL CELEBRATION.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the state superintendent of buildings shall make the necessary arrangements to keep the state house open on Saturdays, Sundays and legal holidays between April and October in the years nineteen hundred and seventy-five and nineteen hundred and seventy-six to accommodate visitors and tourists on the occasion of the bicentennial celebration.

Approved August 8, 1974.

Chap. 770. AN ACT MAKING CERTAIN CORRECTIVE CHANGES TO THE CONTROLLED SUBSTANCES ACT.

Be it enacted, etc., as follows:

Subsection (*d*) of section 7 of chapter 94C of the General Laws, as amended by section 8 of chapter 1190 of the acts of 1973, is hereby further amended by inserting after clause (3) the following six clauses:—

(4) a registered nurse or licensed practical nurse when acting under the supervision of a practitioner;

(5) a graduate of a school for nurses or practical nurses which has been approved in accordance with the provisions of chapter one hundred and twelve, whenever said person is acting under the supervision of a practitioner and is engaged in professional practice during the period from such person's graduation from said school until the announcement of the results of the first licensing examination for registered nurses or licensed practical nurses, as the case may be, thereafter held in accordance with the provisions of said chapter one hundred and twelve;

(6) any person duly licensed to practice nursing within any other jurisdiction, whenever such person is acting under the supervision of a practitioner and is discharging official duties as an employee of the federal government;

(7) any person covered by clauses (1), (2), (3) and (5) of section eighty B of chapter one hundred and twelve when any such person is acting under the supervision of a practitioner;

(8) any therapist, technician, or medical student when performing under the supervision of a practitioner those services which are defined to be functions of their respective callings;

(9) any person who belongs to a class of persons which is authorized by regulation of the commissioner to provide services for the purpose of diagnosis, care, treatment, or research.

Approved August 8, 1974.

Chap. 771. AN ACT PROVIDING FOR THE PAYMENT OF A CERTAIN CLOTHING ALLOWANCE FOR CERTAIN MEMBERS OF THE METROPOLITAN DISTRICT POLICE.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the director of personnel and standardization is hereby authorized and directed to pay from such sums as may be appropriated therefor to certain members of the metropolitan district police, who are required, due to the nature of their duties, to wear plain civilian dress in lieu of uniforms provided, the sum of one hundred and twenty-five dollars per annum or any portion thereof, said payment being made pursuant to a collective bargaining agreement between the metropolitan district commission and Local 1576, Council 41 of the American Federation of State, County and Municipal Employees, dated August fourteenth, nineteen hundred and sixty-nine.

Approved August 8, 1974.

Chap. 772. AN ACT GRANTING A REAL ESTATE TAX EXEMPTION DURING THE CALENDAR YEAR NINETEEN HUNDRED AND SEVENTY-FOUR TO WIDOWS AND SURVIVING MINOR CHILDREN OF CERTAIN POLICE OFFICERS KILLED IN THE LINE OF DUTY.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the widow or surviving minor children, including adopted children, of a police officer killed in the line of duty during the calendar year nineteen hundred and seventy-four 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 that 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 such widows 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 August 8, 1974.

Chap. 773. AN ACT INCREASING THE AMOUNT REIMBURSED BY THE COMMONWEALTH TO TOWNS AND REGIONAL SCHOOL DISTRICTS FOR THE MAINTENANCE OF APPROVED VOCATIONAL SCHOOLS.

Be it enacted, etc., as follows:

Section 9 of chapter 74 of the General Laws, as most recently amended by section 2 of chapter 791 of the acts of 1967, is hereby further amended by adding the following paragraph:—

The commonwealth shall pay to such towns or regional school districts an amount equal to sixty-five per cent of the full maintenance sum for each attending student who has satisfactorily completed the twelfth grade or courses equivalent thereto.

Approved August 8, 1974.

Chap. 774. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO SELL AND CONVEY TO THE CITY OF CAMBRIDGE A CERTAIN PARCEL OF LAND IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. In consideration of such sum as an independent, qualified appraiser shall determine to be the value of the parcel of

land and the building thereon, the county commissioners of Middlesex county, in the name and on behalf of said county, are hereby authorized to sell and convey to the city of Cambridge a certain parcel of land located on Third street in said city, formerly known and used as the third district court of eastern Middlesex. Said land shall be used for municipal purposes.

SECTION 2. Any monies received from the city of Cambridge for the purchase of said land and building shall be distributed by the county treasurer of said county to the cities and towns of said county in accordance with the provisions of chapter six hundred and sixty of the acts of nineteen hundred and sixty-three.

Approved August 8, 1974.

Chap. 775. AN ACT AUTHORIZING THE CITY OF BROCKTON TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law relative to departments in the city of Brockton, the city council of said city, with the approval of its mayor, may establish a department of public works and may determine the departments or divisions which shall comprise said department and the method of appointment and the powers and duties of the head of said department.

Approved August 8, 1974.

Chap. 776. AN ACT PROVIDING FOR SPANISH LANGUAGE VOTER REGISTRATION AFFIDAVITS.

Be it enacted, etc., as follows:

Section 36 of chapter 51 of the General Laws, as appearing in section 5 of chapter 1137 of the acts of 1973, is hereby amended by adding the following paragraph:—

The state secretary shall provide bilingual, English-Spanish copies of the affidavit of registration to city and town clerks, registrars of voters and election commissioners, who shall provide such bilingual forms to Spanish-speaking applicants.

Approved August 8, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
August 8, 1974

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 776 of the Acts of 1974, entitled "AN ACT PROVIDING FOR SPANISH LANGUAGE VOTER REGISTRATION AFFIDAVITS." and the enactment of which received my approval on August 8, 1974, should take effect forthwith.

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

It is in the public interest that the provisions of this Act take effect immediately in order that voter registration for the 1974 elections may be facilitated and encouraged.

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

OFFICE OF THE SECRETARY, Boston, August 8, 1974.

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

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

Chap. 777. AN ACT REACTIVATING THE SUPERVISING MOTOR VEHICLE HEARING OFFICER CIVIL SERVICE LIST.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately reactivate the supervising motor vehicle hearing officer civil service list, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any law to the contrary, the eligible list established June twelfth, nineteen hundred and seventy-two for the position of supervising motor vehicle hearing officer which expired on June twelfth, nineteen hundred and seventy-four is hereby reactivated to October first, nineteen hundred and seventy-four, as it appeared on said date of expiration.

Approved August 9, 1974.

Chap. 778. AN ACT FURTHER REGULATING THE IMPOUNDMENT OF CERTAIN ANIMALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately further regulate the number of days for impoundment of certain animals, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) of section 3 of chapter 49A of the General Laws is hereby amended by striking out the word "five", inserted by section 1 of chapter 49 of the acts of 1973, and inserting in place thereof the word:— seven.

SECTION 2. The first sentence of section 151A of chapter 140 of the General Laws is hereby amended by striking out the word "five", as twice inserted by section 2 of said chapter 49, and inserting in place thereof, in each instance, the word:— seven.

SECTION 3. Section 153 of said chapter 140 is hereby amended by striking out the word "five", inserted by section 3 of said chapter 49, and inserting in place thereof the word:— seven.

Approved August 9, 1974.

Chap. 779. AN ACT PERMITTING CUSTODIANS UNDER THE MASSACHUSETTS UNIFORM GIFTS TO MINORS ACT TO BE DESIGNATED BENEFICIARIES OF CERTAIN INSURANCE POLICIES OR ANNUITY CONTRACTS.

Be it enacted, etc., as follows:

Section 4 of chapter 201A of the General Laws is hereby amended by striking out subsection (*j*), added by section 6 of chapter 271 of the acts of 1962, and inserting in place thereof the following subsection:—

(*j*) If the subject of the gift is a life or endowment insurance policy or an annuity contract or if the custodian shall invest the funds of the minor in such policies or contracts, the custodian shall have all the incidents of ownership in such policies and contracts which he may hold as custodian to the same extent as if he were the owner thereof.

If any such policy or contract is issued on the life of the minor, the designated beneficiary shall be the minor's estate. If any such policy or contract is issued on the life of a person other than the minor, the beneficiary shall be the minor or the custodian as custodian for the minor for whom he is acting.

Approved August 9, 1974.

Chap. 780. AN ACT DESIGNATING THE BRIDGE OVER THE NEPONSET RIVER AT CENTRAL AVENUE IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON AND THE TOWN OF MILTON AS THE JOHN J. MANNING MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over the Neponset river at Central avenue in the Dorchester district of the city of Boston and the town of Milton shall be designated and known as the John J. Manning Memorial bridge in memory of John J. Manning, a resident of said Dorchester district who was prominent in local and civic affairs. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved August 9, 1974.

Chap. 781. AN ACT ESTABLISHING A DISTRICT COURT PROCEDURE TO DIVERT SELECTED OFFENDERS FROM THE DISTRICT COURTS TO PROGRAMS OF COMMUNITY SUPERVISION AND SERVICE.

Be it enacted, etc., as follows:

The General Laws are hereby amended by inserting after chapter 276 the following chapter:—

CHAPTER 276A.

DISTRICT COURT PRETRIAL DIVERSION OF SELECTED OFFENDERS.

Section 1. The following words, as used in this chapter, unless the context otherwise requires, shall have the following meanings:—

"Assessment", a thorough and complete measurement of the needs of an individual in, but not limited to, the following areas: education, vocational training, job placement, mental and physical health, family and social services, and an analysis of a defendant's commitment to participate in a program of community supervision and services.

"Commissioner", the commissioner of probation.

"Director", the person in charge of the operation of a program of community supervision and services.

"Official designee", a representative of a program of community supervision and service who has been approved by the presiding justice of a district court to work in conjunction with that court's

probation office to screen defendants who may be eligible for diversion.

"Plan of service", a comprehensive and cohesive set of recommended programs and specific services to meet the needs of individuals as determined through assessment.

"Program", any program of community supervision and services certified or approved by the commissioner of probation under the provisions of section eight, including, but not limited to, medical, educational, vocational, social and psychological services, corrective and preventive guidance, training, counseling, provision for residence in a halfway house or other suitable place, and other rehabilitative services designed to protect the public and benefit the individual.

Section 2. The district courts, and in Boston, the municipal court of the city of Boston, shall have jurisdiction to divert to a program, as defined in section one, any person who is charged with an offense or offenses against the commonwealth for which a term of imprisonment may be imposed and over which the district courts may exercise final jurisdiction and who has reached the age of seventeen years but has not reached the age of twenty-two, who has not previously been convicted of a violation of any law of the commonwealth or of any other state or of the United States in any criminal court proceeding after having reached the age of seventeen years, except for traffic violations for which no term of imprisonment may have been imposed, who does not have any outstanding warrants, continuances, appeals or criminal cases pending before any courts of the commonwealth or any other state or of the United States, and who has received a recommendation from a program that he would, in light of the capacities of and guidelines governing it, benefit from participation in said program.

Section 3. The probation officers of a district or municipal court, or their official designee, when gathering information in accordance with section eighty-five of chapter two hundred and seventy-six, shall also screen each defendant for the purpose of enabling the judge at arraignment to consider the eligibility of the defendant for diversion to a program.

Any defendant who is qualified for consideration for diversion to a program may, at his arraignment, be afforded a fourteen-day continuance for assessment by the personnel of a program to determine if he would benefit from such program.

If a defendant chooses to accept the offer of a continuance for the purpose of such an assessment, he shall so notify the judge at arraignment. Upon receipt of such notification, the judge shall grant a fourteen-day continuance. The judge, through the probation office or its official designee, shall direct the defendant to a program and shall inform said program of such action.

The judge may, in his discretion, grant a defendant who is preliminarily determined not to be eligible because of a failure to satisfy all the requirements of section two, a like fourteen-day continuance for assessment. In arriving at such a decision the

opinion of the prosecution should be taken into consideration. Such a continuance may be granted upon the judge's own initiative or upon request by the defendant.

Section 4. In the event that an individual who is eligible under the provisions of section two is charged with a violation of chapter ninety-four C, nothing in this chapter shall be construed to limit the effect or operation of sections thirty-seven to fifty-five, inclusive, of chapter one hundred and twenty-three.

In the event that an individual who is eligible under the provisions of section two is charged with a violation of one or more of the offenses enumerated in section three of chapter one hundred and twenty-three A, the provisions of this chapter shall not be applicable for said defendant.

Section 5. Upon the expiration of a fourteen-day continuance granted pursuant to section three, the director of the program to which the defendant has been referred shall submit to the court a written report of its assessment. The report shall contain the information obtained through the program's assessment, the program's recommendation as to whether the defendant would benefit from diversion to the program, and a plan of services for the defendant if it has been determined that the defendant would so benefit.

The judge, upon receipt of the report, shall provide an opportunity for a recommendation by the prosecution regarding the diversion of the defendant. After receiving the report and having provided an opportunity for the prosecution to make its recommendation, the judge shall make a final determination as to the eligibility of the defendant for diversion to the program. The criminal proceedings of a defendant who qualifies for diversions under section two and who agrees to abide by the terms and conditions contained in the plan of services approved by the judge, shall be stayed for a period of ninety days, unless the judge in his discretion considers that the interest of justice would best be served by a hearing of the facts, after which the case may be continued without a finding for ninety days. No appeal shall be allowed from such final determination.

A defendant who has been determined to be ineligible by reason of his failure to satisfy certain provisions of section two, but who, in the judge's discretion, received a fourteen-day continuance for assessment, may, on the basis of the report submitted by a program, be granted a like stay of proceedings.

In no event shall a stay of proceedings be granted pursuant to this section unless the defendant consents in writing to the terms and conditions of the stay of proceedings and knowingly executes a waiver of his right to a speedy trial on a form approved by the chief justice of the district courts, and, in Boston, the chief justice of the municipal court of the city of Boston. Such consent shall be with the advice of defendant's counsel. Any request for assessment, or a decision by the defendant not to enter such a program, or a determination by the program that the defendant would not benefit from it, or any statement made by the defendant during the course

of assessment, shall not be admissible against the defendant in any criminal proceedings; nor shall any consent by the defendant to the stay of proceedings or any act done or statement made in fulfillment of the terms and conditions of such stay of proceedings be admissible as an admission, implied or otherwise, against the defendant, should the stay of proceedings be terminated and criminal proceedings resumed on the original charge or charges. No statement or other disclosure or records thereof made by a defendant during the course of assessment or during the stay of proceedings shall be disclosed at any time to a prosecutor or other law enforcement officer in connection with the charge or charges pending against said defendant or any co-defendant.

Section 6. During a stay of proceedings or a continuance without a finding, as provided in section five, the director of a program shall submit periodic reports to the court relative to the progress of the defendant. The director shall also report violations of program conditions or subsequent arrests immediately upon notice thereof.

If the defendant during the stay of proceedings or a continuance without a finding violates a condition of the program or is charged with a subsequent offense, a judge in the court that entered the stay of proceedings may issue such process as is necessary to bring the defendant before the court. When the defendant is brought before the court, the judge shall afford him an opportunity to be heard. If the judge finds that the defendant has committed a violation of a condition of the program or that he has been charged with a subsequent offense, the judge may order, when appropriate, that the stay of proceedings be terminated and that the commonwealth proceed on the original charges as provided by law. No appeal shall be allowed from such an order.

Section 7. Upon the expiration of the initial ninety-day stay of proceedings or a continuance without a finding, the program director shall submit to the court a report indicating the successful completion of the program by a defendant or recommending an extension of the stay of proceedings or a continuance without a finding for not more than an additional ninety days, so that the defendant may complete the program successfully.

If the report indicates the successful completion of the program by a defendant, the judge may dismiss the original charges pending against the defendant. If the report recommends an extension of the stay of proceedings or a continuance without a finding, the judge may, on the basis of the report and any other relevant evidence, take such action as he deems appropriate, including the dismissal of the charges, the granting of an extension of the stay of proceedings or a continuance without a finding, or the resumption of criminal proceedings. In the event that an extension of the stay of proceedings or a continuance without a finding is granted, the program director shall submit a final report upon the expiration of such stay of proceedings.

Section 8. The office of the commissioner shall, in its discretion, certify, monitor and aid all programs to which defendants may be

diverted pursuant to this chapter. The certification of programs shall be subject to the approval of the presiding justice of the individual court which would be the beneficiary of such services. The office of the commissioner shall, in its discretion, (*a*) issue for a term of two years, and may renew for like terms, a certification, subject to revocation for cause, to any person, partnership, corporation, society, association or other agency or entity of any kind, other than a licensed general hospital or a department, agency or institution of the federal government, the commonwealth or any political subdivision thereof, deemed to be responsible and suitable to establish and maintain such a program and to meet applicable certification standards and requirements; and in the case of a department, agency or institution of the commonwealth or any political subdivision thereof, grant approval to establish and maintain a program for a term of two years, and may renew such approval for like terms, subject to revocation for cause; (*b*) promulgate, in consultation with the advisory board established in section nine, rules and regulations establishing certification and approval standards and requirements; (*c*) establish limits for caseloads and enrollment so that programs are able to provide high quality intensive individualized service to those defendants participating in such programs; (*d*) procure, where appropriate, by contract, the personnel, facilities, services, and materials necessary to carry out the purposes of this act, subject to all applicable laws and regulations; (*e*) prepare reports for said advisory board showing the progress of all programs in fulfilling the purposes set forth; (*f*) notify the appropriate presiding justice of the individual court that adequate facilities and personnel are available to fulfill a plan of community supervision and services for that court; (*g*) provide technical assistance to such program as may be certified hereunder; (*h*) provide for the audit of any funds expended by the office for the support of programs certified hereunder; (*i*) promote the cooperation of all agencies which provide education, training, counseling, legal, employment, or other services to assure that eligible individuals released to programs may benefit to the maximum extent practicable; (*j*) prepare and submit an annual report to the chief justices of the supreme judicial, appeals, superior and district courts and to all justices in the district court system evaluating the performance of all programs.

Section 9. There shall be an advisory board to the office of the commissioner for the overseeing of programs. The members of the advisory board shall be the attorney general, the commissioners of education, mental health, rehabilitation and welfare, a district court judge, the director of the division of employment security, the president of the Massachusetts District Attorney's Association, or their respective designees, and seven experts in the area of human services to the sociologically and economically disadvantaged through community based programs to be appointed by the governor for terms of two years, one of whom shall be an ex-offender. The members of the advisory board shall serve without compensation but shall be reim-

bursed for their expenses actually and necessarily incurred in the discharge of their duties. The advisory board shall annually select its chairman from among its members.

The advisory board shall assist the commissioner in coordinating the efforts of all public agencies and private organizations and individuals within the commonwealth concerned with the providing of services to defendants by said programs.

Approved August 9, 1974

Chap. 782. AN ACT FURTHER REGULATING THE GRANTING OR AMENDMENT OF CHARTERS FOR JUNIOR COLLEGES.

Be it enacted, etc., as follows:

SECTION 1. Section 30 of chapter 69 of the General Laws is hereby amended by inserting after the second sentence the following sentence:— Said board may approve such certificate or articles for a junior college the name of which does not include the word "junior" provided the charter of such educational institution requires that such name when used on its official documents and publications be accompanied by a descriptive phrase which in the judgment of said board will effectively distinguish such institution from a senior college.

SECTION 2. Section 31 of said chapter 69 is hereby amended by striking out the introductory paragraph, as amended by section 13 of chapter 572 of the acts of 1965, and inserting in place thereof the following paragraph:—

Said board of higher education, in acting upon the certificate of organization in connection with the proposed incorporation of a junior college, with power to grant degrees, or in acting upon articles of amendment to the charter of any existing educational institution which will give it power to grant junior college degrees or provide for a descriptive phrase under section thirty, or changing its name to a name which will include the term "junior college", shall not approve such certificate or articles unless — .

Approved August 9, 1974.

Chap. 783. AN ACT MAKING ADMINISTRATIVE CHANGES IN THE ORGANIZATION OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Chapter 19 of the General Laws is hereby amended by striking out section 6, as amended by section 3 of chapter 875 of the acts of 1967, and inserting in place thereof the following sections:—

Section 6. The commissioner shall appoint an assistant commissioner for research and program evaluation who shall perform such duties as the commissioner may determine relative to the research

and evaluative activities of the department, including program development, community activities, operational research and statistics. Such assistant commissioner shall coordinate his services with the work of other agencies of the department. He shall establish and maintain liaison with other state level government agencies, with appropriate federal departments and with private agencies, involved in research and program evaluation for mental health and mental retardation within the commonwealth. He shall devote full time to his duties. He may be allowed such affiliations as the commissioner approves subject to the provisions of chapter two hundred and sixty-eight A. Such assistant commissioner shall have a doctorate in medicine, psychology, sociology, social relations, social welfare, education, social anthropology, rehabilitation, or public health, or an equivalent doctorate in behavioral sciences, and shall have had three years' experience in a professional position in the field of mental health.

Section 6A. The commissioner shall appoint an assistant commissioner for planning who shall perform such duties as the commissioner may determine, including but not limited to, training, recruiting, and planning for the department. Such assistant commissioner shall promote coordination between the divisions and agencies of the department and shall coordinate his services with the work of other agencies of the department. He shall establish and maintain liaison with other state-level government agencies, with appropriate federal departments and with private agencies involved in planning for mental health and mental retardation within the commonwealth. He shall devote full time to his duties. He may be allowed such professional affiliations as the commissioner approves, subject to the provisions of chapter two hundred and sixty-eight A. Such assistant commissioner shall be a graduate of an accredited college or university and shall have had five years' experience in a professional position in the mental health administration.

Section 6B. The commissioner shall appoint an assistant commissioner for legal medicine who shall supervise the programs of the department related to the administration of justice and the treatment of public offenders. He shall devote full time to such duties. He may be allowed such professional affiliations as the commissioner approves, subject to the provisions of chapter two hundred and sixty-eight A. Such assistant commissioner shall have a doctorate in medicine with board certification or board eligibility in psychiatry, or shall be a psychologist with a diplomate or diplomate eligibility in professional psychology from the American Board of Examiners in Professional Psychology, or shall have a doctorate in sociology, rehabilitation, public health, or an equivalent doctorate in the behavioral sciences. If he has board certification in psychiatry or is a diplomate in professional psychology, he shall have had at least three years' experience in a professional position in the field of legal medicine, or, if he does not have such certification or is not such a diplomate, he shall have had at least five years of such professional experience.

Approved August 9, 1974.

Chap. 784. AN ACT PROVIDING TENURE FOR THE ASSISTANT CLERKS OF THE APPEALS COURT.

Be it enacted, etc., as follows:

Chapter 211A of the General Laws is hereby amended by striking out section 6, as appearing in section 1 of chapter 740 of the acts of 1972, and inserting in place thereof the following section:—

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. The tenure of office of any of said assistant clerks who has served in said office for a period of two years shall be unlimited until he attains age seventy and he shall hold said office during good behavior, unless incapacitated by physical or mental disability from performing his duties; provided, however, that he may be removed for just cause after due notice and hearing in the manner provided by section forty-three of chapter thirty-one. Said clerk shall fix such salaries, in the case of the first assistant clerk at an amount of eighty-five per cent of his total combined salary, and in the case of the second and third assistants at an amount of seventy-five per cent of his total combined salary. The salaries of the clerk and the assistant clerks shall be paid by the commonwealth.

Approved August 9, 1974.

Chap. 785. AN ACT EXTENDING THE COVERAGE OF ACCIDENT AND SICKNESS INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 47B the following section:—

Section 47C. Any blanket or general policy of insurance described in subdivision (A), (C), or (D) of section one hundred and ten which provides hospital expense and surgical expense insurance, which provides for dependent coverage, and which is delivered or issued for delivery or subsequently renewed by agreement between the insurer and the policyholder, within or without the commonwealth, or any policy of accident and sickness insurance as described in section one hundred and eight which provides hospital expense and surgical expense insurance, which provides for dependent coverage, and which is delivered or issued for delivery or subsequently renewed by agreement between the insurer and the policyholder in this commonwealth, or any employees' health and welfare fund which provides hospital expense and surgical expense benefits, which provides for dependent coverage, and which is issued or renewed to any person or group of persons in this commonwealth shall include as insured members of the blanket general policy, policy of accident

and sickness, or fund, newborn infants and newborn infants of a dependent of a policyholder domiciled in the commonwealth or a beneficiary domiciled in the commonwealth of a fund immediately from the moment of birth and thereafter. The coverage for newly born infants shall consist of coverage of injury or sickness including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities, or premature birth. If payment of a specific premium is required to provide coverage for a child, the policy or contract may require that notification of birth of a newly born child and payment of the required premium must be furnished to the insurer or indemnity corporation. For the purposes of this section "notification" may mean submission of a claim.

SECTION 2. Chapter 176A of the General Laws is hereby amended by inserting after section 8A the following section:—

Section 8B. Any contract, which provides for dependent coverage, between a subscriber and the corporation under an individual or group hospital service plan which shall be delivered or issued for delivery or subsequently renewed in this commonwealth shall include as insured members newborn infants and newborn infants of a dependent of a contract holder immediately from the moment of birth and thereafter. Such insurance shall provide benefits for expense arising from illness, injury, congenital malformation, or premature birth. If payment of a subscription fee is required to provide coverage for a child, the policy or contract may require that notification of birth of a newly born child and payment of the required fees must be furnished to the non-profit service corporation. For the purposes of this section "notification" may mean submission of a claim.

SECTION 3. Chapter 176B of the General Laws is hereby amended by inserting after section 4A the following section:—

Section 4B. Any subscription certificate, which provides for dependent coverage, under an individual or group medical service agreement which shall be delivered or issued for delivery or subsequently renewed in this commonwealth shall include as insured members, newborn infants and newborn infants of a dependent of a subscription certificate holder immediately from the moment of birth and thereafter. Such insurance shall provide benefits for expense arising from illness, injury, congenital malformation, or premature birth. If payment of a subscription fee is required to provide coverage for a child, the policy or contract may require that notification of birth of a newly born child and payment of the required fees must be furnished to the non-profit service corporation. For the purposes of this section "notification" may mean submission of a claim.

SECTION 4. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved August 9, 1974.

Chap. 786. AN ACT AUTHORIZING THE DIVISION OF FISHERIES AND GAME IN THE DEPARTMENT OF NATURAL RESOURCES TO GRANT AN EASEMENT ON CERTAIN LAND IN THE TOWN OF CONWAY.

Be it enacted, etc., as follows:

The division of fisheries and game in the department of natural resources is hereby authorized to grant an easement to Robert A. Bargmann on land of the commonwealth under the control of said division in the town of Conway constituting the Poland Brook wildlife management area for the purposes of installing and maintaining a septic system. Said land contained in the easement is bounded and described as follows:—

Beginning at a point on the North side line of land now or formerly of Robert A. Bargmann, said point being seventy-six (76) feet, more or less, from the intersection of said North side line of land now or formerly of Robert A. Bargmann and the Westerly side line of North Poland Road.

Thence by the North side line of land now or formerly of Robert A. Bargmann, one hundred fifty (150) feet, more or less, to a point, said point being the Northwest corner of land now or formerly of Robert A. Bargmann; thence turning and running Due North on land of the Commonwealth of Massachusetts, one hundred (100) feet, to a point;

thence turning and running Easterly on land of the Commonwealth of Massachusetts, one hundred fifty (150) feet, more or less, to a point;

Thence turning and running Due South on land of the Commonwealth of Massachusetts, one hundred (100) feet, to the point of beginning.

All containing fifteen thousand (15,000) square feet, more or less

Said septic system shall be installed and maintained by Robert A. Bargmann in accordance with state and local sanitary codes. The system located on land of the commonwealth shall be the responsibility of said Robert A. Bargmann and his successors. Said system and its location shall not conflict with present or future uses of said Poland Brook wildlife management area.

Said division of fisheries and game shall be reimbursed in full for costs incurred in the conveyance of this easement. The basis for reimbursement shall be actual costs plus fifteen per cent for administrative overhead.

Approved August 9, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
August 9, 1974

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 786 of the Acts of 1974, entitled "AN ACT AUTHORIZING THE DIVISION OF FISHERIES AND GAME IN THE DEPARTMENT OF NATURAL RESOURCES TO GRANT AN EASEMENT ON CERTAIN LAND IN THE TOWN OF CONWAY." and the enactment of which received my approval on August 9, 1974, 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 that the actions authorized therein may be commenced without unwarranted delay and jeopardy to the public health.

Sincerely,
FRANCIS W. SARGENT
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, Boston, August 9, 1974.

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

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

Chap. 787. AN ACT FURTHER REGULATING THE ADMINISTRATION OF PUBLIC WELFARE PROGRAMS AND ABOLISHING THE MEDICAL ASSISTANCE ADVISORY COUNCIL TO THE COMMISSIONER OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 117 of the General Laws is hereby amended by striking out section 9, as amended by section 36 of

chapter 925 of the acts of 1973, and inserting in place thereof the following section:—

Section 9. The parents of such poor persons, if of sufficient ability, shall be bound to support such poor persons in proportion to their ability; provided, however that said parents shall not be required to support or contribute to the support of any of their children eighteen years of age or over.

SECTION 2. Section 22 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 the third paragraph and inserting in place thereof the following paragraph:—

The commissioner, or the referee designated by the commissioner, as the case may be, shall render and issue his decision within ninety days after the date of the filing of the aggrieved person's appeal, except that when an aggrieved person appeals the rejection of his application for aid or assistance or the failure to act on said application, the commissioner or referee shall render and issue his decision within forty-five days after the date of filing of said appeal. The commissioner, but not his designee, may for good cause shown direct the director of the division of hearings but not his designee, to conduct a rehearing of the appeal. An order to conduct a rehearing shall not be construed as indicating or implying any position by the commissioner on the merits of the appeal. The director shall send seven days' written notice to all parties, including the date, time and place of such rehearing, which shall be held at a location convenient to the person appealing, and after such rehearing the director may, not later than thirty days after the issuance of the referee's decision issue a superseding decision.

SECTION 3. Section twenty-four of said chapter one hundred and eighteen E is hereby repealed.

SECTION 4. Section 27 of said chapter 118E, as appearing in section 1 of chapter 800 of the acts of 1969, is hereby amended by striking out, in line 2 and in line 6, the words "and the medical assistance advisory council".

SECTION 5. All powers and duties exercised by the medical assistance advisory council, established by section twenty-four of chapter one hundred and eighteen E of the General Laws, are hereby transferred to the department of public welfare.

SECTION 6. All books, papers, records and documents in the custody of or maintained for the use of the medical assistance advisory council, established by section twenty-four of chapter one hundred and eighteen E of the General Laws, are hereby transferred to the custody of the department of public welfare. All petitions, applications, hearings and other proceedings duly pending before and all prosecutions and legal and other proceedings duly begun by or against such council, shall continue unabated and remain in full force and effect notwithstanding passage of this act, and may be completed before or by the department of public welfare. All rules and regulations adopted by said medical assistance advisory council shall remain in effect as rules and regulations of the department of public

welfare until amended or repealed by said department. All duly existing contracts, leases and obligations of said medical assistance advisory council shall be performed by the department of public welfare or by an administrative unit, officer or employee thereof acting under authority of law. This act shall not affect any renewal provisions or option to renew contained in any such lease in existence on the effective date of this act, all of which on the effective date of this act shall be transferred to and thereafter may be exercised by the department of public welfare. All property held in trust by said medical assistance advisory council or by members thereof shall continue to be held in trust, and to be administered in accordance with the terms of such trust, by the department of public welfare or, if such department shall decline such trust, by trustees appointed by any court of competent jurisdiction upon application of any interested person for such appointment or for instructions in connection therewith.

SECTION 7. All unexpended balances of monies heretofore appropriated for the medical assistance advisory council, established by section twenty-four of chapter one hundred and eighteen E of the General Laws, shall be available for expenditure by the department of public welfare on the effective date of this act.

SECTION 8. The provisions of this act are severable and if any provision shall be held unconstitutional by any court of competent jurisdiction, the decisions of such court shall not affect or impair any of the remaining provisions.

Approved August 9, 1974.

Chap. 788. AN ACT PROVIDING THAT THE POSITIONS OF CLERK OF THE FINANCE COMMITTEE, CLERK OF THE PERSONNEL BOARD AND CLERK OF THE CONSERVATION COMMISSION IN THE TOWN OF BILLERICA BE EXEMPT FROM CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of clerk of the finance committee, clerk of the personnel board and clerk of the conservation commission of the town of Billerica shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one of this act shall not impair the civil service status of any person holding civil service status in one of the aforementioned positions on the effective date of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Billerica 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 be passed by the General Court in the year nineteen hundred and seventy-four, entitled 'An Act providing that the posi-

tions of the clerk of the finance committee, clerk of the personnel board and clerk of the conservation commission of the town of Billerica be exempted from 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 August 9, 1974.

Chap. 789. AN ACT REMOVING THE TRADEMARK TERM "CHEMICAL MACE" FROM THE LAW PROVIDING A PENALTY FOR THE USE OF CERTAIN DEVICES IN THE COMMISSION OF A CRIME.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by striking out section 10C, as amended by section 9 of chapter 892 of the acts of 1973, and inserting in place thereof the following section:—

Section 10C. Whoever uses tear gas cartridges, or any device or instrument which contains a liquid, gas, powder, or any other substance designed to incapacitate for the purposes of committing a crime shall be punished by imprisonment in the state prison for not more than seven years.

Approved August 9, 1974.

Chap. 790. AN ACT AUTHORIZING THE TOWN OF NAHANT TO APPOINT ARTHUR J. COLLINS AS A PERMANENT MEMBER OF THE THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law or rule to the contrary regulating the maximum age of police officers, the town of Nahant may appoint Arthur J. Collins as a permanent member of the police department of said town provided he meets all other requirements for certification and appointment to such position, and provided further that there is no person on the eligible list willing to accept appointment as a permanent member of said police department of said town on the effective date of this act.

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

Approved August 9, 1974.

Chap. 791. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO BORROW MONEY FOR THE PREPARATION OF PLANS AND SPECIFICATIONS FOR A COURT HOUSE IN THE TOWN OF DEDHAM FOR THE SUPERIOR COURT OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are

hereby authorized to cause plans and specifications to be prepared for the construction of a superior court house in Norfolk county, which shall be located in the town of Dedham; provided, that the total cost of such plans and specifications shall not exceed one hundred and seventy-five thousand dollars; and provided further, that such plans and specifications shall be so drawn that the total cost for the construction of said facility shall not exceed eight million dollars. Any sums received from the federal government for the purposes of this act shall be included 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 seventy-five thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Norfolk County Superior Court House Loan, Act of 1974. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper but not for less than par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved August 12, 1974.

Chap. 792. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would cause great inconvenience because the issue of bonds and notes to carry out the purposes of various acts passed during the regular annual legislative session of the years nineteen hundred and seventy-two, nineteen hundred and seventy-three and nineteen hundred and seventy-four would thereby be delayed, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under chapter five hundred and eighty-four of the acts of nineteen hundred and seventy-two directing the metropolitan district commission to make certain improvements of the water quality of the Charles river shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than

June thirtieth, nineteen hundred and ninety-seven, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 2. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under chapter six hundred and thirty-six of the acts of nineteen hundred and seventy-two providing funds for the alleviation of financial burdens imposed on cities and towns as a result of thaws, rains, floods or certain other disasters shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-six, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 3. Notwithstanding any provision of the law to the contrary, the notes which the state treasurer is authorized to issue under the provisions of section seven of chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two relative to the accelerated highway program, shall be issued, and may be renewed one or more times, for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and seventy-seven; and the bonds provided for in section nine of said act shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-seven; as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 4. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under sections three and thirteen of chapter eight hundred and three of the acts of nineteen hundred and seventy-two 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 shall be issued for maximum terms of ten years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-seven, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 5. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under the provisions of sections eight, eleven and twenty of chapter eight hundred and three of the acts of nineteen hundred and seventy-two shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-seven, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 6. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under the provisions of section six of chapter eight hundred and three of the acts of nineteen hundred and seventy-two shall be issued for maximum terms of thirty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and seven, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 7. Notwithstanding any provision of the law to the contrary, the notes which the state treasurer is authorized to issue under the provisions of section two of chapter six hundred and ninety-two of the acts of nineteen hundred and seventy-three providing additional funds for the suitable recognition of those residents of Massachusetts who shall have served in the armed forces of the United States during the Vietnam conflict, and making certain changes in the dates of eligibility therefor, shall be issued, and may be renewed one or more times, for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and seventy-five; and the bonds provided for in section three of said act shall be issued for maximum terms of ten years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-six; as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 8. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under chapter eight hundred and twenty-two of the acts of nineteen hundred and seventy-three providing a special capital outlay program for shore protection and improvement to rivers and harbors shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June

thirtieth, nineteen hundred and ninety-nine, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 9. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under chapter one thousand and thirty-six of the acts of nineteen hundred and seventy-three directing the metropolitan district commission to construct an additional siphon across the Weymouth Fore river from the North Weymouth section of the town of Weymouth to the Germantown section of the city of Quincy and to reconstruct and lower the existing siphon between these same points shall be issued for maximum terms of thirty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and eight, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 10. Notwithstanding any provision of the law to the contrary, the notes which the state treasurer is authorized to issue under the provisions of section four of chapter one thousand and thirty-nine of the acts of nineteen hundred and seventy-three shall be issued, and may be renewed one or more times, for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall not be later than two years from the date of the original issue as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 11. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under sections twenty-three and twenty-eight of chapter one thousand one hundred and forty of the acts of nineteen hundred and seventy-three, revising the organization and financing of the Massachusetts Bay Transportation Authority, and providing a local-aid transportation bond authorization to assist highway and transit development in cities and towns throughout the commonwealth shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-seven, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 12. Notwithstanding any provision of the law to the contrary, the notes which the state treasurer is authorized to issue under the provisions of section ten of chapter one thousand one

hundred and forty-one of the acts of nineteen hundred and seventy-three, providing and maintaining transportation facilities and services coordinated with highway systems and urban development plans in certain areas and throughout the commonwealth, shall be issued for terms not exceeding two years from the date of the original issue as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 13. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under the provisions of section four of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three providing for a capital outlay program for the commonwealth shall be issued, and may be renewed one or more times, for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and seventy-nine; and the bonds provided for in section five of said act shall be issued for a maximum term of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-nine; as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 14. Notwithstanding any provision of the law to the contrary, the notes which the state treasurer is authorized to issue under the provisions of section two of chapter one thousand two hundred and six of the acts of nineteen hundred and seventy-three, relative to the alleviation of the financial burden imposed on the city of Chelsea by the fire of nineteen hundred and seventy-three, shall be issued, and may be renewed one or more times, for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and eighty-eight; and the bonds provided for in section three of said act shall be issued for a maximum term of ten years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-eight; as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 15. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under section four of chapter one thousand two hundred and twenty-five of the acts of nineteen hundred and seventy-three directing the metropolitan district commission to acquire certain real property in the West Roxbury section of the city of Boston shall be issued for

maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-nine, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 16. Notwithstanding any provision of the law to the contrary, the note which the state treasurer is authorized to issue under the provisions of section ten of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four, providing for a capital outlay program for the commonwealth, shall be issued, and may be renewed one or more times, for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and seventy-nine, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 17. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under the provisions of sections eleven, twelve, thirteen and fourteen of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and ten, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 18. Notwithstanding any provision of the law to the contrary, the bonds which the state treasurer is authorized to issue under the provisions of sections fifteen and sixteen of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four shall be issued for maximum terms of thirty years, the initial maturities of which shall be payable no later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and twenty, as recommended by the governor in a message to the general court dated July thirty-first, nineteen hundred and seventy-four, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved August 12, 1974.

Chap. 793. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO IMPOSE A CERTAIN LICENSE FEE UPON COMMUNITY ANTENNA TELEVISION SYSTEM OPERATORS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section nine of chapter one hundred and sixty-six A of the General Laws, the city of Somerville, by a vote of the board of aldermen and with the approval of the mayor, shall impose upon any operator of a community antenna television system within its jurisdiction, on or before the anniversary date of the license during the period within which it is in force, a license fee as currently provided for in such license, but not less than two hundred and fifty dollars or fifty cents per subscriber served, whichever is larger, but in no event more than the amount which, together with the fee payable to the commonwealth under said section nine, is the maximum permissible under regulations issued by the Federal Communications Commission.

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

Approved August 12, 1974.

Chap. 794. AN ACT FURTHER REGULATING THE PAYMENT OF PREMIUMS FOR INSURANCE COVERAGE OF EMPLOYEES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate immediately the percentage of the amount of premiums of insurance coverage of employees paid by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32A of the General Laws is hereby amended by striking out section 8, as most recently amended by section 1 of chapter 888 of the acts of 1973, and inserting in place thereof the following section:—

Section 8. For policies of group life insurance and accidental death and dismemberment insurance, and group health insurance purchased by the commission in accordance with the provisions of sections four, five and ten C, the commonwealth, on behalf of active and retired employees and their dependents, shall contribute no less than seventy-five per cent of the total monthly premium or rate applicable to said coverages and the active and retired employees on behalf of themselves or themselves and their dependents shall contribute the remaining twenty-five per cent of the total monthly premium or rate, except, that upon approval by way of an annual, or more frequent appropriation act, the commonwealth may contribute more than seventy-five per cent but less than the entire total monthly premium or rate. Each appropriation act as may be

applicable, shall provide the necessary sum based upon the estimated monthly cost as required by section four and shall describe the ratio of contribution to be paid by the commonwealth and by the active and retired employees insured under the aforesaid sections. The description of the ratio may include a condition that if, as a result of a change in the total monthly premium or rate which occurs during the current or ensuing fiscal year from a change in a contract between the commission and the insurance carrier or carriers, the amount of the contribution paid by the active and retired employee and dependents is to remain unchanged and the difference in the amount thus paid and the total monthly premium or rate as changed is to be added to, or deducted from as the case may be, the contribution by the commonwealth. The aforesaid ratio shall continue until changed by a subsequent appropriation act and the aforesaid sum shall also include the commonwealth's contribution of the total monthly premium or rate required for coverages contained in other sections of this chapter as such contribution is provided in said sections.

With respect to any period of insurance authorized by this chapter which is in effect for an active employee and dependent, there shall be withheld from each payment of salary or wages no more than twenty-five per cent of the aforesaid total monthly premium or rate, or, there shall be a lesser amount as provided in the most recent applicable appropriation act. With respect to any period of insurance authorized by this chapter which is in effect for a retired employee and dependent, there shall be withheld from each payment of pension or retirement allowance no more than twenty-five per cent of the aforesaid total monthly premium, or, there shall be withheld a lesser amount as provided in the most recent applicable appropriation act. The commonwealth shall contribute a share of any additional premium which may be required for coverage of an employee's dependent child who is nineteen years of age or over and mentally or physically incapable of earning his own living, such share equalling the same ratio as that paid on behalf of an active or retired employee and dependent.

If an employee is entitled to receive, during a calendar month, salary, wages or other compensation and the premium has not been withheld from said salary, wages or other compensation, he may continue his insurance in effect by paying directly to the commission the premium which would otherwise have been deducted from his salary, wages or other compensation. If an employee is not entitled to receive salary, wages or other compensation for a calendar month, he shall for the purposes of this chapter be deemed to have been granted a leave of absence without pay and shall make payment for the entire total monthly premium or rate of his insurance to the commission as aforesaid and there shall be no contribution by the commonwealth for such employee's insurance. If an employee is not entitled to receive salary, wages or other compensation for any calendar month, due to illness of such employee and not because of illness of his immediate family, for purposes of this chapter he shall be deemed to have been granted sick leave without pay, and subject to the rules

and regulations of the commission, said employee shall make payment of the portion of the total monthly premium or rate that would have otherwise been deducted from his salary, wages or other compensation.

All amounts withheld from an employee's salary or wages as provided in this section 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, the division of savings bank life insurance, local housing authorities and redevelopment authorities shall reimburse the commonwealth for all contributions made on behalf of their employees including the applicable administrative expense as determined by the commission. The commission, from funds appropriated therefor, may empower the executive secretary to authorize payment of the contribution of the commonwealth as provided above, which, together with the employee and retiree payments, shall be paid at least once each month to the carrier or carriers entitled to the total monthly premium.

SECTION 2. Section 10 of said chapter 32A, as most recently amended by section 2 of said chapter 888, is hereby further amended by striking out the first paragraph and inserting the following paragraph:—

The commission shall require that, upon retirement of an employee, the policy or policies of insurance as set forth in section six, except the optional group life insurance referred to therein, shall provide that the two thousand dollars of group life insurance, the two thousand dollars of group accidental death and dismemberment insurance and the group general or blanket insurance providing hospital, surgical, medical and other health insurance, as provided under sections five and ten C, as may be applicable, shall be continued, provided said retiree makes application to the commission on a form prescribed by the rules and regulations of the commission. The retired employee shall make payment of an amount of the total monthly premium as provided in section eight and the commonwealth shall contribute the remaining amount of the total monthly premium said total being the average group premium as determined by the commission for such group life and accidental death and dismemberment insurance as well as the average group premium as determined by the commission for the hospital, surgical, medical and other health insurance for such retired employee or for such retired employee and his dependents. For services of a health care organization as provided under section fourteen, the retired employee shall pay the remainder of the total monthly premium after deducting the amount contributed by the commonwealth to the extent provided in section eight. The contribution by the commonwealth for services of a health care organization shall be equal to and shall not exceed the contribution of the commonwealth for group or

blanket health insurance as provided under section five or section ten C.

SECTION 3. The third paragraph of section 14 of said chapter 32A, inserted by section 2 of chapter 946 of the acts of 1971, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— The commonwealth's contribution toward the total monthly premium or rate for coverage under this section shall be the same as and shall not exceed the commonwealth's contribution for the health insurance programs provided under sections four, five and ten C; and the eligible person, having elected coverage under this section by making application as provided in section seven, shall pay the remainder of the total monthly premium or rate.

SECTION 4. The seventy-five per cent contribution by the commonwealth and the twenty-five per cent contribution by the active and retired employees as provided in section eight and in section ten of chapter thirty-two A of the General Laws prior to the passage of this act shall remain in effect until an appropriation act changes this ratio after which the provisions of said section eight of said chapter thirty-two A, as amended by section one of this act shall prevail.

Approved August 12, 1974.

Chap. 795. AN ACT REQUIRING CERTAIN POLICE AND FIRE PERSONNEL TO COMPLETE CERTAIN FIRST AID TRAINING, INCLUDING CARDIOPULMONARY RESUSCITATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by adding the following section:—

Section 201. Members of police and fire departments, members of the police force of the metropolitan district commission, the capitol police, members of the uniformed branch of the state police participating in highway patrol, persons appointed permanent or temporary lifeguards by the commonwealth or any of its political subdivisions, and members of emergency reserve units of a volunteer fire department or fire protection district shall be trained to administer first aid, including, but not limited to, cardiopulmonary resuscitation by July first, nineteen hundred and seventy-seven, including those appointed on or after January first, nineteen hundred and seventy-six. The training shall meet the standards for first aid training prescribed by the department and shall not be less than the standards established by the Committee on Cardiopulmonary Resuscitation and Emergency Cardiac Care of the American Heart Association, and shall be satisfactorily completed by them as soon as practical, but in no event more than one year after the date of their employment. Satisfactory completion of a refresher course approved by the department in cardiopulmonary resuscitation each year and in other first aid every three years shall also be required.

The department shall coordinate the provision, by county, of training required by this section. Such training shall be provided at no cost to the trainee.

This section shall not apply to police officers, fire fighters and persons engaged in police and fire work whose duties are primarily clerical or administrative.

SECTION 2. Section 6 of chapter 111C of the General Laws, as appearing in section 1 of chapter 948 of the acts of 1973, is hereby amended by adding the following paragraph:—

The training approved by the department shall not be less than the Standards established by the Committee on Cardiopulmonary Resuscitation and Emergency Cardiac Care of the American Heart Association.

Approved August 12, 1974.

Chap. 796. AN ACT PROHIBITING THE USE OF CERTAIN TRAPS OR OTHER DEVICES FOR THE CAPTURE OF FUR-BEARING MAMMALS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by inserting after section 80 the following section:—

Section 80A. No person shall use, set, place or maintain any steel jaw leghold trap on land for the capture of fur-bearing mammals except in or under buildings on land owned, leased or rented by him. The steel jaw leghold trap may be used for the capture of fur-bearing mammals in water only if set in such a manner that all reasonable care is taken to insure that the mammal dies by drowning in a minimum length of time. No other device which is set in such a manner that it will knowingly cause continued suffering to such a mammal caught therein, or which is not designed to kill such a mammal at once or take it alive unhurt shall be used, set, placed or maintained for the capture of fur-bearing mammals; provided, however, that a person or his duly authorized agent may apply to the director for a special permit to use such traps, other than the steel jaw leghold trap, on property owned by such person. Issuance of such special permits shall be governed by rules and regulations adopted by the director pursuant to chapter thirty A. Such rules and regulations shall include, but not be limited to provisions relative to the following:—

(1) The applicant or his agent shall apply to the director in writing and shall state that there exists on his property an animal problem which cannot reasonably be abated by the use of traps other than those prohibited by this section, not including the steel jaw leghold trap. If the director determines that such an animal problem exists which cannot reasonably be abated by the use of traps other than those prohibited by this section, not including the steel jaw leghold trap, he may authorize for a period not exceeding ninety days the use, setting, placing or maintenance of such traps during which time the

procedures for obtaining a special permit, as set forth in the rules and regulations adopted pursuant to this section, shall be complied with.

Whoever violates any provision of this section, or of any rule or regulation made under the authority thereof, shall be punished by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

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

Approved August 12, 1974.

Chap. 797. AN ACT AUTHORIZING CITIES, TOWNS AND REGIONAL SCHOOL DISTRICTS TO ENTER INTO COLLABORATIVE EDUCATIONAL PROGRAMS.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by striking out section 4E, as amended by chapter 753 of the acts of 1972, and inserting in place thereof the following section:-

Section 4E. The department of education through its regional offices shall cooperate with cities, towns and regional school districts which seek to enter into collaborative agreements for the purposes hereinafter provided in this section.

Any 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 educational programs and services which permit such committees to supplement or strengthen school programs and services; provided, that such agreement has been authorized by vote of each such committee and approved by the commissioner of education.

The agreement shall state the purposes of the program or service, the approximate amounts of money to be contributed by each city, town or regional school district, the cost savings aspects of the program or service and any other matters not incompatible with law which the committees deem advisable.

The agreement may be terminated at the end of any fiscal year by written notice of termination given by any party which has entered into such agreement to each other such party at least six months before the end of such fiscal year. Such agreement shall provide for the disposition, upon termination thereof, of all unencumbered funds and all equipment and supplies held pursuant thereto.

Each school committee entering into such an agreement shall appoint one person from its own membership to form a board to be known as an educational collaborative board. The department of education shall be represented on each such board by the coordinator of the regional center in which the majority of such member municipalities are located. Each such board shall select its own executive officer and shall adopt an appropriate name for purposes of identification.

Each educational collaborative board shall establish and manage a trust fund, to be known as an educational collaborative fund, and each such fund shall likewise be designated by an appropriate name. All monies contributed by the member municipalities, and all grants or gifts from the federal government, state government, charitable foundations, private corporations, or any other source, shall be paid to the educational collaborative board and deposited in the aforesaid fund. The treasurer of the member city or town which has the largest population according to the latest federal census of the cities and towns forming each educational collaborative board shall serve as treasurer of such educational collaborative board without compensation. Said treasurer shall receive and disburse any monies of the trust fund of the educational collaborative board he serves without further appropriation.

Upon the recommendation of the department of education, the state treasurer shall annually disburse to certain educational collaborative boards a monetary grant, pursuant to regulations adopted by the board of education. Said grant shall be subject to appropriation and shall not exceed a total sum of ten thousand dollars per individual city, town and regional school district which becomes a party to each such educational collaborative program or service as provided under the written terms of a specific agreement.

Approved August 12, 1974.

Chap. 798. AN ACT FURTHER DEFINING PROFESSIONAL QUALIFICATIONS FOR CERTAIN ASSISTANT COMMISSIONERS OF THE DEPARTMENT OF MENTAL HEALTH, AND FOR REGIONAL ADMINISTRATORS AND DIRECTORS UNDER THE COMMUNITY MENTAL HEALTH AND RETARDATION SERVICES PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 19 of the General Laws is hereby amended by striking out the last two sentences and inserting in place thereof the following sentence:— Such assistant commissioner shall have an earned doctoral degree or master's degree from an accredited college or university in a discipline appropriate to the care, treatment or education of the mentally ill or mentally retarded, and shall have had at least four years of administrative or clinical experience in mental health services or equivalent experience as determined by the commissioner.

SECTION 2. Section 5 of said chapter 19 is hereby amended by striking out the last sentence, as amended by section 2 of chapter 689 of the acts of 1968, and inserting in place thereof the following sentence:— Such assistant commissioners shall have an earned doctoral degree or master's degree from an accredited college or university in a discipline appropriate to the care, treatment or education of the mentally retarded and shall have had at least four

years of experience in a professional capacity in the field of mental retardation or equivalent experience as determined by the commissioner.

SECTION 3. Section 8 of said chapter 19 is hereby amended by striking out the last sentence, as most recently amended by section 3 of chapter 689 of the acts of 1968, and inserting in place thereof the following sentence:— Such assistant commissioner shall have an earned doctoral degree or master's degree from an accredited college or university in a discipline appropriate to the care, treatment or education of the mentally ill and shall have had at least four years of experience in a professional position in the field of mental health services for children or equivalent experience as determined by the commissioner.

SECTION 4. Section 8A of said chapter 19 is hereby amended by striking out the last sentence, as appearing in section 2 of chapter 889 of the acts of 1969, and inserting in place thereof the following sentence:— Such assistant commissioner shall have had administrative or managerial experience in the field of drug dependency, and shall have an earned doctoral degree or master's degree from an accredited college or university in a discipline appropriate to the care, treatment and education of drug dependent persons.

SECTION 5. The first paragraph of section 19 of said chapter 19 is hereby amended by striking out the last sentence, as amended by section 4 of chapter 689 of the acts of 1968, and inserting in place thereof the following sentence:—He shall have an earned doctoral degree or master's degree from an accredited college or university in a discipline appropriate to the care, treatment or education of the mentally ill, and shall have had at least four years of experience in a professional position in mental health services or equivalent experience as determined by the commissioner.

SECTION 6. The second paragraph of said section 19 of said chapter 19 is hereby amended by striking out the last two sentences, as amended by section 5 of said chapter 689, and inserting in place thereof the following sentence:— He shall have an earned doctoral degree or master's degree from an accredited college or university in a discipline appropriate to the care, treatment or education of the mentally retarded, and shall have had at least four years of experience in a professional position in mental retardation services or equivalent experience as determined by the commissioner.

SECTION 7. Said section 19 of said chapter 19 is hereby further amended by striking out the fourth paragraph, as amended by section 6 of said chapter 689, and inserting in place thereof the following paragraph:—

Such regional director shall have an earned doctoral degree or master's degree from an accredited college or university in the behavioral sciences and shall have had at least four years of experience in court work, legal medicine, correction or work with offenders or delinquents or equivalent experience as determined by the commissioner.

Approved August 12, 1974.

Chap. 799. AN ACT AUTHORIZING EMPLOYEES OF GOVERNMENTAL UNITS OR ELECTRIC COMPANIES TO AID SIMILAR UNITS OR COMPANIES AND PROVIDING FOR THE FULL REIMBURSEMENT FOR EXPENSES INCURRED THEREBY.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 74A, inserted by chapter 681 of the acts of 1955, and inserting in place thereof the following section:—

Section 74A. Any governmental unit, which words as used in this section shall mean the commonwealth or any political subdivision thereof or any municipal gas or electric commission, may, by action of the executive or board having jurisdiction in the commonwealth, the county commissioners in a county, the mayor in a city, the board of selectmen in a town, or by the action of any other executive or board having jurisdiction, as the case may be, request and authorize any employee in its service to go to the aid of a second governmental unit or an electric company as defined in section one of chapter one hundred and sixty-four, if in the judgment of the head of the department in which such employee is regularly employed such action is necessary. Any electric company may go to the aid of any governmental unit or other electric company. While in the performance of his duties pursuant to such request and authorization, any such employee of the commonwealth and any county, city, town, or district having the power of taxation which has accepted chapter eight hundred and seven of the acts of nineteen hundred and thirteen, or any town or district having the power of taxation which has accepted or accepts the provisions of section sixty-nine, or any electric company shall be subject to the provisions of and shall be paid the compensation provided by this chapter, as if performing the same duties within the scope of his regular employment.

The governmental unit or electric company so requesting such assistance shall reimburse in full, in accordance with the provisions of this paragraph, the first governmental unit or electric company for any compensation payments lawfully made by it or on its behalf on account of any injuries suffered by such employee in the course of rendering such aid, or on account of his death as a result of such injuries. The treasurer of the first governmental unit or electric company shall annually, on or before January fifteenth, upon the certification of the compensation agent or the insurer furnishing the benefits due under sections sixty-nine to seventy-five, inclusive, notify the treasurer of the second governmental unit or requesting electric company of the amount of reimbursement due therefrom for the previous fiscal year, and such latter treasurer shall forthwith take such steps as may be necessary to insure prompt payment of such amount. All such payments due under the provisions of this paragraph from the second governmental unit or requesting electric company shall be paid by the insurer of the second governmental unit or requesting electric company, or if such governmental unit or electric company has not provided for payment of compensation by

insurance with an insurer, then they shall be paid by the requesting electric company or by such governmental unit from a special appropriation, or from an insurance fund established under section thirteen A of chapter forty, and as received they shall be credited to the insurer of the governmental unit which made the payments. On default of any such payment, the first governmental unit or electric company may maintain an action of contract to recover the same.

Approved August 12, 1974.

Chap. 800. AN ACT REPEALING REQUIREMENTS THAT CERTAIN FEDERAL SERVICE PERSONNEL PRODUCE NATURALIZATION PAPERS UPON MAKING APPLICATION FOR AN ABSENT VOTING BALLOT AND DEMONSTRATE AN ABILITY TO READ AND WRITE BEFORE VOTING.

Be it enacted, etc., as follows:

SECTION 1. Section 103E of chapter 54 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 1 of chapter 511 of the acts of 1962, and inserting in place thereof the following paragraph:—

On the envelopes prepared for returning an official absent voting ballot furnished to any person determined to be qualified to vote under section one hundred and three J, there shall be provided a space for him to sign his name. There shall be included in the certificate to be executed by the officer in whose presence such person makes his affidavit a statement setting forth that such person has signed his name in the officer's presence, or that he was prevented by a physical disability or inability to write from so signing, and that said signature was added by said officer.

SECTION 2. Said chapter 54 is hereby further amended by striking out section 103J, as most recently amended by section 2 of chapter 587 of the acts of 1972, and inserting in place thereof the following section:—

Section 103J. Any legal resident of the commonwealth who is included in the definition of "federal service personnel" and who has the qualifications for voting prescribed by the constitution of the commonwealth, but whose name is not included in the current annual register of voters of the city or town of his legal residence, may be qualified for voting by absent voting ballot at an election upon the personal application of a registered voter of the commonwealth who is kindred of such resident made to the registrars of voters of the city or town in which the right of such resident to vote may be claimed. Such application shall be subject to the time limit for filing prescribed by section eighty-nine. The applicant shall state therein at the time of the making of such application, the place and date of his birth and shall make a declaration that such resident is a citizen of the United States. The applicant shall also make therein a statement of his relationship to the resident in whose behalf such application is

made, shall make oath to the truth of the statements therein and sign his name thereto.

The registrars shall make and certify on the application made under this section a statement of their determination as to whether or not the resident in whose behalf the application is made appears to have the qualifications for voting at such election. In case it is determined that such resident is not so qualified, the registrars shall give written notice thereof to the applicant and give him an opportunity to be heard.

If the registrars certify that such resident has the qualifications for voting, he shall be entitled to receive an official absent voting ballot and application therefor may be made in the manner provided in section one hundred and three D.

The registrars shall cause a suitable index to be made containing the name of each person deemed to be qualified for voting under this section, his place of legal residence, with the street and number of his address, if any, at the time of the making of such application, the name of the unit of the armed forces, merchant marine or federal service in which he, or the person of whom he is the spouse or dependent, as the case may be, is then serving or to which he is attached, and the rank or title of such person, his place and date of birth. Such index shall be preserved as a public record.

Persons qualified for voting under this section shall be subject to the provisions of section forty-eight and forty-nine of chapter fifty-one and, except as herein otherwise provided, to all of the provisions of said chapter fifty-one prescribing qualifications for voting. The provisions of sections one, two, five, six, seven, eight and nine of chapter fifty-six prescribing penalties for offenses concerning the listing or registration of voters shall, so far as pertinent, apply to persons applying to qualify for voting under this section.

SECTION 3. Section 103 O of said chapter 54 is hereby amended by striking out paragraphs *(a)* and *(e)*, inclusive, and inserting in place thereof the following five paragraphs:—

(*a*) Blank forms of application for official absent voting ballots worded substantially as follows;—

I, ... , a duly registered voter of the
(name of applicant)
city or town of ..... ,
(name of city or town where applicant is registered as a voter)
residing at ..... in such city or town, do hereby make
(street and number)
application for an official absent voting ballot for the .....
(name of election)
to be held in ..... on .....19.., for .....
(name of city or town)
(name of person in whose behalf application is made) who is serving
(or who is the ..... of ..... who is serving) in the United States .....
(spouse or dependent)
(branch or type of service) with the rank or
title of ..... , and a duly qualified voter at .....
(street and number)

in the city or town of ..... , and, as I believe,
(name of city or town)
entitled to vote at said election in Precinct ..... , Ward ....., in the city or town of ..... , said ballot to be mailed to .....

I hereby further declare that I am the ..... of the person
(relationship)
in whose behalf this application is made.

(Signature of applicant) ..... (Date) ..... ,19..

Personally appeared before me the above named ..... and made oath that the foregoing statements are true to the best of his knowledge and belief.

.....
(Registrar of Voters)

(not to be filled in by applicant)

We the undersigned, a majority of the registrars of voters of .... , hereby certify that .....
(name of city or town)
is qualified to vote at the ..... election in Precinct ...., Ward ....., of the city or town of ....., and is entitled to vote therein at such election.

(Four blank lines for signatures of registrars)

(*b*) Blank forms of affidavit to be printed on envelope for enclosing official absent voting ballot furnished to person whose name is included in the current annual register of voters, worded substantially as follows:—

I, ..., serving (or being the ..... of .....
(spouse or dependent)
who is serving) in the United States ..... with the rank
(branch or type of service)
or title of ..... , do hereby make oath that I am a registered voter in the city or town of ..... , Massachusetts, at ..... in Precinct ....., Ward .....;
(street and number)
that the place where I now am is not the municipality in which I am registered as a voter; that I have carefully read or had read to me the instructions forwarded to me with the ballot herein enclosed, and that I have marked and sealed the within ballot as stated hereon by the person taking my oath.

.....
(signature of voter or an authorized signature added by officer for voter who cannot write)

Subscribed and sworn to before me this ..... day of ..... 19 ..; and I hereby certify that when I was alone with the voter he showed me the ballot herein enclosed unmarked, and then in my presence marked the same without my seeing how he marked it, after which he sealed said ballot in this envelope. I had no communication with the voter as to how he was to vote.

Name of officer .....
Residence or unit .....
Official title or military or naval rank .....
Date of expiration of commission of notary public or justice of the peace .....

(*c*) Blank forms of affidavit to be printed on envelope for enclosing absent voting ballot furnished to resident determined to be qualified to vote as provided in section one hundred and three J, worded substantially as follows:—

I, ... serving (or being the .....
(spouse or dependent)
of ..... who is serving) in the United States .....
(branch or
..... with the rank or title of ....., do hereby
type of service)
make oath that I am a legal resident of .....
(city or town and state)
at ..... , that I was born on .....
(street and number) (date of birth)
in .....
(city or town and state or country)

I do hereby further make oath that the place where I now am is not the municipality in which I claim this right to vote; that I have carefully read or had read to me the instructions forwarded to me with the ballot herein enclosed; and that I have marked and sealed the within ballot as stated hereon by the person taking my oath.

.....
(Signature of voter or an authorized signature added by officer for voter who cannot write)

Subscribed and sworn before me by the above person this ..... day of ..... , 19..; and I hereby certify that such person has signed in my presence, or was prevented by physical disability or inability to write from so doing, and that I signed his name with his consent. When I was alone with him, he showed me the ballot herein enclosed, unmarked, and then in my presence marked the same without my seeing how he marked it, after which he sealed said ballot in this envelope. I had no communication with the person as to how he was to vote.

Name of officer .....
Residence or unit .....
Official title or
military or naval rank .....
Date of expiration of commission of notary public or justice of the peace .....

(*d*) Blank forms of application for qualification of federal service personnel for voting as provided in section one hundred and three J, worded substantially as follows:—

I, ... , a duly registered voter of the city
(name of applicant)
or town of ..... , residing
(name of city or town where applicant is registered as a voter)
at ....., hereby make oath that .....
(street and number) (name of person in whose
..... is now serving (or is the .....
behalf application is made) (spouse or dependent)
of ..... who is now serving) in the United States .....
(branch
..... with the rank or title of .....; that he is
or type of service)
a legal resident of ..... at .....;
(city or town and state) (street and number)
that he was born in ..... on .....;
(city or town and state or country) (date of birth)
and that he is a citizen of the United States.

I hereby further declare that I am ..... of the
(degree of relationship)

person herein named in whose behalf this application for qualification for voting at said election is being made.

(Signature of Applicant) ..... (Date).....,19..,

Personally appeared before me the above named ..... and made oath that the foregoing statements are true to the best of his knowledge and belief.

.....
(Registrar of Voters)

(Not to be filled in by applicant)

We, the undersigned, a majority of the registrars of voters of the city or town of....., acting under the authority of section one hundred and three J of chapter fifty-four of the General Laws, do hereby determine that .....
(name of person in whose behalf application is made)
is (is not) qualified to vote at the ..... to be held in
(name of election)
Precinct..., Ward...., of the city or town of..... on...., 19 . .

(four blank lines for signatures of registrars of voters)

(*e*) Blank forms of report of police investigation, worded substantially as follows:—

This is to certify that, after investigation, I find that .....
(name of person in
..... is a legal resident of.....
whose behalf application is made) (city or town
..... This information was furnished to me by.....
and state) (name of informant)
residing at .....
(place of residence of informant)
(Signed) .....
(Police Officer)

Approved August 12, 1974.

Chap. 801. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO BORROW MONEY FOR RENOVATIONS, IMPROVEMENTS AND GENERAL FURNISHINGS TO THE SUPERIOR COURT HOUSE BUILDINGS IN THE CITIES OF WORCESTER AND FITCHBURG.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized to make renovations and improvements to the superior court house buildings in the cities of Worcester and Fitchburg. For such purposes said commissioners may expend such sums as may be necessary, not exceeding three hundred thousand dollars.

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 three hundred thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Worcester and Fitchburg Superior Court Houses Loan, Act of 1974. 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 August 12, 1974.

Chap. 802. AN ACT AUTHORIZING THE SCHOOL BUILDING ASSISTANCE COMMISSION TO GRANT SCHOOL BUILDING ASSISTANCE FOR THE RECONSTRUCTION AND ENLARGEMENT OF THE JOHN G. MACDONALD STADIUM IN THE CITY OF MALDEN AND FOR THE RECONSTRUCTION AND RENOVATION OF MANNING BOWL IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

The school building assistance commission is hereby authorized, subject to the approval of the board of education, to provide school building assistance, in accordance with the existing formula for school building construction, toward the reconstruction and enlargement of the John G. MacDonald Stadium as a separate and distinct phase, but a part nevertheless of the high school building addition in the city of Malden, and toward the reconstruction, and renovation of Manning Bowl in the city of Lynn.

Approved August 12, 1974.

Chap. 803. AN ACT RELATIVE TO THE RESUBMISSION OF CHARTERS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Section 12A of chapter 43B of the General Laws, inserted by chapter 237 of the acts of 1970, is hereby amended by adding the following sentence:— The city council in a city, the town council in a town having a town council, and in every other town the board of selectmen, shall cause any changes to be made in dates in the charter as originally submitted to the voters which are necessary to ensure the orderly implementation of the optional charter.

Approved August 12, 1974.

Chap. 804. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO ENTER INTO AGREEMENTS FOR THE USE OF ITS MUNICIPAL INCINERATOR.

Be it enacted, etc., as follows:

SECTION 1. In addition to any other power conferred by law, and notwithstanding the provisions of sections three and four of

chapter forty of the General Laws, the city of Somerville may from time to time, with the approval of the department of public health, contract for the operation by others of its municipal incinerator, or may from time to time, with like approval, lease the same to others for operation by them either as an incinerator or as some other type of facility for the disposal of refuse, garbage or waste, and may contract, with the approval of the department of public health, with any such operator for the disposal of refuse, garbage or waste, or for any of the foregoing, or for the purchase or use of by-products or residue resulting from the operation of such facility. All other cities, towns and other public agencies, with the approval of the emergency finance board, and private parties are also authorized from time to time to contract with the city of Somerville or with any such operator for the disposal of refuse, garbage and waste, or for any of the foregoing, or for the purchase or use of by-products or residue resulting from the operation of such facility. Without limiting the generality of the foregoing, contracts hereunder may include provisions for the delivery of minimum amounts of refuse, garbage and waste and payments for the use of such facility to be based thereon, unit prices, which may be graduated, and adjustments thereof. Any such contract or lease by a city or town, including the city of Somerville, may be entered into by the appropriate officers acting under general authorization of the city council, board of aldermen or town meeting, and may run for a period not exceeding twenty years from the date of the contract or lease. A contract or lease by a city or town hereunder shall not be precluded by the acceptance of section nine A of chapter ninety-two of the General Laws. Neither the city of Somerville nor any person operating such facility under contract or lease shall be required to pay any property taxes or assessments on any real or personal property included in such facility or any sales, use of similar tax on the sale, use, storage or consumption of any personal property in such operations; provided, however, that such contract or lease shall provide for payments to the city in lieu of taxes and assessments, which payments may be based upon gross or net receipts or other similar basis.

SECTION 2. If any provision of this act is held unconstitutional or invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Approved August 12, 1974.

Chap. 805. AN ACT ESTABLISHING AN OFFICE OF DEAFNESS IN THE MASSACHUSETTS REHABILITATION COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section 84 the following eight sections:—

Section 84A. The following words as used in sections eighty-four B to eighty-four H, inclusive, shall, unless the context otherwise requires, have the following meanings:—

"Deaf", any person of any age who cannot hear and understand speech through the ear alone.

"Office", the office of deafness.

"Director", director of the office of deafness.

"Secretary", secretary of an executive office.

"Services to deaf persons", public or privately funded programs which provide developmental, educational, financial, preventive, protective, placement, recreational, rehabilitative, social or advocate services for deaf persons; diagnostic, preventive and remedial medical services to deaf persons; information and referral services; and legal services to insure the rights of deaf persons.

Section 84B. There shall be in the Massachusetts rehabilitation commission but not subject to its jurisdiction an office of deafness under the exclusive supervision and control of a director who shall be appointed by the secretary of human services, with the advice of the statewide advisory council to the office, established by section eighty-four H, and who shall serve at the pleasure of the secretary of human services. The director shall, at the time of his appointment, have at least three years' professional or administrative experience in a field concerned with the needs of deaf persons. Said director may be either a deaf person or one with normal hearing, but shall have ability to use sign language and finger-spelling. He shall receive such salary as the secretary of human services may determine and shall devote his full time during business hours to the duties of the office.

Section 84C. The director, subject to the approval of the secretary of human services, shall appoint and may remove such assistant directors and such other employees, consultants and interpreters as he shall deem necessary to perform the functions of the office. The provisions of chapter thirty-one and section nine A of chapter thirty shall not apply to the director or to such assistant directors, consultants and interpreters as he may appoint. In making such appointments, the director shall make every reasonable effort to insure that at least one person appointed is a deaf person.

Section 84D. 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 of money or property, whether real or personal, from any source, whether public or private, 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 arrangements with other departments and agencies of the commonwealth and may contract with other individuals, organizations, corporations, associations or other legal entities including private agencies, or any departments or agencies of the federal government or the commonwealth or any political subdivisions thereof, to carry out any of the functions and purposes of

the office. The director shall establish standards and procedures governing such agreements and contracts subject to the approval of the secretary of human services.

Section 84E. The office shall serve as the principal agency of the commonwealth to advocate public policies, regulations, and programs which shall improve the quality and coordination of existing services for the deaf and promote the development of new services when necessary. In the performance of this function, the office may:

(*a*) initiate and carry out studies to determine the extent, availability and priorities of need for services to deaf persons within the commonwealth, make recommendations to the secretaries and the governor on priorities of need and provide and act as a clearinghouse for information, data, and other materials relative to deaf persons;

(*b*) analyze and review all budget requests for services to deaf persons from departments or agencies within all executive offices and make recommendations to the secretaries and the governor regarding such budget requests;

(*c*) evaluate and monitor programs for services to deaf persons in departments or agencies within all executive offices and make recommendations to the secretaries and governor regarding changes necessary to improve the quality of such programs.

Section 84F. Such information as the director may deem necessary in order to assist in the discharge of his duties shall be made available to him, upon request, by any department, division, board, bureau, commission or agency of the commonwealth. 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 section eighty-four E.

Section 84G. The office shall prepare an annual report which shall be a public document. Such report shall include, but not be limited to, a review of the status of services to deaf persons within the commonwealth, recommendations for priorities for the development and coordination of services to deaf persons, an assessment and evaluation of the progress made as the result of any such recommendations made in the preceding annual report, a statement of goals for activities of the office during the next following fiscal year, and the steps to be taken by the office to implement the functions stated in section eighty-four E.

Section 84H. There shall be a statewide advisory council to the office to consist of the secretaries of the executive offices of human services, communities and development, educational affairs, manpower affairs, and elder affairs, or their designees. In addition, twelve members shall be appointed by the governor, nine of whom shall be deaf persons selected from a list submitted by one or more organizations serving the deaf. The three remaining members appointed by the governor shall be two parents selected from a list submitted by one or more organizations of parents of deaf persons, and the other shall be a licensed physician specializing in otolaryngology. All appointive members shall serve for terms of three years. The chairman shall be

appointed by the secretary of human services from the appointed members and shall serve as chairman at the pleasure of the secretary, provided that no member shall serve as chairman for more than three consecutive years. Appointive members shall serve without compensation but shall be reimbursed for expenses actually incurred in the performance of their duties.

Said advisory council shall:—

(*a*) assist the director in coordinating the efforts of all public and private agencies concerned with services to deaf persons;

(*b*) advise the director on policy, planning and priorities of need in the commonwealth for services to deaf persons;

(*c*) annually review the programs, budgets and policies of the office. The office shall provide staff assistance to the council.

SECTION 2. In his original appointments to the statewide advisory council to the office of deafness, established under section eighty-four H of chapter six of the General Laws, inserted by section one of this act, the governor shall designate four members to serve for a term of three years, four members for a term of two years, and four members for a term of one year.

Approved August 12, 1974.

Chap. 806. AN ACT ESTABLISHING AN EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 21 the following chapter:—

CHAPTER 21A.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Section 1. There shall be an executive office of environmental affairs, hereinafter called the office, which shall be under the supervision of a secretary of environmental affairs, hereinafter called the secretary. Said secretary shall be appointed by the governor and shall be a person of skill and experience in the field of environmental affairs. Said secretary shall serve at the pleasure of the governor, shall receive such salary as may be determined by law, and shall devote full time to the duties of his office.

In the case of a vacancy in the office of secretary, or in the case of disability, as determined by the governor, or in his absence, the governor may designate an acting secretary to serve as secretary until the vacancy is filled or the absence, or disability, as determined by the governor, ceases. The acting secretary shall have all the powers and duties of the secretary and shall have similar qualifications as the secretary.

The secretary shall, with the approval of the governor, appoint and may remove, an undersecretary of the executive office, hereinafter called the undersecretary. Said undersecretary shall be a person of skill and experience in the fields of administration and environmen-

tal affairs, and shall perform such duties as may be assigned by the secretary. The position of undersecretary shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty. Said undersecretary shall receive such salary as may be determined by law and shall devote full time during business hours to the duties of his office.

Section 2. The office and its appropriate departments and divisions shall carry out the state environmental policy and in so doing they shall:

(1) develop policies, plans, and programs for carrying out their assigned duties;

(2) provide for the management of air, water and land resources to assure the protection and balanced utilization of such resources within the commonwealth, realizing that providing safe water to drink and clean air to breath is a basic mandate;

(3) provide for the propagation, protection, control and management of fish, other aquatic life, wildlife, and endangered species and promote and further develop hunting, fishing, recreational and competitive marksmanship, and trapping opportunities in the commonwealth;

(4) aid in the promotion and development of the food and agricultural resources of the commonwealth to preserve agricultural lands, and insure an adequate supply of high quality farm products;

(5) provide for the regulation and management of marine and coastal fisheries and natural resources including those located in the territorial waters, the economic zone waters and the continental shelf, wetlands, estuaries, shorelines, and interior of the commonwealth;

(6) promote the perpetuation, extension, and proper management of the public and private forest lands of the commonwealth;

(7) develop statewide policies regarding the acquisition, protection, and use of areas of critical environmental concern to the commonwealth;

(8) develop and administer programs relating to recreation including the acquisition of land, development of facilities, and the provision of advisory services to municipalities and private organizations;

(9) promote the best usage of land, water, and air to optimize and preserve environmental quality by encouraging and providing for, in cooperation with other appropriate state agencies, planned industrial, commercial, recreational and community development;

(10) provide for the prevention and abatement of water, land, air, noise, and other pollution or environmental degradation;

(11) promote the preservation and enhancement of natural, scenic, historic, and aesthetic qualities in both urban and rural areas;

(12) provide for the control of insects, plant diseases, and pests, and regulate the use, and disposal of pesticides;

(13) develop programs relating to the reclamation or disposal of solid waste material and the operation of sewer and water systems;

(14) encourage the restoration and reclamation of degraded or despoiled areas, including harbors and inland and coastal waters;

(15) manage all lands and properties acquired by or assigned to them to preserve their natural beauty, wilderness, or open character or hydrological, geological, historical, scientific, wildlife management, recreational or other significance or value;

(16) assist other state and regional agencies in developing appropriate programs and policies relating to land use planning and regulation in the commonwealth;

(17) analyze and make recommendations, in cooperation with other state and regional agencies, concerning the development of energy policies and programs in the commonwealth;

(18) advise, assist, and cooperate with such other departments, agencies, authorities, officials, and institutions, including state institutions of higher learning, as may be concerned with or involved in matters under their control or supervision;

(19) encourage recycling, resource recovery and environmentally sound purchasing practices to conserve resources and reduce waste;

(20) monitor the environment to identify changes and to insure efficient and effective control practices;

(21) develop environmental data management capabilities to aid environmental planning and decision-making;

(22) encourage, support, and undertake research and development and maintain laboratory and other research facilities to produce information relating to the ecological system, pollution prevention and abatement, resource management, and other areas essential to implementing the environmental policies of the commonwealth;

(23) advise and assist local governments, private and public institutions, organizations and associations, businesses, industries, and individuals by providing and acting as a clearinghouse for environmental information, data, and other materials;

(24) promote the development of sound environmental education programs;

(25) represent and act on behalf of the commonwealth in connection with federal grant programs;

(26) keep accounts, records, personal data, enter into contracts, adjust claims, accept gifts, grants, bequests and devises, and subject to appropriation acquire real or personal property by eminent domain or otherwise;

(27) advise and assist state agencies, cities, towns, and other units of local government in the preparation of grant or loan applications with respect to any environmental protection or enhancement programs;

(28) promulgate rules and regulations necessary to carry out their statutory responsibilities;

In order to assist the office in the discharge of its duties, the secretary may request from any agency or political subdivision of the commonwealth any information relevant to the discharge of such duties.

An information copy of each application submitted by any state agency, including all state institutions of higher learning or any political subdivision to any public or private agency for a grant or loan with respect to any environmental protection or enhancement pro-

gram, including the acquisition of land and facilities for these purposes shall be filed with the office not later than the twentieth day after submission.

As the primary agency of the commonwealth for environmental planning, the office shall utilize the services and plans of regional planning agencies, conservation districts, conservation commissions and historical commissions in fulfilling its environmental planning responsibilities.

Section 3. The secretary shall conduct comprehensive planning with respect to the functions of the office and shall coordinate the activities and programs of the departments and divisions within the office. He shall continually review the operations of the office with a view toward improving administrative organization, procedures and practices, promoting economy and efficiency.

He shall prepare annually a report of the organization and activities of the office as individually reported by the various departments and divisions within the office, the assignment of functions to various administrative units, officers and employees, and of the established places at which, and the methods whereby, the public may receive information or may make requests, and such other matters as he deem appropriate.

The secretary shall annually evaluate the status of the natural resources of the commonwealth. This evaluation shall be submitted as a part of the report referred to in the preceding paragraph, and it shall be accompanied by recommendations for appropriate actions to be taken to protect the environmental quality of the commonwealth or to conserve and preserve the natural resources of the commonwealth.

In order to carry out the provisions of this chapter the secretary may, and is encouraged to, seek the laboratory, technical, education, and research skills and facilities of state institutions of higher learning.

Section 4. In order to enable him to coordinate and improve the operations of all departments, divisions and other administrative units within the office, the secretary shall have the following powers and duties concerning any power or duty assigned to any such department, division or other administrative unit:

(1) the power and duty to resolve administrative and jurisdictional conflicts between any such agencies or officers;

(2) the power and duty to implement, upon request of any such agency or officer, programs jointly agreed to by the secretary and such agency or officer;

(3) the power and duty to coordinate and improve program activities involving two or more such agencies or officers;

Section 5. The secretary shall have the power to appoint one or more program review boards consisting of individuals who have demonstrated interest and competence in matters relevant to the area under review so that each major program area within the office shall be reviewed by such a board not less than once every four years. The written reports of such reviews shall be submitted to the secretary

and shall be available to the public upon request. The members of such boards shall receive no compensation but shall be reimbursed for expenses necessary to the performance of their duties.

Section 6. Subject to appropriation, the secretary, with the approval of the governor, may appoint such experts and other assistants as he shall deem necessary to perform the functions of his office, provided that the provisions of chapter thirty-one and section nine A of chapter thirty shall not apply to any person holding any such appointment. Every person so appointed to any position in his office shall have experience and skill in the field of such position. So far as practicable in the judgment of the secretary, appointments to such positions in his office shall be made by promoting employees of the commonwealth serving in positions which are classified under chapter thirty-one, and such appointments shall at all times reflect the professional needs of the department or division affected. If an employee serving in a position which is classified under chapter thirty-one or in which he has tenure by reason of section nine A of chapter thirty shall be appointed to a position within his office which is not subject to the provisions of chapter thirty-one, he shall upon termination of his service in such unclassified position be restored to the position which he held immediately prior to such appointment; provided, however, that his service in such unclassified position shall be determined by the civil service commission in accordance with the standards applied by said commission in administering chapter thirty-one. Such restoration shall be made without impairment of his civil service status or tenure under section nine A of chapter thirty and without loss of seniority, retirement, or other rights to which uninterrupted service in such prior position would have entitled him. During the period of such appointment, each person so appointed from a position in the classified civil service shall be eligible to take any competitive promotional examination for which he would otherwise have been eligible.

Section 7. There shall be within the office an office of the secretary, a department of environmental quality engineering, a department of environmental management, a department of food and agriculture, a department of fisheries, wildlife, and recreational vehicles, and a department of the metropolitan district commission. Each department shall be headed by a commissioner. Each commissioner shall be appointed and may be removed by the secretary, with the approval of the governor. Each commissioner shall be a person of skill and experience in the field of his appointment. The positions of commissioner shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty. Each commissioner shall perform such functions as may be assigned to him by the secretary, shall receive such salary as may be determined by law, and shall devote his full time during business hours to the duties of his position. In case of a vacancy or an emergency, the secretary may appoint a person as acting commissioner for a period not exceeding six months, of any of the above departments, provided, the appointee is a person of skill and experience in the field of his appointment.

Section 8. The department of environmental quality engineering shall include the bureau of environmental sanitation and all the powers and duties assigned to said bureau which relate to environmental health, air pollution control, noise regulation, community sanitation and the sanitary code, water supply and water quality, environmental radiation protection, noisome trades and sanitary landfills, and including those set forth in sections two B, two C, five B, five E, five F, five G, seventeen, twenty-three, twenty-four, thirty-one C, thirty-one D, one hundred and twenty-seven A, one hundred and twenty-seven B, one hundred and twenty-seven E, one hundred and twenty-seven J, one hundred and forty-two A to one hundred and forty-two E, inclusive, one hundred and forty-three, one hundred and forty-seven, one hundred and fifty A, one hundred and fifty-two, one hundred and fifty-nine, one hundred and sixty to one hundred and sixty-six, inclusive, and one hundred and seventy-five of chapter one hundred and eleven, the water resources commission, the division of water pollution control, the division of outdoor advertising, the outdoor advertising board, the division of mineral resources, the powers and duties of the department of natural resources contained in section forty of chapter one hundred and thirty-one, the pesticide board, and the division of waterways.

The department of environmental management shall include the bureau of solid waste disposal of the department of public works, the board of natural resources, and the department of natural resources except for its division of fisheries and game, its division of law enforcement, its division of conservation services, its division of marine fisheries, and its division of mineral resources.

The department of food and agriculture shall include the department of agriculture, including the board of agriculture, the division of milk control, the milk control commission, the milk regulations board, and the state reclamation board.

The department of fisheries, wildlife, and recreational vehicles shall include the division of fisheries and wildlife, the fisheries and wildlife board, the division of marine and recreational vehicles, marine and recreational vehicles advisory board, the public access board, the division of marine fisheries and the marine fisheries advisory commission. The transfer of the said divisions to the department of fisheries, wildlife, and recreational vehicles, shall not operate to limit or alter the functions of said divisions nor the provisions of chapters twenty-one and one hundred and thirty-one affecting said division.

There shall be within the department of fisheries, wildlife and recreational vehicles an advisory board of nine members consisting of three members of each of the following boards and commissions: the fisheries and wildlife board, the marine fisheries advisory commission, the marine and recreational vehicles advisory board. Each board or commission shall appoint from its own members by majority vote the persons on said board representative of such board or commission. The advisory board shall advise the commissioner on all matters relevant to the affairs of the department, shall meet at least

quarterly and at the request of the commissioner. The members of the advisory board shall receive no compensation but shall be reimbursed by the department for expenses necessary to the performance of their duties.

The director of the division of marine and recreational vehicles shall be appointed and may be removed by the commissioner of the department of fisheries, wildlife and recreational vehicles with the approval of the marine and recreational vehicles advisory board. The director of the division of marine fisheries shall be appointed and may be removed by the commissioner of the department of fisheries, wildlife and recreational vehicles with the approval of the marine fisheries advisory commission.

The department of the metropolitan district commission shall include the metropolitan district commission.

The office of the secretary shall include the division of law enforcement and the division of conservation services, including the committee for conservation of soil, water and related resources, of the department of natural resources, and the executive office of environmental affairs.

Section 9. The office may accept any gifts or grants of money or property, whether real or personal, from any source, public or private, including, but not limited to, the United States or its agencies, in order to assist it in discharging its duties. Grants and gifts of money shall be expended according to the laws pertaining to the expenditure of funds, and records of these expenses shall be audited by the state auditor.

Section 10. In addition to designated funds which support specific environmental activities, including the Inland Fisheries and Game Fund, Marine Fisheries Fund, Agricultural Purposes Fund, Mosquito and Greenhead Fly Control Fund, Public Access Fund, State Recreational Areas Fund, Marine and Recreational Vehicle Fund, Highway Fund, Harbors and Inland Waters Maintenance Fund, Federal Capital Improvement Fund, Solid Waste Disposal Fund, M.D.C. Sewerage District Fund, M.D.C. Water District Fund, and M.D.C. Parks District Fund, there shall be an Environmental Fund as hereinafter established.

Monies received by the commonwealth from license fees, permit fees, special taxes, fines and penalties, charges of other kinds, including those for services rendered, and reimbursements, including federal monies, as a result of any program or activity undertaken by the office not designated by law for the purposes of the other dedicated funds cited above or for other specific purposes shall be held for the use of the office by the state treasurer as custodian in a special fund to be known as the Environmental Fund. Said monies shall be invested, reinvested, and held in the name of the commonwealth and of such fund by the state treasurer. Said fund, subject to appropriation, shall be used to pay any of the necessary expenses of the office.

Section 11. There is hereby established within the department of fisheries, wildlife and recreational vehicles an advisory board to be designated as the marine and recreational vehicle advisory board.

Said board shall consist of seven members to be appointed by the governor, one such member shall be representative of the boating public and hold a certificate relative to boat registration; one such member shall represent the commercial boating business, one such member shall represent the snowmobiling public and hold such a recreational vehicle registration, one such member shall represent the commercial snowmobile industry, one member shall represent the trail bike industry, and one member shall represent the trail associations. Each member shall serve for a term of three years. The chairman of said board shall be appointed annually by the governor.

Section 12. At least sixty days prior to the proposed promulgation by the secretary or the commissioner of the department of environmental quality engineering of any rule or regulation which substantially affects the public health, the secretary shall submit such rule or regulation to the commissioner of the department of public health for review and comment. If said commissioner of the department of public health determines that such proposed regulation would endanger the public health, he shall, within thirty days of his receipt of said proposed regulation, convey in writing to the secretary his reasons for such determination. If the secretary finds, after consultation with said commissioner of the department of public health, that such regulation would endanger the public health, he shall not promulgate such regulation. If, in accordance with the procedures set forth herein, said commissioner of the department of public health finds that such proposed regulation could reasonably result in the declaration of a public health emergency pursuant to section eight of chapter seventeen, neither the secretary nor the commissioner of the department of environmental quality engineering shall promulgate such regulation.

SECTION 2. Section seventy-two of chapter six of the General Laws is hereby repealed.

SECTION 3. Section one hundred and twenty-four of said chapter six is hereby repealed.

SECTION 4. Section one hundred and fifty-four of said chapter six is hereby repealed.

SECTION 5. The first paragraph of section 9 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, in lines 11 and 12, the words "the division of milk control and the milk control commission;".

SECTION 6. Section fifteen of said chapter six A is hereby repealed.

SECTION 7. The first sentence of the first paragraph of section 16 of said chapter 6A, as appearing in section 3 of chapter 704 of the acts of 1969, is hereby amended by striking out, in lines 3 to 8, inclusive, the words "and all other state agencies within said department, including the commission on hypertension, the drug addiction rehabilitation board, the board of review established by section five E of chapter one hundred and eleven, and the several advisory councils established by sections two B, four D, four F and fifty-five of said chapter" and inserting in place thereof the following:— including the

commission on hypertension, the drug addiction rehabilitation board, and the several advisory councils established by section four D, four F and fifty-five of chapter one hundred and eleven, but excluding such divisions and personnel which relate to the areas of environmental health, including air pollution control, noise regulation, community sanitation and the sanitary code, water supply and water quality, environmental radiation protection, noisome trades and sanitary landfills.

SECTION 8. The first paragraph of section 18 of said chapter 6A, as so appearing, is hereby amended by striking out, in line 10, the words "including the division of motor boats".

SECTION 9. The first paragraph of section 19 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "motorboats", in line 7, the words:— the division of waterways, the bureau of solid waste disposal.

SECTION 10. Section seven A of said chapter twenty-one is hereby repealed.

SECTION 11. The first sentence of the second paragraph of section 2B of chapter 111 of the General Laws, as appearing in chapter 900 of the acts of 1967, is hereby amended by striking out, in lines 2 and 3, the words ", after consultation with the advisory council on air pollution emergencies,".

SECTION 12. Said section 2B of said chapter 111, as so appearing, is hereby further amended by striking out the fifth paragraph.

SECTION 13. The first paragraph of section 5E of said chapter 111, as appearing in chapter 677 of the acts of 1960, is hereby amended by striking out the sixth, seventh and eighth sentences and inserting in place thereof the following two sentences:— Any applicant or licensee aggrieved by the failure of the department to grant an original license or to renew the same or by the revocation of such license may, within thirty days after such failure or revocation, appeal in writing to the commissioner of the department of environmental management of the executive office of environmental affairs. Said commissioner shall within twenty days of the receipt of such appeal give the appellant a hearing and shall, within thirty days after such hearing, render a decision which shall be a matter of public record.

SECTION 14. Section 38A of chapter 132 of the General Laws, as appearing in chapter 458 of the acts of 1969, is hereby amended by striking out the fourth and fifth sentences.

SECTION 15. Chapter two hundred and sixty-four of the acts of nineteen hundred and three is hereby repealed.

SECTION 16. Chapters five hundred and forty and five hundred and forty-one of the acts of nineteen hundred and seven are hereby repealed.

SECTION 17. Chapter five hundred and seventy-one of the acts of nineteen hundred and eight is hereby repealed.

SECTION 18. Chapter three hundred and twenty-seven of the acts of nineteen hundred and nineteen is hereby repealed.

SECTION 19. Chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-two is hereby repealed.

SECTION 20. Chapter six hundred and sixty-nine of the acts of nineteen hundred and fifty-three is hereby repealed.

SECTION 21. The Boston Arena Authority, however constituted, is hereby abolished, subject however to its corporate existence continuing as provided in section fifty-one of chapter one hundred and fifty-five of the General Laws, and all its functions, rights, powers, duties, obligations and properties, including but not limited to the property known as the Boston Arena, are hereby transferred to and shall hereafter be exercised, performed, and held by the metropolitan district commission, which shall be its lawful successor.

Notwithstanding the provisions of section nine of chapter six hundred and sixty-nine of the acts of nineteen hundred and fifty-three, all funds subject to expenditure by said Boston Arena Authority are hereby made available to said metropolitan district commission for the same purpose.

SECTION 22. The powers and duties of the World War II Memorial commission, abolished by section three of this act, are hereby transferred to the office of the secretary of the executive office of environmental affairs, established by section one of this act.

SECTION 23. The terms of office of all appointed members of the boards, councils, commissions or authorities abolished by sections two to four, inclusive, eleven to twenty-two, inclusive, of this act which are not subject to chapter thirty-one of the General Laws are hereby terminated.

SECTION 24. The powers and duties of the advisory council on air pollution emergencies, abolished by sections eleven and twelve of this act, are hereby transferred to the department of environmental quality engineering of the executive office of environmental affairs, established by section one of this act.

SECTION 25. The powers and duties of the weather amendment board, abolished by section two of this act, and of the Mount Tom State Reservation, the Deer Hill State Reservation, the Mount Sugar Loaf State Reservation, the Mount Everett Reservation, the Purgatory Chasm State Reservation, and the Walden Pond State Reservation, abolished by sections fifteen to twenty, inclusive, of this act, are hereby transferred to the department of environmental management of the executive office of environmental affairs, established by section one of this act.

SECTION 26. Chapter 21 of the General Laws is hereby amended by striking out section 7 and inserting in place thereof the following section:—

Section 7. The division of fisheries and wildlife shall be under the supervision and control of the fisheries and wildlife board, hereinafter called the board, which shall consist of seven members to be appointed by the governor for terms of five years. Five board members shall be appointed from one of each of the five fish and game districts, shall hold and have held for at least five consecutive years a

sporting license in the commonwealth, four of whom shall represent the fishing, hunting and trapping interests and at least one of whom shall have been actively engaged in farming on land owned by him for a period of not less than five years. Two board members shall be appointed at large, shall be particularly interested in the propagation, protection, research and management of wild birds and mammals and any, so-called, endangered species and one of whom shall be a wildlife biologist.

SECTION 27. Section 7F of said chapter 21, as inserted by chapter 631 of the acts of 1953, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:— The director of the division of fisheries and wildlife shall be appointed and may be removed by the board of the division of fisheries and wildlife and the position of director shall not be subject to the provisions of chapter thirty-one. The director, subject to the approval of the fisheries and wildlife board, may appoint, without regard for the provisions of chapter thirty-one, an assistant director for non-game and endangered species and may assign to such assistant director appropriate duties related to the area of non-game and endangered species protection and management. The director and assistant director shall be qualified by training and experience to conduct the duties assigned to them.

SECTION 28. Section 17 of chapter 21 of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— There shall be in the department of fisheries, wildlife and recreational vehicles a board to be known as the public access board composed of the director of the division of fisheries and wildlife, the director of the division of marine and recreational vehicles, the director of the division of marine fisheries, and the director of the division of forests and parks, and the director of the division of waterways and the chairmanship of said board shall rotate annually amongst said members.

SECTION 29. On the effective date of this act the members appointed to the fish and game board pursuant to section seven of chapter twenty-one of the General Laws, whose terms have not expired shall be transferred to the fisheries and wildlife board established by the provisions of said section seven of said chapter twenty-one, as amended by section twenty-six of this act. Of the two additional members first appointed by the governor to said fisheries and wildlife board, one shall be appointed for a term of four years and one shall be appointed for a term of five years. Thereafter their successors shall be appointed for terms of five years.

SECTION 30. Of the members first appointed by the governor to the marine and recreational vehicles advisory board, established by section eleven of chapter twenty-one A of the General Laws, inserted by section one of this act, two members shall be appointed for terms of one year, two shall be appointed for terms of two years, and three shall be appointed for terms of three years. Thereafter their successors shall be appointed for terms of three years.

SECTION 31. All employees of any board, commission, commit-

tee or authority from which powers and duties are transferred to the executive office of environmental affairs by this act, who, immediately prior to the effective date of this act, hold positions related to the exercise of such powers or the performance of such duties and either hold permanent appointment in positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws, are hereby transferred to said executive office, every such transfer to be without impairment of civil service status, seniority, retirement or other rights of the employee and without interruption of service within the meaning of said chapter thirty-one or said section nine A and without reduction in compensation or salary grade notwithstanding any change in title or duties resulting from such transfer, subject to the provisions of said chapter thirty-one and the rules and regulations adopted thereunder.

All employees of any such board, commission, committee or authority who, immediately prior to said effective date, hold positions related to the exercise of such powers or the performance of such duties, but neither hold permanent appointment in such positions, nor have such tenure, are hereby transferred to said executive office, every such transfer to be without impairment of seniority, retirement and other rights of the employee, and without interruption of service within the meaning of said section nine A of chapter thirty and without reduction in compensation or salary grade, notwithstanding any change in title or duties resulting from such transfer.

Nothing in this section shall be construed to confer upon any employee any rights not held immediately prior to the effective date of this act or to prohibit any reduction of salary or grade, transfer, reassignment, suspension, discharge, layoff, or abolition of position not prohibited prior to said effective date.

The status of the incumbent in any office or position placed within the classified civil service by this act shall be determined pursuant to the provisions of section forty-seven A of said chapter thirty-one.

SECTION 32. All petitions, hearings and other proceedings duly brought before, and all prosecutions and legal and other proceedings duly begun by any board, commission, committee or authority, powers and duties of which are transferred to the executive office of environmental affairs by this act, and which arise from or relate to the exercise of such powers or the performance of such duties, and which are pending immediately prior to the effective date of this act, shall continue unabated and remain in force notwithstanding the passage of this act, and shall thereafter be completed before or by the appropriate agency within said executive office.

All orders, rules and regulations duly made, and all licenses, permits, certificates and approvals duly granted, by any board, commission, committee or authority, the powers and duties of which are transferred to the executive office of environmental affairs by this act, which arise from or relate to the exercise of such powers or the performance of such duties, and which are in force immediately prior to the effective date of this act, shall continue in force and the provi-

sions thereof shall thereafter be enforced, until superseded, revised, rescinded or cancelled in accordance with law, by the appropriate agency within said executive office.

All questions regarding the identification of such petitions, hearings, prosecutions, proceedings, orders, rules, regulations, licenses, permits, certificates and approvals, and of the agencies to which the completion or enforcement thereof is so transferred, shall be determined by the commissioner of administration.

SECTION 33. All books, papers, records, documents, equipment, lands, interests in land, buildings, facilities and other property, both personal and real, which, immediately prior to the effective date of this act, are in the custody of any board, commission, committee or authority, the powers and duties of which are transferred to the executive office of environmental affairs by this act and which relate to or are maintained for the purpose of the exercise of such powers or the performance of such duties, are hereby transferred to the appropriate agency within the said executive office; provided, that all such property held in trust shall continue to be held in trust, and be administered in accordance with the terms of such trust, by the appropriate agency within said executive office or, if such agency shall decline such trust, by the trustee appointed by any court of competent jurisdiction upon application by any interested persons for such appointment or for instruction in connection therewith.

All questions regarding the identification of such property and of the agencies to which custody thereof is transferred shall be determined by the commissioner of administration.

SECTION 34. All duly existing contracts, leases and obligations of any board, commission, committee or authority, the powers and duties of which are transferred to the executive office of environmental affairs by this act, which relate to the exercise of such powers or the performance of such duties, and which are in force immediately prior to the effective date of this act, shall thereafter be performed by the appropriate agency within the said executive office. No existing right or remedy of any character shall be lost, impaired or affected by the provisions of this act.

SECTION 35. All monies heretofore appropriated for any board, commission, committee or authority the powers and duties of which are transferred to the executive office of environmental affairs by this act, for the purpose of the exercise of such powers or the performance of such duties, and remaining unexpended on the effective date of this act, are hereby transferred to, and shall be available for expenditure by, the appropriate agency within said executive office for the purposes for which such funds were originally appropriated.

All questions regarding the identification of such monies and of the agencies to which they are so transferred shall be determined by the commissioner of administration.

SECTION 36. Wherever the name of any board, commission, committee or authority, the powers and duties of which are transferred to the executive office of environmental affairs by this act, appears in any general or special law, or in any order, rule, regulation

or other document related to the exercise of such powers or the performance of such duties, such name shall mean and shall be construed as referring to the appropriate agency within the executive office.

SECTION 37. Wherever in any special or general law or in any rule or regulation there is provided a right of appeal to any board, commission, committee or authority which is abolished or the powers and duties of which are transferred to the executive office of environmental affairs by this act, a right of appeal to the secretary of said executive office or his designee shall exist and such appeal shall be made pursuant to the provisions of any applicable law, rule or regulation or amendments thereto or, in the absence of such applicable law, rule or regulation, pursuant to chapter thirty A of the General Laws.

SECTION 38. All powers, duties and other statutory provisions which prior to the effective date of this act were assigned to, or exercised by, any department, division, board, commission or other administrative unit or were assigned to or exercised by any officer of any such unit shall continue to be exercised and performed by, and to be assigned to, such unit or officer except as such powers, duties or other statutory provisions are modified by this act.

SECTION 39. The secretary of the executive office of environmental affairs, shall prepare or cause to be prepared for submission to the general court, not later than December first, nineteen hundred and seventy-four, recommendations for further amendment of the general or special laws in the form of a recodification relating to the functions, powers and duties of said executive office as described in this act, and containing such other legislative recommendations as said secretary may deem necessary.

SECTION 40. The secretary of the executive office of environmental affairs is hereby authorized and directed to make an investigation and study relative to environmental reorganization and modernization of state government and related matters including the following:

(a) To conduct a comprehensive study of the need for additional programs concerning the protection and management of nongame and endangered species in the commonwealth and the methods for funding programs in this area; and

(b) To conduct a study of the need for further reorganizing agencies of the commonwealth concerned with protection and management of the state's natural resources in the marine and coastal areas; and

(c) To conduct a comprehensive study of the need for a further reorganization of the department of food and agriculture including agencies transferred to said department; and

(d) To conduct a study of the need for regionalization of the functions and services of the office of environmental affairs. Such study shall specifically consider whether regional offices should be established in the following areas of the commonwealth: Berkshire County, Pioneer Valley; Central Massachusetts; Merrimac Valley; Greater Boston; Southeastern Massachusetts; Cape Cod and any other regions or a combination of the same; and

(e) To conduct a study relative to land use so as to identify and designate areas of critical environmental concern where uncontrolled development could result in irreversible damage to the environment as defined in section sixty-one of chapter thirty of the General Laws; and

Such areas may include:

(1) the coastal zone;

(2) inland and coastal wetlands;

(3) rare and valuable ecosystems and habitats;

(4) rivers, streams, and flood plains;

(5) natural areas and buildings, structures and sites of scenic, historical, architectural, archaeological, geological, biological, or recreational significance;

(6) great ponds, reservoir sites and aquifers determined to be of regional significance;

(7) lands of prime productivity classified as Classes I, II and III by soil surveys of the United States Department of Agriculture;

(8) park, reservation, forest, recreation, or open space lands determined to be of regional significance;

(9) fish, bird, and other wildlife management areas;

(10) such other areas as the office, after holding public hearings, may determine to be of critical environmental concern in accordance with regulations adopted under the provisions of sections two and five of chapter thirty A.

Designations shall, insofar as possible, be recorded on a map or set of maps, which shall be reasonably available to state, regional and municipal agencies and the general public and shall be of a form suitable for inclusion in the public restriction tract indices authorized by section thirty-three of chapter one hundred eighty-four.

(f) To conduct a comprehensive investigation and study of the powers and duties of the department of public health which relate to environmental health, including but not limited to those which are assigned to the bureau of environmental sanitation. Said investigation and study shall revise as necessary the division of functions between the department of public health and the department of environmental quality engineering of said executive office. Said secretary shall consult with the commissioner of public health and the secretary of the executive office of human services, who shall cooperate with said secretary. The recommendations of said investigation and study shall be designed to assign to the department of environmental quality engineering powers and duties which relate to the protection of the environment and to the department of public health powers and duties which relate directly to the protection of public health, and may include the proposed assignment of any such powers and duties to any other agency.

Said secretary shall file final reports relative to said studies along with recommendations for legislation that may be necessary, if any, with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and seventy-four.

SECTION 41. Sections one through thirty-eight of this act shall become effective on July first, nineteen hundred and seventy-five.

Approved August 12, 1974.

Chap. 807. AN ACT REGULATING THE OPERATION OF CERTAIN AMUSEMENT DEVICES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by inserting after section 205 the following section:—

Section 205A. No person shall by himself or through an agent or employee operate or cause to be operated a ferris wheel, carousel, inclined railway or similar amusement device unless said person has obtained liability insurance as required by this section and unless the liability insurance carrier has certified to the commissioner of public safety, hereinafter called the commissioner, or his designee that such amusement device has met the safety standards of mechanical strength, rigidity, and control established by the commissioner. A certificate of examination and insurance by the liability insurance carrier shall be furnished to the commonwealth ten days prior to the opening of the amusement device and shall be in effect for one year, unless revoked for cause.

A traveling carnival shall notify the commissioner at least one month in advance as to the location and dates that such carnival will be in the commonwealth. Such carnival upon its initial entrance into the commonwealth in any year shall cause its insurance carrier to certify to the commissioner that such amusement device has met the standards of mechanical strength, rigidity, and control established by said commissioner as hereinafter provided. Such certificate shall be in effect for one year unless revoked for cause.

If an injury requiring hospitalization has occurred on such an amusement device due to a defect or malfunction in such device, or if such device constitutes a hazard to life, limb, or property, as determined by the commissioner or his designee or by an agent of the insurance carrier, such amusement device shall be closed immediately; and within forty-eight hours, the owner or operator shall notify the commissioner or his designee and the insurance carrier. Such amusement device shall remain closed until all necessary repairs have been completed to the satisfaction of the commissioner or his designee and the insurance carrier.

If the insurance contract expires or is cancelled, notice shall be furnished by the insurance carrier to the commissioner at least ten days prior to termination and such amusement device shall be closed no later than said date of termination and remain closed until insurance is obtained.

Every ferris wheel, carousel, inclined railroad, or similar amusement device shall have embossed on the control unit and prominently displayed on at least three areas of the amusement device procedures for braking and allowing the amusement device to come to a safe stop.

No minor shall operate any such amusement device.

Subject to the provisions of chapter thirty A, the commissioner or his designee shall adopt and may, from time to time, amend rules and regulations relating to the safety and construction of such amusement device, and the amount and type of liability insurance to be carried before such a device may be operated within the commonwealth. The commissioner shall regulate the fee which may be charged for a safety certification by an insurance carrier.

All insurance examiners authorized by this section to conduct said examinations shall be certified by the department of public safety.

The provisions of this section shall not apply to recreational tramways, as defined in section seventy-one I of chapter one hundred and forty-three, or manually operated amusement rides with coin devices.

Whoever violates any provision of this section shall for each such violation be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-five.

Approved August 12, 1974.

Chap. 808. AN ACT PROVIDING THAT CERTAIN FUNDS RECEIVED BY THE COMMONWEALTH SHALL BE CREDITED TO THE HARBOR AND INLAND WATERS MAINTENANCE FUND.

Be it enacted, etc., as follows:

The third paragraph of section 49B of chapter 91 of the General Laws, as appearing in section 4 of chapter 878 of the acts of 1970, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— The owner of such wharf or pier shall be liable to the commonwealth for the costs and expenses for such removals, and the sums so received shall be credited to the Harbors and Inland Waters Maintenance Fund established by section ten B.

Approved August 12, 1974.

Chap. 809. AN ACT INCREASING THE SALARIES OF THE ASSISTANT DISTRICT ATTORNEYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 16, as most recently amended by section 2 of chapter 696 of the acts of 1972, 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, nineteen thousand dollars; three assistants, eighteen thousand

five hundred dollars; six assistants, sixteen thousand three hundred dollars; three assistants, fourteen thousand three hundred dollars; seven assistants, fourteen thousand dollars; eight assistants, twelve thousand five hundred dollars; five assistants, eleven thousand five hundred dollars; for the northern district, three assistants, fifteen thousand two hundred dollars; ten assistants, twelve thousand nine hundred dollars; two assistants, eleven thousand five hundred dollars; for the middle district, one assistant, fourteen thousand dollars; one assistant, twelve thousand five hundred dollars; six assistants, eleven thousand five hundred dollars; four assistants, eleven thousand dollars; for the Norfolk district, two assistants, thirteen thousand dollars; two assistants, twelve thousand dollars; six assistants, eleven thousand dollars; for the Plymouth district, one assistant, thirteen thousand dollars; one assistant, twelve thousand dollars; five assistants, eleven thousand dollars; for the Bristol district, two assistants, twelve thousand dollars; five assistants, eleven thousand dollars; for the Cape and Islands district, one assistant, twelve thousand dollars; three assistants, eleven thousand dollars; for the western district, one assistant, thirteen thousand dollars; two assistants, twelve thousand dollars; five assistants, eleven thousand dollars; for the northwestern district, one assistant, twelve thousand dollars; four assistants, eleven thousand dollars; for the eastern district, one assistant, thirteen thousand dollars, one assistant, twelve thousand dollars; seven assistants, eleven thousand dollars.

SECTION 2. This act shall take effect on November fifth, nineteen hundred and seventy-four.

Approved August 12, 1974.

Chap. 810. AN ACT PROVIDING FOR THE REGULATION OF THE PRACTICE OF VETERINARY MEDICINE.

Be it enacted, etc., as follows:

SECTION 1. Section 26 of chapter 13 of the General Laws, as most recently amended by section 8 of chapter 1099 of the acts of 1971, is hereby further amended by adding the following sentence:— No veterinarian member appointed to a full five year term under this section shall be reappointed to succeed himself.

SECTION 2. Section 27 of said chapter 13, as amended by section 2 of chapter 533 of the acts of 1958, is hereby further amended by striking out, in line 2, the word "January" and inserting in place thereof the word:— February.

SECTION 3. Section 28 of said chapter 13, as most recently amended by section 22 of chapter 801 of the acts of 1963, is hereby further amended by striking out, in lines 2 and 3, the words "six hundred and twenty-five" and inserting in place thereof the words:— fifteen hundred.

SECTION 4. Section 54 of chapter 112 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 104 of the acts of 1969, and inserting in place thereof the

following sentence:— Three members of the board shall constitute a quorum for the transaction of business, provided, however, that at any meeting concerning the revocation of a license a quorum shall be five.

SECTION 5. Said chapter 112 is hereby further amended by inserting after section 54 the following section:—

Section 54A. In sections fifty-four to sixty, inclusive, the following words shall have the following meanings:

"Animal", any animal other than man including wild or domestic fowl, birds, fish or reptiles, living or dead.

"Approved veterinary school", any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent and which conforms to the standards required for accreditation by the American Veterinary Medical Association, the board of veterinary medicine of the commonwealth, or the approving authority.

"Approving authority", (*a*) Two members from the board of registration in veterinary medicine; (*b*) One veterinary officer from the division of livestock disease control; and (*c*) One member representing the Massachusetts Veterinary Association.

"Board", the board of registration in veterinary medicine of the commonwealth.

"Veterinarian", a person who has received a doctors' degree in veterinary medicine from a school of veterinary medicine.

"Veterinary medicine", means and includes veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine.

SECTION 6. Said chapter 112 is hereby further amended by striking out section 55, as most recently amended by section 21 of chapter 925 of the acts of 1973, and inserting in place thereof the following section:—

Section 55. Applications for registration as veterinarians, signed and sworn to by the applicant, shall be made upon blanks furnished by the board. Each applicant who shall furnish the board with satisfactory proof that he is eighteen years of age or over, of good moral character, and a graduate of an approved veterinary school shall, upon payment of the established fee, be examined and, if found qualified by the board, shall be registered as a veterinarian and shall receive a certificate thereof, signed by the chairman and secretary. An applicant aggrieved by the refusal of the approving authority to approve a school of veterinary medicine under this section shall be entitled to have the reasonableness of such refusal reviewed by a justice of the superior court, whose decision shall be final. An applicant failing to pass an examination satisfactory to the board may be deemed a "Conditional" applicant and may be reexamined only on that portion of the examination failed, upon payment of the established fee for each appearance, at such time and place as the board shall determine. The board may refuse to grant a license to any person who shall have been convicted of a felony, or who shall be addicted to any vice to such a degree as to render him unfit to practice

veterinary medicine, and after due notice and hearing may revoke any certificate issued by it and cancel the registration of any veterinarian convicted of a crime in the practice of his profession, and may at any time after the expiration of one year thereafter reissue any certificate so revoked, and register anew any veterinarian whose registration was so cancelled.

Every registered veterinarian shall annually, before March first, pay to the board a license fee as shall be determined by the commonwealth, in default of which the board may revoke his license and his authority to practice veterinary medicine thereunder, after a hearing as provided by section eleven; but the payment of said fee at or before the time of hearing, with such additional sum not exceeding twenty-five dollars, as may be fixed by the board, shall remove the default. A veterinarian duly registered and licensed to practice in this commonwealth, whose license has not been revoked, but who shall have temporarily retired from practice or removed from the commonwealth for a period not exceeding five years, and shall have notified the board of such retirement or removal, may register upon paying the lapsed annual license fee and filing with the board his affidavit as to the facts aforesaid. Applications for renewals of licenses hereunder shall be upon forms prescribed by the board, and shall, no less than thirty days prior to March first in each year, be mailed to each veterinarian registered with the board.

The approving authority shall, upon the request of any college, university, or school of veterinary medicine in the commonwealth, inspect said college, university, or school and notify its trustees or other governing body in writing if it is approved by the approving authority for the purposes of this section, or, if not, what steps it must take in order to gain the approval of the approving authority.

Any college, university, or school of veterinary medicine desiring to be approved for the purposes of this section may file with the approving authority a written request for the approval of such college, university, or school of veterinary medicine, and thereupon a public hearing, after due notice, shall be seasonably granted by the approving authority and a written decision made by it within twenty days after the termination of such hearing and the applicant for such approval shall be notified of such decision. A written decision of the approving authority refusing to approve any college, university, or school of veterinary medicine shall not become effective until thirty days after written notice of such decision is given to the college, university, or school of veterinary medicine seeking such approval. Any college, university, or school of veterinary medicine aggrieved by such refusal shall have the right to file a petition in the superior court for Suffolk county to revise or reverse the decision of the approving authority. Notice of the entry of such petition shall be given to the secretary of the board of registration in veterinary medicine and all proceedings connected therewith shall be according to rules regulating the trial of civil cases without juries. The court shall hear the case and finally determine whether or not such approval shall be granted or revised.

Upon the filing of such a petition within the aforesaid period of thirty days, said decision of the approving authority shall not become effective until a final decree affirming said decision is entered upon the aforesaid petition.

SECTION 7. Said chapter 112 is hereby further amended by striking out section 56A, inserted by chapter 468 of the acts of 1963, and inserting in place thereof the following section:—

Section 56A. The board may issue without examination a temporary permit to practice veterinary medicine in the commonwealth to any citizen of the United States who is a graduate of an approved veterinary school. Such temporary permit may be granted for a period not to exceed one year, providing that said person write the next set of examinations and also providing said person is employed by and practices his profession under the general supervision and control of a duly licensed veterinarian practicing in the commonwealth. Such temporary permit may be summarily revoked by a majority vote of the board.

The board may issue with an examination a temporary permit to practice veterinary medicine in the commonwealth to any alien who is a graduate veterinarian and certified by the American Veterinary Medical Association; provided that said person is employed by and practices his profession under the general supervision and control of a duly licensed veterinarian practicing in the commonwealth. Such temporary permit may be granted for limited period as shall be determined by the board, and may be summarily revoked by a majority vote of the board.

SECTION 8. Said chapter 112 is hereby further amended by striking out section 58, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 58. Any person shall be regarded as practicing veterinary medicine within the meaning of this section who either directly or indirectly, diagnoses, makes a prognosis, treats, administers, prescribes, operates on, manipulates or applies any drug, biologic, or chemical or any apparatus or appliance for any disease, pain, deformity, defect, injury, wound or physical condition of any animal for the prevention of or to test the presence of any disease, or who cuts any tissue, muscle, organ or structure of any animal for the above described purposes or purpose or for the purpose of altering the natural condition of any animal or for any other purpose, cause or reason whatsoever or who holds himself out as being able, available or legally authorized so to do.

The term "practicing veterinary medicine" does not include:

1. The calling into the commonwealth for consultation of duly licensed or registered veterinarians of any other state with respect to any case under treatment by a veterinarian registered under the provisions of section five. Any specialist in the health or zoological field may be called in for consultation in these special fields by a veterinarian licensed in the commonwealth and may collect a reasonable fee for such consultation.

2. The experimentation and research of a registered physician, dentist, osteopath, pharmacist or veterinarian.

3. The lawful experimentation and research activities conducted at any hospital, laboratory, or educational institution approved by the board, or conducted under the general supervision and control of a registered veterinarian, physician, dentist, or osteopath.

4. The gratuitous giving of aid or relief to an animal in an accident or emergency, provided the person giving the aid or relief does not represent himself as a registered veterinarian.

5. The nursing care to animals in the establishment or facilities of a registered veterinarian under his general supervision, direction and control, by the employees of the veterinarian or the assisting of a veterinarian during the course of any procedure or treatment.

6. The advising with respect to or performance of acts by a person which the board by rule has prescribed as accepted livestock management practices.

7. The performing of veterinary or surgical works or the giving of advice to his neighbors by a person, provided that he does not hold himself out as a registered veterinarian or receive pecuniary consideration.

SECTION 9. Said chapter 112 is hereby further amended by striking out section 59, as most recently amended by section 6 of chapter 533 of the acts of 1958, and inserting in place thereof the following section:—

Section 59. Any person who, not then being lawfully authorized to practice veterinary medicine and being so registered or exempt from registration, all as defined in the previous section, shall practice or attempt to practice veterinary medicine or who held himself out to the public as a practitioner of veterinary medicine, whether by signs, words, advertisement, listing in directories, the use of the title "doctor" or any abbreviation thereof or any title including "V.S." or by the use of any other means implying a practitioner of veterinary medicine or any of its branches, fraudulently uses any posted degree, diploma, or certificate implying a practitioner of veterinary medicine or any of its branches, or who opens an office or maintains an establishment or facilities for the purpose of or with the intention of practicing veterinary medicine shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than ninety days and upon a subsequent conviction shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both. Any registered veterinarian or incorporated veterinary hospital or company who or which knowingly employs or permits a person to practice veterinary medicine unless such person is registered, shall be punished by having his license to practice veterinary medicine revoked, or its license to operate a veterinary hospital suspended, as the case may be, and by a fine of not more than two hundred dollars or by imprisonment for not more than three months, or both.

By majority vote of the entire five members the board may, for any cause set forth in this section, revoke or suspend for a certain time the license of any person to practice veterinary medicine in the commonwealth after notice and hearing.

Cause for which the board may revoke or suspend a license are as follows:

1. The employment of fraud, misrepresentation or deception in obtaining such license.

2. Conviction of a felony, in which case the record of such conviction shall be conclusive evidence.

3. Chronic inebriety or habitual use of drugs.

4. Having professional connection with or lending the use of his name to any illegal practitioner of veterinary medicine and the various branches thereof.

5. Conviction of a violation of any state or federal law, regulating narcotics, or a settlement of a tax liability in connection with such violation, in which case the record of such conviction or settlement, as the case may be, shall be conclusive evidence.

6. Fraud or dishonesty in applying or reporting tuberculin or other biological tests.

7. False or misleading advertising having for its purpose or intent deception or fraud.

8. Conduct reflecting unfavorably on the profession of veterinary medicine.

9. Conviction on a charge of cruelty to animals.

SECTION 10. Said chapter 112 is hereby further amended by inserting after section 59 the following section:—

Section 59A. Any veterinarian may dispose of any animal abandoned in his establishment, provided he shall give notice of his intention to do so to the owner at his last known address by registered or certified mail, return receipt requested, and has allowed a period of ten days to elapse after the receipt if returned before disposing of such animal.

SECTION 11. Section 60 of said chapter 112, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "The six preceding sections" and inserting in place thereof the words:— Sections fifty-four to fifty-nine, inclusive.

Approved August 12, 1974.

Chap. 811. AN ACT REMOVING THE EXEMPTION FROM REAL ESTATE TAXES OF RESIDENCES OCCUPIED BY OFFICERS OF EDUCATIONAL INSTITUTIONS WHEN SUCH RESIDENCES ARE NOT ON THE CAMPUSES OF SUCH INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Subsection (*d*) of clause Third of section 5 of chapter 59 of the General Laws, as appearing in section 1 of chapter 500 of the acts of 1957, is hereby amended by striking out, in line 15, the word "exemption." and inserting in place thereof the words:— exemption; and.

SECTION 2. Said clause Third of said section 5 of said chapter 59 is hereby further amended by inserting after subsection (*d*) the following subsection:—

(*e*) Real and personal property of an educational institution coming within the foregoing description of a charitable organization which is occupied or used wholly or principally as residences for officers of such institutions and which is not part of or contiguous to real estate which is the principal location of such institution shall not be exempt.

SECTION 3. This act shall apply to taxes levied for fiscal years ending on June thirtieth, nineteen hundred and seventy-five, and thereafter.

Approved August 12, 1974.

Chap. 812. AN ACT PROVIDING FOR A LIEN BY GROUP ACCIDENT AND HEALTH ACCIDENT INSURERS UNDER CERTAIN CONDITIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by inserting after section 46 the following section:—

Section 46A. If benefits have been paid or furnished under any group or nongroup policy of accident and health insurance or certificate providing for hospital, medical or dental service benefits of any hospital, medical or dental service corporation which excludes the obligation for which the employer or his insurer may be held liable under any workmen's compensation law, with respect to a claim which is subsequently found to be compensable under this chapter, or an insurer or self-insurer subsequently makes payment with respect to such disability pursuant to this chapter, the accident and health insurer which issued said policy or the hospital, medical or dental service corporation which issued said hospital, medical or dental service benefit certificate of the employer may, at any time before an award of workmen's compensation benefits or approval of a lump sum settlement is paid, file with the division a claim for reimbursement out of the proceeds of such award or lump-sum settlement. In those instances in which such a claim is filed, said accident and health insurer or hospital, medical or dental service corporation or employer shall have a lien against the award, or lump sum, and upon satisfactory proof, the division or a member thereof shall order direct payment of the reimbursement to be made from such award or lump sum to the employer, health or accident insurer or hospital, medical or dental service corporations who paid or furnished such benefits. In no event shall the reimbursement exceed the amount of the award or lump sum.

SECTION 2. The fourth paragraph of section 5 of chapter 176A, as appearing in section 1 of chapter 874 of the acts of 1969, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— All rates of payment to providers of other health services made by such corporation, under such contracts, shall be approved in advance by the rate setting commission established under section thirty-two of chapter six A, in this section called the commission.

SECTION 3. The sixth paragraph of said section 5 of said chapter 176A, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— All rates of payment to hospitals made by such corporation, under such contracts, shall be approved in advance by the commission.

Approved August 12, 1974.

Chap. 813. AN ACT RELATIVE TO THE TRANSFER OF CERTAIN LICENSES UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY COURT-APPOINTED RECEIVERS.

Be it enacted, etc., as follows:

The third paragraph of section 25 of chapter 138 of the General Laws is hereby amended by striking out the second sentence, as amended by section 2 of chapter 768 of the acts of 1970, and inserting in place thereof the following sentence:— Whenever the license of any licensee whose name appears on the delinquent list is transferred, the name of the transferee shall appear in the place and stead of the transferor, as of the date of license transfer, in the same manner as if no transfer had occurred, but the provisions of this sentence shall not apply to transfers of licenses by assignees, court-appointed receivers or trustees under a voluntary assignment for the benefit of creditors, provided that prior approval of such assignment is obtained from the commission after notice to all creditors has been given and reasonable time allowed for objections by such creditors.

Approved August 12, 1974.

Chap. 814. AN ACT CLARIFYING THE ISSUING OF CERTAIN CERTIFICATES BY THE BOARD OF EDUCATION UNDER THE TEACHERS' CERTIFICATION LAWS.

Be it enacted, etc, as follows:

Section 8 of chapter 847 of the acts of 1973 is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences:— Any person who applies to the board of education for a certificate prior to the effective date of any rules and regulations promulgated under the provisions of the second paragraph of section thirty-eight G of said chapter seventy-one, as amended by section five of this act, shall be granted a certificate by said board of education if he is eligible therefor under the provisions of section thirty-eight G of said chapter seventy-one and the rules and regulations made thereunder as they were in effect prior to the effective date of this act. Thereafter the provisions of section thirty-eight G, as amended by section five of this act, shall apply to the granting of certificates.

Approved August 12, 1974.

Chap. 815. AN ACT RELATIVE TO THE LICENSE FEE FOR THE MANUFACTURE OF WINES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section nineteen of chapter one hundred and thirty-eight of the General Laws, the license fee for a manufacturer of wine shall, in respect of each plant, be not less than twenty-five dollars nor more than two hundred and fifty dollars, as the alcoholic beverage control commission may deem just and proper.

SECTION 2. This act shall cease to be operative on December thirty-first, nineteen hundred and seventy-six.

Approved August 12, 1974.

Chap. 816. AN ACT AUTHORIZING THE CITY OF MALDEN TO TRANSFER CERTAIN LAND IN SAID CITY TO THE DEPARTMENT OF PUBLIC WORKS FOR STREET PURPOSES.

Be it enacted, etc., as follows:

The city of Malden is hereby authorized to transfer control of two parcels of land located in said city now used as the Malden High School Stadium to the department of public works for street purposes, said land being bounded and described as follows:—

Parcel 1A

A parcel of land shown as Parcel 1A on a plan of land entitled: "Plan Showing Land Belonging to City of Malden to be Used for Street Purposes, Malden, Massachusetts, dated March 1, 1974, by Arthur W. Davis, City Engineer. Scale: 1" = 20'-0" and being bounded and described as follows:

Beginning at a point, said point being located S. 85-51-15 E. a distance of One Hundred Fifty and 00/100 (150.00) feet from the easterly streetline of Pearl Street and N. 04-11-32 E. a distance of Nine and 19/100 (9.19) feet from the end of said One Hundred Fifty and 00/100 (150.00) feet at the southwest corner of land now or formerly of the Malden Redevelopment Authority, thence

N. 04-11-32 E. by land now or formerly of the Malden Redevelopment Authority, Nineteen and 76/100 (19.76) feet; thence

N. 82-39-44 E. by land now or formerly of the Malden Redevelopment Authority, Twenty-six and 56/100 (26.56) feet; thence

N. 77-50-32 E. by land now or formerly of the Malden Redevelopment Authority, Eighty-eight and 19/100 (88.19) feet; thence

S. 05-50-20 E. by land now or formerly of the Malden Redevelopment Authority, One Hundred Twenty and 16/100 (120.16) feet; thence

N. 82-49-40 E. by land now or formerly of the Malden Redevelopment Authority, Thirty and 01/100 (30.01) feet; thence

N. 84-09-40 E. by lands now or formerly of the Malden Redevelopment Authority and the Massachusetts Bay Transpor-

tation Authority, Ninety-three and 94/100 (93.94) feet; thence

S. 19-23-55 W. by land now or formerly of the Massachusetts Bay Transportation Authority, Fourteen and 61/100 (14.61) feet; thence

S. 73-30-44 E. by land now or formerly of the Massachusetts Bay Transportation Authority, Three and 12/100 (3.12) feet; thence

S. 16-29-47 W. by land now or formerly of the Massachusetts Bay Transportation Authority, Seventy-five and 65/100 (75.65) feet; thence

NORTHWESTERLY by land now or formerly of the City of Malden by a curve to the right, having a radius of Eight Hundred Forty-six and 00/100 (846.00) feet, a distance of Sixty-five and 97/000 (65.97) feet; thence

N. 55-35-20 W. by land now or formerly of the City of Malden, Two Hundred Six and 40/100 (206.40) feet to the point of beginning.

Said parcel contains 14,449 square feet, more or less.

Parcel 1B

A parcel of land shown as Parcel 1B on a plan of land entitled: "Plan Showing Land Belonging to City of Malden to be used for Street Purposes, Malden, Massachusetts dated March 1, 1974 by Arthur W. Davis, City Engineer. Scale 1" = 10'-0" and being bounded and described as follows:

Beginning at a point on the easterly streetline of Pearl Street, said point being located S. 04-08-45 W. a distance of Two Hundred Sixty-five and 65/100 (265.65) feet from the intersection of the southerly streetline of Pleasant Street and the easterly streetline of Pearl Street, thence

S. 85-51-15 E. by land now or formerly of the Malden Redevelopment Authority, Two and 49/100 (2.49) feet; thence

Southwesterly by land now or formerly of the City of Malden, by a curve to the left having a radius of Sixty-five and 84/100 (65.84) feet, a distance of Eighteen and 15/100 (18.15) feet; thence

N. 04-08-45 E. by the easterly streetline of Pearl Street, Seventeen and 92/100 (17.92) feet to the point of beginning.

Said parcel contains 15 square feet, more or less.

Approved August 12, 1974.

Chap. 817. AN ACT RELATIVE TO THE LOCAL TAXATION OF CERTAIN REAL ESTATE ON GOVERNMENT-OWNED PROPERTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify the intent of an emergency law enacted during the current session, therefore it is hereby declared to

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

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 383 of the acts of nineteen hundred and seventy-four is hereby amended by striking out, in line 4, the word "real" and inserting in place thereof the words:— Except as otherwise provided in section three D of this chapter, real.

SECTION 2. Section two of said chapter three hundred and eighty-three is hereby repealed.

SECTION 3. This act shall take effect as of December the thirty-first, nineteen hundred and seventy-three.

Approved August 13, 1974.

Chap. 818. AN ACT FURTHER REGULATING THE PROTECTION OF WETLANDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately extend the provisions of the law relative to the protection of wetlands, 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 131 of the General Laws is hereby amended by striking out section 40, as most recently amended by chapter 769 of the acts of 1973, and inserting in place thereof the following section:—

Section 40. No person shall remove, fill, dredge or alter any bank, fresh water wetland, coastal wetland, 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, other than in the course of maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services, 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 and without receiving and complying with an order of conditions and provided all appeal periods have elapsed. 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 department of natural resources and the department of 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, which are obtainable at the time of

such notice, 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.

Upon written request of any person, the conservation commission shall within ten days make a written determination as to whether this section is applicable to any land or work thereon. Where such person is other than the owner, notice of any such determination shall be sent to the owner.

The term "applicant" as used in this section shall mean the person giving notice of intention to remove, fill, dredge or alter.

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 quasipublic corporation or body, or any other legal entity or its legal representative, agents or assigns.

The term "bogs" as used in this section shall mean areas where standing or slowly running water is near or at the surface during a normal growing season and where a vegetational community has a significant portion of the ground or water surface covered with sphagnum moss (*Sphagnum*) and where the vegetational community is made up of a significant portion of one or more of, but not limited to nor necessarily including all, of the following plants or groups of plants: aster (*Aster nemoralis*), azaleas (*Rhododendron canadense* and *R. viscosum*), black spruce (*Picea mariana*), bog cotton (*Eriophorum*), cranberry (*Vaccinium macrocarpon*), high-bush blueberry (*Vaccinium corymbosum*), larch (*Larix laricina*), laurels (*Kalmia angustifolia* and *K. polifolia*), leatherleaf (*Chamaedaphne calyculata*), orchids (*Arethusa, Calopogon, Pogonia*), pitcher plants (*Sarracenia purpurea*), sedges (*Cyperaceae*), sundews (*Droseraccae*), sweet gale (*Myrica gale*), white cedar (*Chamaecyparis thyoides*).

The term "coastal wetlands", as used in this section, shall mean any bank, marsh, swamp, meadow, flat or other lowland subject to tidal action or coastal storm flowage.

The term "freshwater wetlands", as used in this section, shall mean wet meadows, marshes, swamps, bogs, areas where groundwater, flowing or standing surface water or ice provide a significant part of the supporting substrate for a plant community for at least five months of the year; emergent and submergent plant communities in inland waters; that portion of any bank which touches any inland waters.

The term "swamps", as used in this section, shall mean areas where ground water is at or near the surface of the ground for a significant part of the growing season or where runoff water from surface drainage frequently collects above the soil surface, and where a

significant part of the vegetational community is made up of, but not limited to nor necessarily include all of the following plants or groups of plants; alders (*Alnus*), ashes (*Fraxinus*), azaleas (*Rhododendron canadense* and *R. viscosum*), black alder (*Ilex verticillata*), black spruce (*Picea mariana*), buttonbush (*Cephalanthus occidentalis*), American or white elm (*Ulmus americana*), white Hellebore (*Veratrum viride*), hemlock (*Tsuga canadensis*), highbush blueberry (*Vaccinium corymbosum*), larch (*Larix laricina*), cowslip (*Caltha palustris*), poison sumac (*Toxicodendron vernix*), red maple (*Acer rubrum*), skunk cabbage (*Symplocarpus foetidus*), sphagnum mosses (*Sphagnum*), spicebush (*Lindera benzoin*), black gum tupelo (*Nyssa sylvatica*), sweet pepperbush (*Clethra alnifolia*), white cedar (*Chamaecyparis thyoides*), willow (*Salicaceae*).

The term "wet meadows", as used in this section where ground water is at the surface for a significant part of the growing season and near the surface throughout the year and where a significant part of the vegetational community is composed of various grasses, sedges and rushes; made up of, but not limited to nor necessarily including all, of the following plants or groups of plants; blue flag (*Iris*), vervain (*Verbena*), thoroughwort (*Eupatorium*), dock (*Rumex*), false loosestrife (*Ludwigia*), hydrophilic grasses (*Gramincae*), loosestrife (*Lythrum*), marsh fern (*Dryopteris thelypteris*), rushes (*Juncaceae*), sedges (*Cyperaceae*), sensitive fern (*Onoclea sensibilis*), smartweed (*Polygonum*).

The term "marshes", as used in this section, shall mean areas where a vegetational community exists in standing or running water during the growing season and where a significant part of the vegetational community is composed of, but not limited to nor necessarily including all, of the following plants or groups of plants: arums (*Araceae*), bladder worts (*Utricularia*), bur reeds (*Sparganiaceae*), button bush (*Cephalanthus occidentalis*), cattails (*Typha*), duck weeds (*Lemnaceae*), eelgrass (*Vallisneria*), frog bits (*Hydrocharitaceae*), horsetails (*Equisetaceae*), hydrophilic grasses (*Gramineae*), leatherleaf (*Chamaedaphne calyculata*), pickerel weeds (*Pontederiaceae*), pipeworts (*Eriocaulon*), pond weeds (*Potamogeton*), rushes (*Juncaceae*), sedges (*Cyperaceae*), smartweeds (*Polygonum*), sweet gale (*Myrica gale*), water milfoil (*Halcragaceae*), water lilies (*Nymphaeaceae*), water starworts (*Callitrichaceae*), water willow (*Decodon verticillatus*).

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 department of natural resources and the department of public works. The conservation commission and its agents, officers and employees and the commissioner of natural

resources and his agents and employees, may enter upon privately owned land for the purpose of performing their duties under this section.

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. If the conservation commission, selectmen or mayor, as the case may be, make a determination that the proposed activity does not require the imposition of such conditions, the applicant shall be notified of such determination within twenty-one days after said hearing. Such order or notification 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.

If a conservation commission has failed to hold a hearing within the twenty-one day period as required, or if a commission, after holding such hearing, has failed within twenty-one days therefrom to issue an order, or if a commission, upon a written request by any person to determine whether this section is applicable to any work, fails within ten days to make said determination, or where an order does issue from said commission, the applicant, any person aggrieved by said commission's order or failure to act, 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 in which such land is located, may, by certified mail and within ten days from said commission's order or failure to act, 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 ten 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 issue within seventy days of receipt of such request, signed by the commissioner of natural resources, impose such conditions as will contribute to the protection of the interests described herein; provided, however, that said department shall notify the applicant within thirty days of the receipt of

such request if his application or request is not in proper form or is lacking information or documentation necessary to make the determination. 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, but in no event shall any work commence until ten days have elapsed following the issuance of said order. At any time prior to a final order of determination by the department, any party requesting a determination may in writing withdraw the request, and such withdrawal shall be effective upon receipt by the department. Notwithstanding the withdrawal, the commissioner may continue the determination if he notifies all parties within ten days of receipt of the withdrawal. 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.

No work proposed in any notice of intention shall be undertaken until the final order, determination or notification 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 any mosquito control work done under the provisions of clause (36) of section five of chapter forty, of chapter two hundred and fifty-two or of any special act; to maintenance of drainage and flooding systems of cranberry bogs, to work performed for normal maintenance or improvement of lands for agricultural use; or to any project authorized by special act prior to January first, nineteen hundred and seventy-three.

The notice of intention required in the first paragraph of this section shall not apply to emergency projects necessary for the protection of the health or safety of the commonwealth which are to be performed or which are ordered to be performed by an agency of the commonwealth or a political subdivision thereof. An emergency project shall mean any project certified to be an emergency by the commissioner and the conservation commission of the city or town in which the project would be undertaken, or if none, by the mayor of said city or the selectmen of said town. In no case shall any removal, filling, dredging, or alteration authorized by such certification extend beyond the time necessary to abate the emergency.

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.

Rules and regulations shall be promulgated by the commissioner to effectuate the purposes of this section. However, failure by the commissioner to promulgate rules and regulations shall not act to suspend or invalidate the effect of this section.

Whoever violates any provision of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months or both. Each day or portion thereof of continuing violation shall constitute a separate offense. This section may be enforced by natural resources officers, deputy natural resources officers, and any officer having police powers.

SECTION 2. The first paragraph of section 40A of said chapter 131, as appearing in chapter 782 of the acts of 1972, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— In this section, the term "inland wetlands" shall include the definition of "freshwater wetlands" as set forth in section forty, and it shall further include that portion of any bank which touches any inland waters or any freshwater wetland, and any freshwater wetland subject to flooding.

SECTION 3. Within ninety days of the effective date of this act the commissioner of natural resources shall promulgate the regulations required by section forty of chapter one hundred and thirty-one of the General Laws, as amended by section one of this act. Said regulations shall concern, but shall not be limited to, defining the terms in said section forty and establishing standard application forms setting forth the minimum information which is required for issuance of an order pursuant to said section forty.

Approved August 13, 1974.

Chap. 819. AN ACT EXEMPTING THE EMERGENCY FINANCE BOARD FROM THE REQUIREMENTS OF THE ENVIRONMENTAL IMPACT LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to avoid unnecessary and costly delays in municipal financing, 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 Emergency Finance Board, established by section 1 of chapter 49 of the acts of 1933, when acting upon any of its statutory requirements, shall not be subject to the provisions of section sixty-two of chapter thirty of the general laws, pertaining to en-

vironmental impact, provided that there has been previous compliance with said section by another agency, department, board, commission or authority of the commonwealth or an authority of a political subdivision thereof with respect to the work, project or activity which is the subject matter of the request for statutory approval of said Emergency Finance Board. The Emergency Finance Board shall promulgate, with the approval of the secretary of environmental affairs, rules and regulations to carry out its obligations under said section sixty-two, which rules and regulations may establish categories of exempt approvals and may require applicants for approvals to supply data and information on environmental impact to said Emergency Finance Board.

SECTION 2. The membership of the special commission established by chapter fifty of the resolves of nineteen hundred and seventy-four to make an investigation and study relative to the implementation and effects of environmental impact laws in the commonwealth, is hereby increased by three members to be appointed by the governor, one of whom shall be representative of environmental interests and two of whom shall be selected from a list to be submitted by the associated industries of Massachusetts to represent industry and by the secretary of manpower affairs or his designee. Said special commission shall in the course of its investigation and study consider the subject matter of current house document numbered 2884 and chapter two hundred and fifty-seven of the acts of nineteen hundred and seventy-four.

Approved August 13, 1974.

Chap. 820. AN ACT RELATIVE TO QUESTIONS OF PUBLIC POLICY ON OFFICIAL ELECTION BALLOTS.

Be it enacted, etc., as follows:

Chapter 54 of the General Laws is hereby amended by inserting after section 42 the following section:—

Section 42A. When a question to be submitted to the voters is one of public policy, it shall be stated upon the ballot of every voter thereon: "This question is not binding.".

Approved August 13, 1974.

Chap. 821. AN ACT PROVIDING CERTAIN CREDITABLE SERVICE FOR EMPLOYEES OF THE COMMONWEALTH AND THE MASSACHUSETTS TURNPIKE AUTHORITY WHO ARE ON LEAVE OF ABSENCE FOR THE PURPOSE OF ACTING AS REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS WHOSE MEMBERSHIP INCLUDES EMPLOYEES OF THE COMMONWEALTH OR THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 28J the following section:—

Section 28K. Any employee of the commonwealth or of the Massachusetts Turnpike Authority who is a full-time representative of an employee organization, which has included in its membership employees of the commonwealth or the Massachusetts Turnpike Authority shall, while on leave of absence for the purpose of acting as a full-time representative of said employee organization, be considered on leave of absence, without pay, for the period of his assignment as a full-time representative of such employee organization. Such employee shall, however, be credited with creditable service, not exceeding three years, and shall contribute each month to the retirement fund an amount which he would have contributed had he remained in the service of the commonwealth or in the service of the Massachusetts Turnpike Authority. Such employee of the commonwealth shall be entitled to all benefits and privileges, except the payment of salary, as provided under this chapter and chapters thirty, thirty-one and thirty-two A, during the leave of absence, and such employee of the Massachusetts Turnpike Authority shall be entitled to all benefits and privileges, except the payment of salary, as provided under this chapter during the leave of absence.

Approved August 13, 1974.

Chap. 822. AN ACT FURTHER REGULATING CERTAIN ACTIVITIES IN THE CAPE COD BAY, THE CAPE AND ISLANDS AND THE NORTH SHORE OCEAN SANCTUARIES.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 132A of the General Laws is hereby amended by striking out the third and fourth paragraphs, as appearing in chapter 742 of the acts of 1971, and inserting in place thereof of following two paragraphs:—

Except as otherwise provided herein, the following activities shall be prohibited in the Ocean Sanctuary: the building of any structure on the seabed or under the subsoil; the construction of electric generating stations; the removal of any sand, gravel or other minerals, gases or oils; the discharge of commercial or industrial wastes; commercial advertising; the incineration of solid waste material or refuse on, or in, vessels moored or afloat within the boundaries of the Ocean Sanctuary described herein; provided, however, that nothing in this section shall be deemed to prohibit the construction, operation and maintenance of industrial liquid coolant discharge and intake systems in conjunction with the public and private supply of electrical power as allowed and licensed by the division of water pollution control, or the operation and maintenance of facilities to treat existing municipal, commercial or industrial discharges, or the discharges from such facilities under the authority and in accordance with such approvals and licenses from federal and state agencies as may otherwise be required by law.

This section is not intended to prohibit the laying of cables approved by the department of public utilities or channel and shore pro-

tection 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.

SECTION 2. Section 15 of said chapter 132A is hereby amended by striking out the fourth and fifth paragraphs, as so appearing, and inserting in place thereof the following two paragraphs:—

Except as otherwise provided herein, the following activities shall be prohibited in the Ocean Sanctuary: the building of any structure on the seabed or under the subsoil; the construction of electric generating stations; the removal of any sand, gravel or other minerals, gases or oils; the discharge of commercial or industrial wastes; commercial advertising; the incineration of solid waste material or refuse on, or in, vessels moored or afloat within the boundaries of the Ocean Sanctuary described herein; provided, however, that nothing in this section shall be deemed to prohibit the construction, operation and maintenance of industrial liquid coolant discharge and intake systems in conjunction with the public and private supply of electrical power as allowed and licensed by the division of water pollution control, or the operation and maintenance of facilities to treat existing municipal, commercial or industrial discharges or the discharges from such facilities under the authority and in accordance with such approvals and licenses from federal and state agencies as may otherwise be required by law.

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.

SECTION 3. Section 16 of said chapter 132A is hereby amended by striking out the third paragraph, as so appearing, and inserting in place thereof the following paragraph:—

Except as otherwise provided herein, the following activities shall be prohibited in the Ocean Sanctuary; the building of any commercial structure on the seabed or under the subsoil; the construction of electric generating stations; the removal of any sand, gravel or other minerals, gases or oils; the discharge of any commercial or industrial wastes; commercial advertising; the incineration of solid waste material or refuse on, or in, vessels moored or afloat within the boundaries of the Ocean Sanctuary described herein; provided, however, that nothing in this section shall be deemed to prohibit the construc-

tion, operation and maintenance of industrial liquid coolant discharge and intake systems in conjunction with the public and private supply of electrical power as allowed and licensed by the division of water pollution control, or the operation and maintenance of existing municipal, commercial and industrial facilities under the authority and in accordance with such approvals and licenses from federal and state agencies as may otherwise be required by law, nor shall this section prohibit discharges from municipal waste treatment facilities which are constructed prior to January first, nineteen hundred and seventy-eight; and provided further, that the waste has been treated by the best practical means and that such a discharge is in accordance with plans developed under the provisions of clause (10) of section twenty-seven of chapter twenty-one, which plans shall be subject to the approval of the division of water pollution control after a public hearing conducted by said division.

Approved August 13, 1974.

Chap. 823. AN ACT AUTHORIZING CITIES AND TOWNS TO INCREASE THE SIZE OF THE GROSS ESTATE OF VETERANS' ORGANIZATIONS EXEMPTED FROM TAXATION.

Be it enacted, etc., as follows:

Clause Fifth of section 5 of chapter 59 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word "one" and inserting in place thereof the word:—two.

Approved August 13, 1974.

Chap. 824. AN ACT DIRECTING CERTAIN COUNTY TREASURERS, WITH THE AUTHORIZATION OF THEIR COUNTY COMMISSIONERS, TO DISTRIBUTE A CERTAIN PORTION OF THE UNAPPROPRIATED BALANCE IN THEIR RESPECTIVE COUNTY TREASURIES AMONG THE CITIES AND TOWNS WITHIN THEIR COUNTIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow the several counties to distribute their unappropriated balances among the cities and towns within their jurisdictions in order to prevent an inequitable increase in the county tax for the nineteen hundred and seventy-four — nineteen hundred and seventy-five fiscal year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The treasurers of the several counties within the commonwealth,

except Suffolk and Nantucket counties, are hereby authorized and directed, with the authorization of their respective county commissioners, to distribute among the cities and towns within their jurisdiction, so much of the unappropriated balance in the county treasury at the closing of the treasurer's books for the fiscal year commencing on January first, nineteen hundred and seventy-three and ending June thirtieth, nineteen hundred and seventy-four, as is in excess of ten per cent of the tax levy for said year. Said distribution shall be based upon the most recent county tax assessment formula as set forth in chapter six hundred and sixty of the acts of nineteen hundred and sixty-three and any subsequent amendments thereto.

Approved August 13, 1974.

Chap. 825. AN ACT PROVIDING A LOCAL-AID TRANSPORTATION AUTHORIZATION TO ASSIST HIGHWAY AND TRANSIT DEVELOPMENT IN CITIES AND TOWNS THROUGHOUT THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for financial assistance to cities and towns for highway and transit development, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter called the department, is hereby authorized and directed to apportion the sum of twenty million dollars among the following cities and towns in the amounts indicated:

Abington	58729.
Acton	83685.
Acushnet	47637.
Adams	65302.
Agawam	118461.
Alford	10347.
Amesbury	68799.
Amherst	99278.
Andover	174795.
Ashburnham	46180.
Ashby	32913.
Ashfield	39140.
Athol	95806.
Attleboro	261340.
Auburn	84828.
Avon	32758.
Ayer	36214.
Barnstable	211892.
Barre	62562.
Becket	32406.
Belchertown	66850.
Bellingham	77718.
Berkley	27368.

Berlin	24712.
Bernardston	24004.
Billerica	162063.
Blackstone	32371.
Blandford	35475.
Bolton	34133.
Bourne	73403.
Boxborough	14237.
Boxford	43280.
Boylston	24169.
Brewster	26545.
Bridgewater	69967.
Brimfield	37288.
Brockton	419104.
Brookfield	25988.
Buckland	25258.
Carlisle	30383.
Carver	38241.
Charlemont	22854.
Charlton	67310.
Chatham	40789.
Chelmsford	160989.
Cheshire	28610.
Chester	30181.
Chesterfield	28720.
Chicopee	332041.
Chilmark	8242.
Clarksburg	11495.
Clinton	82716.
Colrain	47570.
Conway	33003.
Cummington	27393.
Dalton	37822.
Dartmouth	128445.
Deerfield	50849.
Dennis	78929.
Dighton	53535.
Douglas	44995.
Dracut	95634.
Dudley	56484.
Dunstable	20797.
East Bridgewater	51834.
East Brookfield	14749.
East Longmeadow	82477.
Eastham	24079.
Easthampton	80282.
Easton	67101.
Edgartown	27116.
Egremont	22072.
Erving	20714.
Essex	19231.
Fairhaven	81364.
Fall River	524528.
Falmouth	138024.
Fitchburg	278525.
Florida	21321.
Foxborough	88540.

Franklin	90549.
Freetown	44771.
Gardner	125495.
Gay Head	4638.
Georgetown	34278.
Gill	19255.
Gloucester	155394.
Goshen	17270.
Gosnold	1211.
Grafton	75441.
Granby	39509.
Granville	36185.
Great Barrington	66504.
Greenfield	124997.
Groton	57569.
Groveland	30338.
Hadley	41147.
Halifax	30511.
Hampden	34726.
Hancock	14374.
Hanson	42434.
Hardwick	51657.
Harvard	53595.
Harwich	63831.
Hatfield	35860.
Haverhill	264229.
Hawley	24330.
Heath	28065.
Hinsdale	23959.
Holden	80252.
Holland	20875.
Holliston	64082.
Holyoke	285327.
Hopedale	35373.
Hopkinton	62169.
Hubbardston	40297.
Hudson	85247.
Huntington	21303.
Ipswich	66066.
Kingston	38215.
Lakeville	37334.
Lancaster	40085.
Lanesborough	29322.
Lawrence	356575.
Lee	51259.
Leicester	59784.
Lenox	43341.
Leominster	202213.
Leverett	19048.
Leyden	19313.
Littleton	46071.
Longmeadow	78412.
Lowell	482470.
Ludlow	90558.
Lunenburg	52325.
Mansfield	64081.

Marion	24843.
Marlborough	135853.
Mashpee	24562.
Mattapoisett	29670.
Medway	45430.
Mendon	23809.
Merrimac	25229.
Methuen	156842.
Middleborough	118357.
Middlefield	19530.
Milford	94503.
Millbury	67868.
Millville	13076.
Monroe	9917.
Monson	70874.
Montague	71736.
Monterey	28314.
Montgomery	16131.
Mount Washington	8965.
Nantucket	86862.
New Ashford	6166.
New Bedford	578981.
New Braintree	26197.
New Marlborough	46481.
New Salem	20286.
Newbury	30054.
Newburyport	78170.
North Adams	118694.
North Andover	157959.
North Attleborough	104368.
North Brookfield	49821.
Northampton	168677.
Northborough	53517.
Northbridge	51862.
Northfield	38848.
Norton	59493.
Oak Bluffs	20804.
Oakham	25690.
Orange	62186.
Orleans	34690.
Otis	23609.
Oxford	61392.
Palmer	90638.
Paxton	24755.
Pelham	13019.
Pepperell	51609.
Peru	18645.
Petersham	35632.
Phillipston	23635.
Pittsfield	365569.
Plainfield	24008.
Plainville	39212.
Plymouth	144032.
Plympton	18682.
Princeton	40767.
Provincetown	18845.
Raynham	45291.

Rehoboth	72692.
Richmond	21775.
Rochester	30262.
Rockport	32215.
Rowe	19664.
Rowley	23721.
Royalston	36033.
Russell	14835.
Rutland	45179.
Salisbury	28616.
Sandisfield	44297.
Sandwich	49226.
Savoy	25961.
Seekonk	70100.
Sheffield	49647.
Shelburne	31803.
Shirley	35472.
Shrewsbury	100201.
Shutesbury	20516.
Somerset	81098.
South Hadley	82446.
Southampton	36165.
Southborough	44596.
Southbridge	121656.
Southwick	48904.
Spencer	68728.
Springfield	935313.
Sterling	49062.
Stockbridge	27178.
Stoughton	110024.
Stow	32603.
Sturbridge	60220.
Sunderland	21798.
Sutton	51457.
Swansea	69541.
Taunton	235375.
Templeton	54149.
Tewksbury	112599.
Tisbury	21056.
Tolland	19611.
Townsend	44890.
Truro	20192.
Tyngsborough	33126.
Tyringham	14124.
Upton	38521.
Uxbridge	62381.
Wales	13421.
Ware	72117.
Wareham	81353.
Warren	49408.
Warwick	31713.
Washington	22965.
Webster	90960.
Wellfleet	24278.
Wendell	30359.
West Boylston	39632.
West Bridgewater	41997.

West Brookfield	34609.
West Newbury	24336.
West Springfield	168803.
West Stockbridge	21258.
West Tisbury	8472.
Westborough	79784.
Westfield	204280.
Westford	78179.
Westhampton	22213.
Westminster	56839.
Westport	75216.
Whately	21117.
Whitman	63795.
Wilbraham	71625.
Williamsburg	25652.
Williamstown	52322.
Winchendon	68452.
Windsor	35368.
Worcester	998352.
Worthington	31075.
Wrentham	48649.
Yarmouth	107170.

The sum payable to each city and town as provided in this section shall be used only to reimburse such city or town for funds expended for the purpose of reconstruction, maintenance, and repair of public highways and bridges, and of the enforcement of traffic laws, and shall not exceed the amount so expended by such city or town on or before June thirtieth, nineteen hundred and seventy-seven.

The department shall certify said apportionment to the comptroller and the sum of ten million dollars shall be made available for distribution on or before November thirtieth, nineteen hundred and seventy-four and the balance of said apportionment shall thereafter be made available for distribution on or before November thirtieth, nineteen hundred and seventy-five; provided, that the mayor of each city and selectmen of each town shall notify the department in writing of the amount that shall be expended by their respective cities and towns for the reconstruction, maintenance and repair of highways and bridges and for the enforcement of traffic laws on or before June thirtieth, nineteen hundred and seventy-seven.

SECTION 2. To meet the expenditures authorized by section one of this act there is hereby appropriated from the Highway Fund debt service account the sum of twenty million dollars.

SECTION 3. The state tax commission shall certify to the state treasurer the sum of twenty-five million dollars to be apportioned in fiscal year nineteen hundred and seventy-six among the following cities and towns in the amounts indicated:

Abington	73412.
Acton	104607.
Acushnet	59547.
Adams	81627.
Agawam	148077.
Alford	12933.
Amesbury	85999.

Amherst	124098.
Andover	218494.
Ashburnham	57725.
Ashby	41141.
Ashfield	48925.
Athol	119758.
Attleboro	326675.
Auburn	106035.
Avon	40947.
Ayer	45267.
Barnstable	264865.
Barre	78202.
Becket	40508.
Belchertown	83562.
Bellingham	97147.
Berkley	34210.
Berlin	30890.
Bernardston	30005.
Billerica	202579.
Blackstone	40464.
Blandford	44343.
Bolton	42667.
Bourne	91753.
Boxborough	17797.
Boxford	54100.
Boylston	30212.
Brewster	33182.
Bridgewater	87459.
Brimfield	46611.
Brockton	523880.
Brookfield	32485.
Buckland	31573.
Carlisle	37979.
Carver	47802.
Charlemont	28567.
Charlton	84138.
Chatham	50986.
Chelmsford	201236.
Cheshire	35762.
Chester	37727.
Chesterfield	35900.
Chicopee	415051.
Chilmark	10302.
Clarksburg	14369.
Clinton	103395.
Colrain	59463.
Conway	41253.
Cummington	34241.
Dalton	47278.
Dartmouth	160556.
Deerfield	63561.
Dennis	98661.
Dighton	66918.
Douglas	56243.
Dracut	119542.
Dudley	70605.
Dunstable	25996.

East Bridgewater	64793.
East Brookfield	18436.
East Longmeadow	103096.
Eastham	30098.
Easthampton	100353.
Easton	83877.
Edgartown	33895.
Egremont	27590.
Erving	25892.
Essex	24038.
Fairhaven	101704.
Fall River	655660.
Falmouth	172530.
Fitchburg	348156.
Florida	26651.
Foxborough	110675.
Franklin	113186.
Freetown	55964.
Gardner	156868.
Gay Head	5798.
Georgetown	42847.
Gill	24068.
Gloucester	194243.
Goshen	21587.
Gosnold	1514.
Grafton	94301.
Granby	49386.
Granville	45232.
Great Barrington	83130.
Greenfield	156247.
Groton	71962.
Groveland	37922.
Hadley	51433.
Halifax	38139.
Hampden	43408.
Hancock	17968.
Hanson	53042.
Hardwick	64571.
Harvard	66994.
Harwich	79789.
Hatfield	44825.
Haverhill	330286.
Hawley	30412.
Heath	35081.
Hinsdale	29949.
Holden	100316.
Holland	26094.
Holliston	80103.
Holyoke	356659.
Hopedale	44216.
Hopkinton	77711.
Hubbardston	50372.
Hudson	106559.
Huntington	26628.
Ipswich	82583.
Kingston	47768.

Lakeville	46668.
Lancaster	50106.
Lanesborough	36652.
Lawrence	445719.
Lee	64073.
Leicester	74730.
Lenox	54176.
Leominster	252766.
Leverett	23810.
Leyden	24142.
Littleton	57589.
Longmeadow	98015.
Lowell	603088.
Ludlow	113198.
Lunenburg	65406.
Mansfield	80101.
Marion	31054.
Marlborough	169815.
Mashpee	30702.
Mattapoisett	37087.
Medway	56787.
Mendon	29761.
Merrimac	31536.
Methuen	196053.
Middleborough	147946.
Middlefield	24412.
Milford	118128.
Millbury	84835.
Millville	16345.
Monroe	12397.
Monson	88717.
Montague	89670.
Monterey	35393.
Montgomery	20164.
Mount Washington	11206.
Nantucket	108502.
New Ashford	7707.
New Bedford	723727.
New Braintree	32747.
New Marlborough	58101.
New Salem	25357.
Newbury	37567.
Newburyport	97712.
North Adams	148368.
North Andover	197448.
North Attleborough	130460.
North Brookfield	62276.
Northampton	210846.
Northborough	66896.
Northbridge	64827.
Northfield	48559.
Norton	74367.
Oak Bluffs	26004.
Oakham	32113.
Orange	77732.
Orleans	43362.
Otis	29512.
Oxford	76740.

Palmer	113297.
Paxton	30944.
Pelham	16274.
Pepperell	64511.
Peru	23306.
Petersham	44540.
Phillipston	29543.
Pittsfield	456962.
Plainfield	30010.
Plainville	49016.
Plymouth	180039.
Plympton	23352.
Princeton	50959.
Provincetown	23556.
Raynham	56614.
Rehoboth	90865.
Richmond	27219.
Rochester	37828.
Rockport	40268.
Rowe	24580.
Rowley	29651.
Royalston	45041.
Russell	18543.
Rutland	56474.
Salisbury	35770.
Sandisfield	55372.
Sandwich	61533.
Savoy	32452.
Seekonk	87624.
Sheffield	62059.
Shelburne	39754.
Shirley	44340.
Shrewsbury	125251.
Shutesbury	25645.
Somerset	101372.
South Hadley	103057.
Southampton	45206.
Southborough	55745.
Southbridge	152070.
Southwick	61130.
Spencer	85910.
Springfield	1169141.
Sterling	61327.
Stockbridge	33972.
Stoughton	137530.
Stow	40753.
Sturbridge	75275.
Sunderland	27247.
Sutton	64322.
Swansea	86926.
Taunton	294219.
Templeton	67687.
Tewksbury	140749.
Tisbury	26320.
Tolland	24514.
Townsend	56112.
Truro	25240.
Tyngsborough	41408.

Tyringham	17655.
Upton	48151.
Uxbridge	77976.
Wales	16777.
Ware	90146.
Wareham	101691.
Warren	61760.
Warwick	39642.
Washington	28707.
Webster	113700.
Wellfleet	30347.
Wendell	37949.
West Boylston	49540.
West Bridgewater	52497.
West Brookfield	43261.
West Newbury	30420.
West Springfield	211004.
West Stockbridge	26573.
West Tisbury	10590.
Westborough	99729.
Westfield	255349.
Westford	97724.
Westhampton	27766.
Westminster	71049.
Westport	94020.
Whately	26397.
Whitman	79744.
Wilbraham	89532.
Williamsburg	32065.
Williamstown	65403.
Winchendon	85565.
Windsor	44210.
Worcester	1247941.
Worthington	38844.
Wrentham	60811.
Yarmouth	133963.

The above amounts shall be paid by the commonwealth from the General Fund and shall be included by the state tax commission in the fiscal year nineteen hundred and seventy-six estimates to be forwarded to such cities and towns under the provisions of section twenty-five A of chapter fifty-eight of the General Laws and said amounts shall be included by the assessors in estimated receipts in determining the rate of taxation to be levied upon taxable property in each city and town.

SECTION 4. The department of public works is hereby authorized and directed to apportion the sum of two million five hundred thousand dollars among the following cities and towns in the amounts indicated:

Ashland	55,382.	Natick	103,500.
Bedford	67,866.	Needham	50,400.
Beverly	76,000.	Norfolk	49,066.
Braintree	67,000.	North Reading	54,830.
Burlington	78,766.	Norwell	30,684.

Canton	59,938.	Norwood	51,800.
Cohasset	19,400.	Peabody	72,000.
Concord	48,200.	Pembroke	65,458.
Danvers	49,000.	Randolph	38,600.
Dover	19,200.	Reading	45,600.
Duxbury	42,000.	Rockland	36,000.
Framingham	170,400.	Scituate	42,400.
Hamilton	22,000.	Sharon	43,200.
Hanover	26,000.	Sherborn	46,744.
Hingham	50,000.	Stoneham	37,000.
Holbrook	21,400.	Sudbury	90,600.
Hull	23,000.	Topsfield	48,982.
Lincoln	24,000.	Walpole	45,000.
Lynnfield	25,000.	Wayland	54,000.
Manchester	14,000.	Wellesley	61,000.
Marshfield	42,000.	Wenham	15,000.
Maynard	21,000.	Weston	32,600.
Medfield	55,952.	Westwood	30,000.
Middleton	37,550.	Weymouth	98,600.
Millis	46,418.	Wilmington	86,464.

The sum payable to each city and town as provided in this section shall be used only to reimburse such city or town for funds expended for the purpose of reconstruction, maintenance, and repair of public highways and bridges, and of the enforcement of traffic laws, and shall not exceed the amount so expended by such city or town on or before June thirtieth, nineteen hundred and seventy-seven.

The department shall certify said apportionment to the comptroller and the sum of one million two hundred and fifty thousand dollars shall be made available for distribution on or before November thirtieth, nineteen hundred and seventy-four and the balance of said apportionment shall thereafter be made available for distribution on or before November thirtieth, nineteen hundred and seventy-five, provided, that the mayor of each city and selectmen of each town shall notify the department in writing of the amount that shall be expended by their respective cities and towns for the reconstruction, maintenance and repair of highways and bridges and for the enforcement of traffic laws on or before June thirtieth, nineteen hundred and seventy-seven.

SECTION 5. To meet the expenditures authorized by section four of this act there is hereby appropriated from the Highway Fund Debt Service Account the sum of two million five hundred thousand dollars.

SECTION 6. In addition to the contract assistance, provided under the third paragraph of section sixteen of chapter one thousand one hundred and forty of the acts of nineteen hundred and seventy-three, the commonwealth, acting by and through the executive office for administration and finance, shall prior to December fifteenth, nineteen hundred and seventy-four, enter into an additional contract or contracts with the Massachusetts Bay Transportation Authority providing that an additional forty-five million dollars of the net cost of service of the authority for calendar year nineteen hundred and seventy-four shall be paid by the commonwealth out of the General

Fund and shall not be assessed upon the cities and towns constituting said authority; provided however, that the total state contract assistance in calendar year nineteen hundred and seventy-four shall not exceed sixty-five million dollars. Said forty-five million dollars in additional contract assistance shall not be assessed upon the cities and towns, and shall be so applied that for assessment purposes, the total contract assistance provided by the commonwealth to the Massachusetts Bay Transportation Authority for calendar year nineteen hundred and seventy-four shall result in proportionally equal reductions in all cost items comprising the Massachusetts Bay Transportation Authority net cost of service.

SECTION 7. In addition to the contract assistance paid to the Massachusetts Bay Transportation Authority under the provisions of chapter one hundred and sixty-one A of the General Laws, under section sixteen of chapter one thousand one hundred and forty of the acts of nineteen hundred and seventy-three, and under section five of this act, the commonwealth, acting by and through the executive office of administration and finance, shall prior to December fifteenth, nineteen hundred and seventy-four enter into a contract or contracts with the Massachusetts Bay Transportation Authority providing that an amount not to exceed fifty per cent of said Authority's net additional expense of providing rail service to the cities of Lowell, Haverhill, Lawrence, Newburyport and Gloucester and to the towns of Acton, Ayer, Billerica, Littleton, North Andover, Andover, Ipswich, Rockport, and Franklin from January first, nineteen hundred and seventy-four to December thirty-first, nineteen hundred and seventy-four under contracts with said cities and towns shall be paid by the commonwealth to said Authority and shall not be reimbursed by said cities and towns to said Authority for said rail service; provided, that the proportion of the net additional expense of said rail service paid by the commonwealth shall not exceed the proportion of said Authority's total net cost of service paid by the commonwealth for calendar year nineteen hundred and seventy-four.

SECTION 8. The sixth paragraph of section 8 of chapter 161A of the General Laws, added by section 13 of chapter 1140 of the acts of 1973, is hereby amended by striking out, in line 2, the words "opened after July first, nineteen hundred and seventy-three", and inserting in place thereof the words:— which is opened after July first, nineteen hundred and seventy-three and which is in addition to, and not in replacement of, any station or stations existing on said date.

SECTION 9. To the extent not inconsistent with any federal law, any federal funds received by the Massachusetts Bay Transportation Authority for transit operating subsidies in fiscal year nineteen hundred and seventy-five shall be applied by said Authority first to reduce the sum of forty-five million dollars of additional state contract assistance to said Authority for calendar year nineteen hundred and seventy-four which is authorized in section six of this act.

In addition, the Authority shall certify to the state treasurer the amount of such federal transit operating subsidies which said

Authority has applied to reduce the Authority's state contract assistance, and the state treasurer shall reduce by an equal amount, but not to exceed twenty-five million dollars, the sums distributed pursuant to section three of this act. Further, if the amount of federal transit operating subsidies which the Authority has applied to reduce the Authority's state contract assistance exceeds twenty-five million dollars, the Authority shall certify to the department of public works the amount of such excess, and the department shall reduce the sums distributed pursuant to section one of this act by an amount equal to such excess, but not exceeding twenty million dollars.

SECTION 10. The first paragraph of section 20 of chapter 1140 of the acts of 1973 is hereby amended by striking out in the line for New Bedford the figure "435,436" and inserting in place thereof the figure "435,435"; by striking out in the line for Shelburne the figure "25,101" and inserting in place thereof the figure "24,101"; by striking out in the line for Springfield the figure "705,623" and inserting in place thereof the figure "705,622"; and by striking out in the line for Worcester the figure "750,608" and inserting in place thereof the figure "750,607".

SECTION 11. The first paragraph of section 21 of said chapter 1140 is hereby amended by striking out in the line for Scituate the figure "42,000" and inserting in place thereof the figure "42,400".

SECTION 12. The second paragraph of section 22 of said chapter 1140 is hereby amended by striking out the words, "December thirty-first, nineteen hundred and seventy-four" and inserting in place thereof the words:— June thirtieth, nineteen hundred and seventy-five.

SECTION 13. The third paragraph of said section 22 of said chapter 1140 is hereby amended by striking out the words "December thirty-first, nineteen hundred and seventy-four" and inserting in place thereof the words:— June thirtieth, nineteen hundred and seventy-five.

Approved August 13, 1974.

Chap. 826. AN ACT ESTABLISHING AN OFFICE OF INTERNATIONAL TRADE IN THE DEPARTMENT OF COMMERCE AND DEVELOPMENT.

Be it enacted, etc., as follows:

Chapter 23A of the General Laws is hereby amended by adding after section 23, added by section 2 of chapter 1178 of the acts of 1973, the following five sections:—

Section 24. There shall be in the department the office of international trade, in this section and in sections twenty-five to twenty-eight, inclusive, referred to as the office. The office may be located in a far eastern or European country determined to be best suited as the location for the furthering of foreign trade opportunities for the businesses of the commonwealth. Said office shall serve the purpose of encouraging and furthering trade between foreign businesses and businesses in the commonwealth. Said office shall also promote in-

vestment opportunities in the commonwealth for foreign businesses in order to encourage the location and establishment of such businesses within the commonwealth. For said purposes of furthering foreign trade and investment, said office, subject to appropriation, may contract for such advertising and other communication services as may be necessary to further the purposes of this section.

The office shall maintain an updated list of businesses in the commonwealth and foreign businesses which are or might become active in the import or export of their products and services. The office may also provide additional information and assistance to businesses in the commonwealth desirous of exporting their goods and services.

The office shall maintain and give suitable publicity to an updated list of available sites for the location of foreign based businesses in the commonwealth. The office may make available technical assistance to foreign businesses interested in the establishment of plants or facilities in the commonwealth.

The office shall, on a regular basis, make all foreign trade information available to the commissioner, who shall publish and furnish such information to businesses and corporations in the commonwealth which might be interested in, or benefit from the utilization of such information. The commissioner may charge a fee not to exceed the actual printing costs for such information.

Section 25. There shall be a director of the office appointed by the commissioner, with the approval of the secretary of manpower affairs, who shall be a person with at least two years' experience in international trade, having had administrative or business experience in the country where the office is located, who shall be fluent in at least two languages and who may be a foreign national. The director shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty.

Section 26. The commissioner is authorized, with the approval of the secretary of manpower affairs and subject to appropriation, to enter into a lease for such office space as may be necessary and to purchase or lease such equipment as may be needed for the operation of the office.

Section 27. The commissioner may accept in the name of the office funds from private groups, agencies and persons.

Section 28. The commissioner and the director shall annually file a financial report with the clerks of the house and senate and the joint legislative committee on commerce and labor on the operation and activities of the office. The report shall include a complete evaluation of the results of the activities of the office and its effects on the business economy of the commonwealth, especially in the areas of the export of goods and services and in the location of foreign businesses in the commonwealth.

Approved August 13, 1974.

Chap. 827. AN ACT CLARIFYING PROCEDURES RELATING TO DRUG REHABILITATION FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 38 of chapter 123 of the General Laws is hereby amended by inseting after the definition of "Advisory board", as appearing in section 6 of chapter 1071 of the acts of 1971, the following definition:—

"Assignment", the order of the court, pursuant to the defendant's request, placing the defendant, if determined to be a drug dependent person who would benefit by treatment, in the care of a drug treatment facility.

SECTION 2. Said section 38 of said chapter 123 is hereby further amended by inserting after the definition of "Division", as so appearing, the following definition:—

"Drug", any controlled substance as defined in chapter ninety-four C, or glue or cement, as defined in section nineteen of chapter two hundred and seventy.

SECTION 3. Said section 38 of said chapter 123 is hereby further amended by striking out the definition of "Drug addict", as so appearing.

SECTION 4. Said section 38 of said chapter 123 is hereby further amended by striking out the definition of "Drug dependent person", as so appearing, and inserting in place thereof the following definition:—

"Drug dependent person", a person who habitually uses or has a clear sense of need for a drug other than alcohol, tobacco, and lawful caffeine-containing beverages and other than a medically prescribed drug when such drug is medically indicated and the intake is proportional to the medical need.

SECTION 5. Said section 38 of said chapter 123 is hereby further amended by inserting after the definition of "Facility", as so appearing, the following definitions:—

"Federal facility", any place, or portion thereof, operated by the federal government, which is not part of or located at a penal institution providing services especially designed for the treatment of drug dependent persons or persons in need of immediate treatment due to the use of a dependency related drug.

"First drug offense", that illegal act which stands pending for trial. Persons arrested for prior drug offenses in which the case has been terminated favorably to the defendant, shall be considered as a first drug offender.

SECTION 6. The second sentence of the second paragraph of section 40 of said chapter 123, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by inserting after the word "commissioner", in line 3, the words:— and to the secretary of human services.

SECTION 7. Section 42 of said chapter 123, as so appearing, is hereby amended by striking out the sixth paragraph and inserting in place thereof the following two paragraphs:—

The director shall prepare and publish annually a list of all

facilities, including federal facilities, operating in accordance with this chapter and shall make it available to all district and superior court judges within the commonwealth on an annual basis and to members of the public upon request. Such list shall include, but not be limited to the following:

(a) eligibility for treatment

(b) scope of treatment offered

(c) applicable facility fees

(d) last known patient capacity

(e) facilities for emergency treatment

Notices shall be sent quarterly by the director to all district and superior court judges within the commonwealth containing updated information on such list. Said notices shall also state the last known waiting period for admission to each facility.

SECTION 8. The first paragraph of section 44 of said chapter 123, as so appearing, is hereby amended by inserting after the second sentence the following sentence:— The division may issue a provisional license or approval where a facility has not previously operated, or is operating but is temporarily unable to meet applicable standards and requirements.

SECTION 9. Said first paragraph of said section 44 of said chapter 123 is hereby further amended by adding after clause (4) the following clause:—

(5) the services and treatment provided by programs.

(6) certification of capability of self-preservation.

SECTION 10. The third paragraph of section 44 of said chapter 123, as so appearing, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:—

(1) for failure to meet the requirements of its rules and regulations under this section.

SECTION 11. Said third paragraph of said section 44 of said chapter 123, as so appearing, is hereby amended by inserting after the word "rendered", in line 10, the following:— or (3) for failure to comply with the provisions of section forty-seven.

SECTION 12. The second paragraph of section 45 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 4, 5, and 6, the words "who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but".

SECTION 13. Said section 45 of said chapter 123, as so appearing, is hereby amended by striking out the third and fourth paragraphs and inserting in place thereof the following paragraph:—

If the director finds that the person is a drug dependent person who would benefit by treatment, he may cause him to be admitted to a facility as an inpatient or outpatient.

SECTION 14. The fifth paragraph of said section 45 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words:— who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but.

SECTION 15. The eighth paragraph of said section 45 of said chapter 123, as so appearing, is hereby amended by striking out the

first three sentences and inserting in place thereof the following sentence:— Before causing a person to be admitted to a facility, the director may make a recommendation to the person as to the period deemed necessary to accomplish adequate and appropriate treatment, but in no case shall the period exceed one year.

SECTION 16. The ninth paragraph of said section 45 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 2, 3 and 4, the words "either a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but" and inserting in place thereof the words:— a drug dependent person.

SECTION 17. Said chapter 123 is hereby amended by striking out section 47, as so appearing, and inserting in place thereof the following section:—

Section 47. Any defendant who is charged with a drug offense shall, upon being brought before the court on such charge, be informed that he is entitled to request an examination to determine whether or not he is a drug dependent person who would benefit by treatment, and that if he chooses to exercise such right he must do so in writing within five days of being so informed.

If the defendant requests such an examination, the court may in its discretion determine that the defendant is a drug dependent person, who would benefit by treatment, without ordering the examination. In such event, the court shall inform the defendant that he may request assignment to a drug treatment facility, and advise him of the consequences of assignment and that if he is so assigned the criminal proceedings shall be stayed for the term of such assignment.

The criminal proceedings shall be stayed for the period during which a request made under this section is under consideration by the court. If the defendant requests an examination, the court shall, unless the court has already determined that the defendant is a drug dependent person, appoint a psychiatrist, or if it is, in the discretion of the court, impracticable to do so, a physician, to conduct the examination at an appropriate location designated by it. In no event shall the request for such an examination or any statement made by the defendant during the course of the examination, or any finding of the psychiatrist or physician be admissible against the defendant in any criminal proceedings.

The psychiatrist or physician shall report his findings in writing to the court within five days after the completion of the examination, stating the facts upon which the findings are based and the reasons therefor.

If the defendant is also charged with a violation of any law other than a drug offense, the stay of the criminal proceedings may be vacated by the court upon the report of the psychiatrist or physician, whereupon the report shall be considered upon disposition of the charges in accordance with sections forty-eight and forty-nine, and the remaining provisions of this section shall not apply. If the defendant is charged with a drug offense only and if the psychiatrist or physician reports that the defendant is a drug dependent person who

would benefit by treatment, the court shall inform the defendant that he may request assignment to a drug treatment facility, and advise him of the consequences of the assignment and that if he is so assigned the criminal proceedings shall be stayed for the term of such assignment.

If the defendant requests assignment and if the court determines that he is a drug dependent person who would benefit from treatment the court may stay the criminal proceedings and assign him to a drug treatment facility.

An order assigning a person under this section shall specify the period of assignment, which shall not exceed eighteen months or the period of time equal to the maximum sentence he could have received had he been found guilty of every count alleged in the complaint or indictment, whichever is shorter.

In determining whether or not to grant a request for assignment under this section, the court shall consider the report, the past criminal record of the defendant, the availability of adequate and appropriate treatment at a facility, the nature of the offense with which the defendant is charged including, but not limited to, whether the offense charged is that of a sale or sale to a minor, and any other relevant evidence.

In the event that the defendant requests assignment and if the court determines that the defendant is a drug dependent person who would benefit by treatment, and the defendant is charged for the first time with a drug offense not involving the sale or manufacture of dependency related drugs, and there are no continuances outstanding with respect to the defendant pursuant to this section, the court shall order that the defendant be assigned to a drug treatment facility without consideration of any other factors.

Before such assignment, the court shall consult with the facility or the division, to determine that adequate and appropriate treatment is available.

If the defendant requests assignment, and if the court determines that the defendant is a drug dependent person who would benefit by treatment, and the defendant is charged for the first time with a drug offense not involving the sale or manufacture of dependency related drugs, and there are no continuances outstanding with respect to the defendant pursuant to this section, and adequate and appropriate treatment at a facility is not available, the stay of criminal proceedings shall remain in effect until such time as adequate and appropriate treatment at a facility is available.

In all other cases, an assignment order shall not be made unless, after consultation with the facility or the division, the court determines that adequate and appropriate treatment is available, provided, however, that the court may in its discretion order that the stay of criminal proceedings remain outstanding until such time as adequate and appropriate treatment is available.

In the event that the stay of the criminal proceedings remains in effect for the reason that adequate and appropriate treatment at a facility is not available, the issue of the availability of adequate and

appropriate treatment at a facility may be reopened at any time by the court on its own motion, or on motion by the prosecutor, or the defendant.

In no event shall any defendant be assigned pursuant to this section unless the defendant consents in writing to the terms of the assignment order.

If the psychiatrist or physician reports that the person is not a drug dependent person who would benefit by treatment, the defendant shall be entitled to request a hearing to determine whether or not he is a drug dependent person who would benefit by treatment. The court may on its own motion, or shall, upon request of the defendant or his counsel, appoint an independent psychiatrist, or if it is impracticable to do so, an independent physician to examine the defendant and testify at the hearing. If the court determines that the defendant is a drug dependent person who would benefit by treatment, the procedures and standards applicable to a defendant who is determined by the court, following the report of the first examining psychiatrist or physician to be a drug dependent person who would benefit by treatment, shall apply to the defendant.

If the court does not assign the defendant to a facility, the stay of the criminal proceedings shall be vacated.

At any time during the term of assignment, the administrator may transfer any inpatient to an outpatient program if he finds that the patient is a proper subject for an outpatient program; provided, however, that the administrator may retransfer the patient to an inpatient program if he finds that the person is not suitable for outpatient treatment, and provided further that immediately upon such transfer the administrator shall notify in writing the assigning court and the director of such transfer.

Any patient assigned under this section may apply in writing to the assigning court for discharge or transfer either from inpatient to outpatient treatment or from one facility to another; provided, however, that not more than one such application may be made in any three-month period. Upon receipt of an application for discharge or transfer, the court shall give written notice to the patient of his right to a hearing and to be represented by counsel at the hearing.

Within ten days of the receipt by the court of an application for discharge, the administrator and an independent psychiatrist, or, if none is available, an independent physician, designated by the court to make an examination of the patient shall report to the court as to whether or not the patient would benefit from further treatment at a facility. If the court determines that the patient would no longer so benefit, the patient's application for discharge shall be granted. If the court does not so determine, said application shall be denied.

Within ten days of the receipt by the court of an application for transfer, the administrator shall report to the court as to whether the patient is a proper subject for the transfer for which he has made application. If the court determines that the patient is a proper subject for the transfer, the patient's application for transfer shall be granted and the assigning court shall be so notified. If the court does not so determine, said application shall be denied.

Throughout the period of assignment at a facility pursuant to this section, the administrator of said facility shall provide quarterly written reports on the progress being made in treatment by the defendant to the assigning court. Failure to comply may be grounds for suspension of the facility's license. At the end of the assignment period, or when the patient is discharged by the administrator, or when the patient prematurely terminates treatment at a facility, whichever occurs first, the administrator shall notify in writing the assigning court and the director of such termination, and further shall state the reasons for such termination, including whether the defendant successfully completed the treatment program.

In reaching its determination of whether or not the defendant successfully completed the treatment program, the court shall consider, but shall not be limited to, whether the defendant cooperated with the administrator and complied with the terms and conditions imposed on him during his assignment. If the report states that the defendant successfully completed the treatment program, or if the defendant completes the term of treatment ordered by the court, the court shall dismiss the charges pending against the defendant. If the report does not so state, or if the defendant does not complete the term of treatment ordered by the court, then, based on the report and any other relevant evidence, the court may take such action as it deems appropriate, including the dismissal of the charges or the revocation of the stay of the criminal proceedings.

As to any defendant determined by the court pursuant to this section to be a drug dependent person who would benefit by treatment, concerning whom the court does not order assignment in lieu of prosecution, the court may in the event that such person is convicted of the criminal charges, order that he be afforded treatment pursuant to either section forty-eight or forty-nine. The provisions of this section shall apply to juveniles in the same manner and under the same terms and conditions as adults; provided that no juvenile shall be committed to a facility without the consent of his parents or guardian.

The provisions of this section shall apply to proceedings in the superior court provided, however, that no defendant who has been examined for his drug dependency pursuant to this section in a district court shall have the right to a new examination if his case is bound over or appealed to the superior court; provided, however, that a superior court judge may, in his discretion, grant a second such drug examination.

During any stays authorized by this section, the court may in its discretion place the defendant in the care of a probation officer until he is accepted at a facility. For the purposes of this section, the term facility shall include federal facilities.

SECTION 18. The first sentence of the fourth paragraph of section 48 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 1, 2 and 3, the words "who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but".

SECTION 19. Said section 48 of said chapter 123 is hereby amended by striking out the fifth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

If the report states that the defendant is not a drug dependent person who would benefit by treatment, the defendant shall be entitled to request a hearing on whether or not he is a drug dependent person who would benefit by treatment. If the court determines that he is a drug dependent person who would benefit by treatment, and if the court orders that the defendant be confined to a jail, house of correction, prison, or other correctional institution, the court may order that the defendant be afforded treatment at a penal facility in accordance with the standards and procedures set forth in this section.

SECTION 20. The first sentence of section 49 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but", and by striking out, in lines 7 and 8, the words "division, it determines that adequate treatment at an appropriate facility" and inserting in place thereof the words:— facility, it determines that adequate and appropriate treatment.

SECTION 21. Said section 49 of said chapter 123 is hereby further amended by inserting after the second sentence the following two sentences:— A periodic program of urinalysis may be employed as a condition of probation to determine the drug free status of the probationer. The cost of the administration of such program shall be borne by the commonwealth.

SECTION 22. Said section 49 of said chapter 123 is hereby further amended by adding the following paragraph:—

Throughout the period of probation at a facility pursuant to this section, the administrator of said facility shall provide quarterly written reports on the progress being made in treatment by the defendant to the defendant's probation officer.

SECTION 23. The first sentence of the first paragraph of section 50 of said chapter 123, as so appearing, is hereby amended by striking out, in line 1, the word "treatment" and inserting in place thereof the word:— referral.

SECTION 24. The second paragraph of said section 50 of said chapter 123, as so appearing, is hereby amended by striking the first sentence and inserting in place thereof the following sentence:— Upon receipt by the director of a request for referral from the youth service board, he shall, unless the person has been examined pursuant to section forty-seven, designate a psychiatrist or, if in the discretion of the director it is impracticable to do so, a physician, to make an examination of the person to be referred to determine whether or not he is a drug dependent person who would benefit by treatment.

SECTION 25. The third paragraph of said section 50 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 1, 2 and 3, the words "who is a drug addict who would benefit by treatment or drug dependent person who is not a drug addict but".

SECTION 26. The fourth paragraph of said section 50 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "who is a drug addict who would benefit by treatment or drug dependent person who is not a drug addict but".

SECTION 27. The fifth paragraph of said section 50 of said chapter 123, as so appearing, is hereby amended by striking out the first three sentences and inserting in place thereof the following sentence:— If the director decides to admit to a facility a juvenile or youthful offender pursuant to this section, he shall recommend to the department of youth services the period deemed necessary to accomplish adequate and appropriate treatment but in no case shall the period exceed one year.

SECTION 28. The sixth paragraph of said section 50 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 2, 3 and 4, the words "either a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but" and inserting in place thereof the words:— a drug dependent person.

SECTION 28A. Paragraph (*a*) of section 55 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "upon judicial order, whether in connection with pending judicial proceedings or otherwise" and inserting in place thereof the words:— Upon judicial order, whether in connection with pending judicial proceedings or otherwise or, where disclosure is authorized with the informed consent of the patient. Such consent shall be in writing, shall be to the benefit of the patient, and shall be signed by the patient. Such consent shall state the name of the person or organization to whom the disclosure it to be made, the specific type of information to be disclosed, and the purpose or need for such disclosure.

SECTION 29. Section 20 of chapter 278 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "expenses", in line 5, the words:— and the report of any examination pursuant to the provisions of section forty-seven or forty-eight of chapter one hundred and twenty-three.

Approved August 13, 1974.

Chap. 828. AN ACT FURTHER REGULATING THE APPOINTMENT OF PERSONS TO TEMPORARY POSITIONS CREATED UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973.

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 Comprehensive Employment and Training Act of 1973, and amendments thereto 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. This act shall not apply to law enforcement officers or members of fire fighting forces.

Approved August 13, 1974.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
August 13, 1974

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 828 of the Acts of 1974, entitled "AN ACT FURTHER REGULATING THE APPOINTMENT OF PERSONS TO TEMPORARY POSITIONS CREATED UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973." and the enactment of which received my approval on August 13, 1974, should take effect forthwith.

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

It is in the public interest that the opportunities for employment, provided for in this Act, be made available immediately.

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

OFFICE OF THE SECRETARY, Boston, August 13, 1974.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by

His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and fifty-two minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and twenty-eight of the acts of nineteen hundred and seventy-four.

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

Chap. 829. AN ACT AUTHORIZING THE STATE TREASURER AND TREASURERS OF COUNTIES TO PAY EMPLOYEES BY MEANS OF DEPOSITS TO EMPLOYEE BANK ACCOUNTS.

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 29 of the General Laws is hereby amended by adding the following paragraph:—

The treasurer may pay any salary, wages or other compensation to any person in the service of the state by means of deposits to employee bank accounts provided employees have expressly authorized said deposits.

SECTION 2. Section 19 of chapter 35 of the General Laws is hereby amended by adding the following paragraph:—

Any county treasurer may pay salaries, wages, or other compensation to any person in the service of the county by means of deposits to the employees' bank accounts provided employees have expressly authorized said deposits.

Approved August 13, 1974.

Chap. 830. AN ACT IMPOSING AN ADDITIONAL PENALTY UPON PERSONS WHO USE OR POSSESS A FIREARM WHILE IN THE COMMISSION OF A FELONY.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by inserting after section 18A the following section:—

Section 18B. Whoever while committing an offense which may be punished by imprisonment in the state prison uses a firearm, rifle, shotgun or machine gun shall, in addition to the penalty for such offense, be punished by imprisonment in a jail or house of correction for not less than two years, or in the state prison for not less than two and one half years nor more than five years, which sentence shall not be suspended, nor shall such person be parolled prior to the expiration of such additional sentence. Whoever has committed an offense which may be punished by imprisonment in the state prison and used therein a firearm, rifle, shotgun or machine gun and who thereafter commits a second or subsequent offense which may be

punished by imprisonment in the state prison and uses a firearm, rifle, shotgun or machine gun therein shall, in addition to the penalty for such offense, be punished by imprisonment in the state prison for five years, which sentence shall not be suspended, nor shall such person be parolled prior to the expiration of five years. This section shall not apply in the case of any felony in which the offense consists in whole or in part of using a dangerous weapon.

Approved August 13, 1974.

Chap. 831. AN ACT PROVIDING FOR ADDITIONAL REAL ESTATE TAX EXEMPTIONS FOR CERTAIN VETERANS CLASSIFIED AS ONE HUNDRED PER CENT DISABLED.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out the introductory clause, as most recently amended by section 1 of chapter 270 of the acts of 1970, and inserting in place thereof the following clause:—

The following property shall be exempt from taxation; provided, however, that any person who receives an exemption under the provisions of clause Seventeen, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Forty-first, Forty-second or Forty-third shall not receive an exemption on the same property under any other provision of this section, except clause Eighteenth:.

SECTION 2. Paragraph (*d*) of clause Twenty-second of said section 5 of said chapter 59, as appearing in section 1 of chapter 666 of the acts of 1962, is hereby amended by striking out, in line 3, the words "Twenty-second A, Twenty-second B and Twenty-second C" and inserting in place thereof the words:— , Twenty-second A, Twenty-second B, Twenty-second C and Twenty-second E.

SECTION 3. Said section 5 of said chapter 59 is hereby further amended by inserting after clause Twenty-second D the following clause:—

Twenty-second E, Real estate of soldiers and sailors who are legal residents of the commonwealth and who are veterans as defined in clause forty-three of section seven of chapter four, and who, as a result of disabilities contracted while in such wartime service and in the line of duty, have a disability rating of one hundred per cent as determined by the Veterans Administration and are incapable of working, and who were domiciled in the commonwealth for at least six months prior to entering such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this clause, to the amount of six thousand dollars or the sum of five hundred and twenty-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, provided, that such real estate is occupied as his domicile by such person; and provided further, that if said property be greater than a single-family house, then only that value of so much of said house as

is occupied by said person as his domicile or a proportionate part of five hundred and twenty-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, shall be exempted.

After the assessors have allowed an exemption under this clause, the assessors shall require an annual statement certifying that the disability rating as determined by the Veterans Administration has not been reduced to less than one hundred per cent.

No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such soldier or sailor to evade taxation.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the city or town; the balance, up to four thousand dollars of exemption or up to the sum of three hundred and fifty dollars, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 4. Section 59 of said chapter 59 is hereby amended by striking out the second paragraph, inserted by section 2 of chapter 615 of the acts of 1965, and inserting in place thereof the following paragraph:—

An application for exemption under clause Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E, Thirty-seventh or Forty-first of section five may be made on or before December fifteenth of the year to which the tax relates.

SECTION 5. The first sentence of section 3A of chapter 60 of the General Laws, as amended by section 3 of chapter 615 of the acts of 1965, is hereby further amended by inserting after the word "Twenty-second C", in lines 5, 10, and 17, the word:— Twenty-second E.

SECTION 6. This act shall apply to taxes levied for the fiscal year beginning July first, nineteen hundred and seventy-four, and thereafter.

Approved August 13, 1974.

Chap. 832. AN ACT PROVIDING THAT THE COMMONWEALTH ASSUME RESPONSIBILITY FOR THE REPAIR, RECONSTRUCTION OR REPLACEMENT OF THE FARNHAM DAM IN THE TOWN OF WASHINGTON.

Be it enacted, etc., as follows:

The commonwealth, through the division of waterways of the department of public works, shall assume responsibility for repair, reconstruction, or replacement of the Farnham dam in the town of Washington, subject to the provisions of chapter ninety-one of the General Laws.

Approved August 13, 1974.

Chap. 833. AN ACT ESTABLISHING A NUTRITION BOARD IN THE EXECUTIVE OFFICE OF HUMAN SERVICES.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 6 of the General Laws, as appearing in section 1 of chapter 535 of the acts of 1966, is hereby amended by inserting after the word "handicapped", in line 19, the words:— , the nutrition board.

SECTION 2. Said chapter 6 is hereby further amended by inserting after section 180 the following two sections:—

Section 181. There shall be in the executive office of human services a nutrition board, hereinafter referred to as the board, which shall consist of the commissioner of public health, who shall serve as chairman, the commissioner of public welfare, the director of the office for children, the commissioner of mental health, the commissioner of education, the commissioner of agriculture, the secretary of human services, the secretary of consumer affairs, the secretary of elder affairs, or their respective designees, and nine persons to be appointed for terms of three years by the governor, of whom one shall be a registered physician with expertise in nutritional science, one shall be a qualified practicing nutritionist or dietician with experience and knowledge in public and community nutrition, one shall be a representative of the food industry, one shall be a nutrition educator from an institution of higher education concerned with graduate education in the field of nutrition, and five shall be representatives of the general public who shall be consumers selected in a manner so as to reflect the population distribution of the commonwealth. Appointive members of the board shall not be compensated for their services, but shall be reimbursed for any expense actually and necessarily incurred in the performance of their duties.

The chairman shall, with the approval of the board, appoint a secretary and an executive secretary who shall not be subject to the provisions of chapter thirty-one and section nine A of chapter thirty, but who shall be recognized authorities in the field of public health nutrition and nutritional science and who shall have broad experience in public health nutrition. The secretary and executive secretary shall receive such salary as the board, with the approval of the governor, may fix. The chairman shall, with the approval of the board, expend such sums for clerical, technical and other assistance as may be required by the board in carrying out its duties. The board shall be provided with adequate quarters in the state house or elsewhere.

Section 182. The nutrition board shall act in an advisory capacity to the secretaries and commissioners having membership on the board as provided in section one hundred and eighty-one and shall:

(*i*) plan long-range nutrition programs for the commonwealth according to need;

(*ii*) inform the commissioners serving on the board, and other state employees when necessary, as to the goals set forth by the White House Conference on Food and Nutrition;

(*iii*) review and evaluate existing food and nutritionally related programs, including school lunch and other meal programs, food assistance programs, such as the food commodity distribution program and the food stamp program, budget allocations for dietary needs under the categorical financial assistance programs, nutrition programs for the elderly, and any other such programs;

(*iv*) survey the nutritional health of the citizens of the commonwealth, particularly that of low-income persons and other high risk groups;

(*v*) assist in planning the development of nutrition programs and projects in private and public institutions and the various bureaus, departments and offices of the commonwealth and its political subdivisions;

(*vi*) review the annual plans and the proposed budgets of the various state departments insofar as said plans and budget relate to or have an effect on any nutrition or nutritionally related matters or programs, the eating habits of the citizens of the commonwealth or the nutritional health of the citizens of the commonwealth and make recommendations to the commissioners of the various departments in relation thereto;

(*vii*) devise a plan whereby the benefits of various govermental and nongovernmental funding opportunities can be secured for the citizens of the commonwealth;

(*viii*) submit an annual report to the governor, the commissioners of departments of the commonwealth and the general court, which report may include recommendations for legislation regarding nutritional and food service problems and programs in the commonwealth.

SECTION 3. The first sentence of the first paragraph of 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 "commission", in lines 21 and 22, the words:— , the nutrition board.

SECTION 4. The first three appointive members of the nutrition board established by section one hundred and eighty-one of chapter six of the General Laws, inserted by section two of this act, shall be appointed for a term of one year, the fourth, fifth and sixth members for a term of two years and the seventh, eighth and ninth members for a term of three years and upon the expiration of a term of an appointive member, his successor shall be appointed in like manner for a term of three years. The governor shall in like manner fill any vacancy for the remainder of any unexpired term.

Approved August 13, 1974.

Chap. 834. AN ACT INCREASING THE MEMBERSHIP OF THE GROUP INSURANCE COMMISSION.

Be it enacted, etc., as follows:

Section 3 of chapter 32A of the General Laws, as most recently amended by chapter 1052 of the acts of 1971, is hereby further

amended by striking out the first sentence and inserting in place thereof the following sentence:— There shall be established within the executive office of administration and finance, but not under its jurisdiction, a special unpaid commission, to be known as the group insurance commission, consisting of the commissioner of administration, the commissioner of insurance, and seven members to be appointed by the governor, one of whom shall be a retired state employee, and at least two of whom shall be full-time state employees, one of whom shall be a member of the Massachusetts Public Employees Council, #41 AFSCME, AFL-CIO, and the other a member of the Massachusetts State Employees Association.

Approved August 13, 1974.

Chap. 835. AN ACT ESTABLISHING A DIVISION OF PERSONNEL ADMINISTRATION IN THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE TO CONSOLIDATE AND COORDINATE THE ADMINISTRATION OF THE LAWS RELATIVE TO EMPLOYEES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 105 of chapter 6 of the General Laws, as appearing in section 3 of chapter 662 of the acts of 1958, is hereby amended by striking out, in line 9, the words "director of civil service" and inserting in place thereof the words:— the personnel administrator.

SECTION 2. Section 116 of said chapter 6, as most recently amended by section 1 of chapter 241 of the acts of 1974, is hereby further amended by striking out, in lines 2 and 3, the words "the director of civil service" and inserting in place thereof the words:— the personnel administrator.

SECTION 3. Section 165 of said chapter 6, as appearing in section 1 of chapter 842 of the acts of 1971, is hereby amended by striking out, in line 18, the words "civil service" and inserting in place thereof the words:— personnel administration.

SECTION 4. Section 4A of chapter 7 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 10 of chapter 422 of the acts of 1974, and inserting in place thereof the following paragraph:—

The executive office for administration and finance shall include a comptroller's division, in charge of a comptroller, who shall have the rank of deputy commissioner and shall be appointed by the governor for a term coterminous with that of the governor, and shall receive a salary of thirty-one thousand eight hundred and sixty dollars; a purchasing agent's division, in charge of a purchasing agent, who shall have the rank of deputy commissioner and shall be appointed by the governor for a term coterminous with that of the governor and shall receive a salary of thirty-one thousand eight hundred and sixty dollars; a division of personnel administration, in charge of a

personnel administrator, who shall have the rank of a deputy commissioner, a division of employee relations, headed by a deputy commissioner for employee relations; a fiscal affairs division, headed by a deputy commissioner for fiscal affairs; and a central services division, headed by a deputy commissioner for central services. The personnel administrator shall be appointed by the commissioner, with the prior written approval of the governor, from the names of three persons submitted by the majority vote of all the members of the civil service commission. The said personnel administrator shall be a person familiar with the principles and experienced in the methods and practice of personnel administration. The said personnel administrator shall serve for a term of four years, which term shall end on June thirtieth of the first year of the term of the governor, except that he may be removed by the commissioner, with the approval of four fifths of the members of the civil service commission. Any person so appointed shall serve until the qualification of his successor; provided, however, that in such case, or in the case of a person appointed to fill a vacancy occurring during the prescribed term by reason of death, resignation or otherwise, the term of the successor in said office shall end on the next succeeding June thirtieth of the first year of the term of the governor. No person while holding such appointment shall be subject to section nine A of chapter thirty. The deputy commissioner for employee relations, the deputy commissioner for fiscal affairs and the deputy commissioner for central services shall each be appointed by the commissioner, with the prior written approval of the governor, and shall serve at the pleasure of the commissioner, shall be a person of ability and experience, shall devote his entire time to the duties of his office, and shall perform such functions as the commissioner shall from time to time assign to him; provided, however, that no person while holding any such appointment shall be subject to section nine A of chapter thirty.

SECTION 5. The first sentence of the second paragraph of said section 4A of said chapter 7, as amended by section 5 of chapter 704 of the acts of 1969, is hereby further amended by striking out, in line 1, the word "Excepting" and inserting in place thereof the words:— Except in the cases of the division of personnel administration and.

SECTION 6. Said chapter 7 is hereby further amended by striking out section 4B, as most recently amended by section 1 of chapter 492 of the acts of 1968, and inserting in place thereof the following section:—

Section 4B. There shall be within the fiscal affairs division a budget bureau, headed by a budget director; a management bureau, headed by a director of management; and such other administrative units as may be established in or assigned to the said division from time to time by the commissioner. The said budget director and director of management shall each be appointed by the commissioner, with the approval of the governor, and may be removed, for cause, in like manner; shall be a person of ability and experience, and shall devote his entire time to the duties of his office; and neither of the said offices shall be classified under chapter thirty-one.

SECTION 7. The first paragraph of section 4G of said chapter 7, as appearing in section 2 of chapter 805 of the acts of 1972, is hereby amended by striking out, in lines 5 and 6, the words "the division of civil service, and all other agencies within said division" and inserting in place thereof the words:— the civil service commission; the municipal personnel advisory board, — and by striking out, in line 11, the words "personnel appeals board".

SECTION 8. Said chapter 7 is hereby further amended by inserting after section 4H, as inserted by section 3 of chapter 1229 of the acts of 1973, the following three sections:—

Section 4I. There shall be within the executive office for administration and finance, but not under its supervision or control, a commission, to be known as the civil service commission, consisting of five members, one of whom because of vocation, employment, occupation or affiliation, can be classified as a bona fide representative of labor.

Upon the expiration of the term of office of a commissioner of the civil service commission, his successor shall be appointed by the governor for five years; provided, however, that if such successor is not appointed within sixty days of the expiration of the term of office of a commissioner, the said commissioner shall be deemed to be reappointed to a full term. Not more than three of such members of said commission shall be members of the same political party, and, of the members of said commission who are enrolled as members of a political party on the voting list used at the primaries, not more than a majority of such members shall be of the same political party. The governor shall, from time to time, designate one of the members as chairman. The chairman shall receive a salary of fifteen thousand seven hundred and sixty-six dollars and each other member shall receive a salary of fourteen thousand six hundred and twenty-three dollars. The commissioners shall receive their travel and other necessary expenses incurred in attending meetings.

Meetings of the commission shall be held at such times as it may by rule determine, and upon the request of any member of the commission or upon the request of the personnel administrator.

Said commission or any member thereof or the personnel administrator may require any official or employee of the division of personnel administration to give full information and to produce all papers and records relating to any official act performed by him.

Section 4J. There shall be within the division of personnel administration a bureau of classification, headed by a classification director; a bureau of examination, headed by an examination director, a bureau of employee development, headed by a director of employee development; a bureau of planning and research, headed by a director of planning and research; and a bureau of personnel records, headed by a director of personnel records. Each of the said directors shall be appointed by the personnel administrator, with the prior written approval of the commissioner, and may be removed in like manner; shall be a person of ability and experience, shall devote his entire time to the duties of his office, and shall perform such functions as the personnel administrator shall from time to time

assign to him. None of the said offices shall be classified under chapter thirty-one; and no person while holding any such appointment shall be subject to section nine A of chapter thirty. So far as practicable in the judgment of the personnel administrator, appointments to such positions shall be made by promoting employees of the commonwealth serving in positions which are classified under chapter thirty-one; and in every such instance, and in every instance of an employee so promoted from a position in which at the time of promotion he shall have tenure by reason of section nine A of chapter thirty. Upon termination of his service in such unclassified supervisory position, the employee shall, if he shall so request, be restored to the classified position from which he shall have been promoted, or to a position equivalent thereto in salary grade in the same state agency, without impairment of his civil service status or his tenure by reason of said section nine A or loss of the seniority, retirement and other rights to which uninterrupted service in the classified position would have entitled him; provided, however, that if his service in such unclassified supervisory position shall have been terminated for cause, his right to be so restored shall be determined by the civil service commission in accordance with the standards applied by said commission in administering chapter thirty-one.

Section 4K. There shall be in the executive office for administration and finance a municipal personnel advisory board. The municipal personnel advisory board shall consist of five members one of whom shall be a member of the Massachusetts Mayors' Association and who shall be a mayor; one of whom shall be a member of the Massachusetts Selectmen's Association and who shall be a selectman; one of whom shall be a member of the Massachusetts Municipal Management Association and who serves as either a city or town manager; and one of whom shall be a member of the Massachusetts Municipal Personnel Association and who shall be a personnel director or a member of the personnel board or department of a city or town. Each of the said board members shall be elected by the association of which he is a member. The fifth member of the board shall be a representative of the Massachusetts League of Cities and Towns. Excepting the representative of the Massachusetts League of Cities and Towns, should any of the board members cease to serve in the office to which he was elected or appointed, a replacement shall be chosen in the same manner. The board may elect one member to serve as chairman and may hold such meetings as it deems necessary. The civil service commission and the personnel administrator shall consult with said board on the promulgation of rules and regulations and on the administration of the merit system established under chapter thirty-one insofar as they relate to cities and towns. The members of the board shall receive no compensation nor shall they be reimbursed for any expenses incurred in the performance of their duties.

SECTION 9. Section 11 of said chapter 7, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 4 and 5, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator —,

and by striking out, in lines 10, 14, 16, 17, 24, 27 and 30, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 10. Section 28 of said chapter 7, as appearing in section 2 of chapter 680 of the acts of 1954, is hereby amended by striking out, in lines 1 and 2, 28 and 29 and 41, the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator —, by striking out, in lines 8, 46, 50 and 56, the word "director" and inserting in place thereof in each instance, the word:— administrator —, and by inserting after the word "personnel", in line 61, the word:— administration.

SECTION 11. The first paragraph of section 28A of said chapter 7, as appearing in section 3 of said chapter 680, is hereby amended by striking out, in line 2, the word "director" and inserting in place thereof the words:— personnel administrator —, and by striking out, in lines 3 and 4, the words "the director of civil service and".

SECTION 12. The second paragraph of said section 28A, added by section 1 of chapter 581 of the acts of 1964, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word:— administrator.

SECTION 13. The third paragraph of said section 28A, added by chapter 593 of the acts of 1972, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word:— administrator.

SECTION 14. Said chapter 7 is hereby amended by striking out section 30, as most recently amended by section 23 of chapter 757 of the acts of 1962, and inserting in place thereof the following section:—

Section 30. The division of personnel administration shall collect at least once in every fiscal year such information relative to certain officials and employees of the commonwealth as shall be furnished to it under section thirty-eight of chapter thirty, which shall cover the fiscal year preceding. From the information so collected it shall keep a record, open to public inspection, showing the name, residence, designation, rate of compensation and date of appointment or qualification of every such official and employee, and any increase in the rate of salary or compensation paid him during the preceding fiscal year. The record shall also contain such other information concerning such officials and employees as, in the opinion of the personnel administrator, may be desirable. The comptroller shall, upon the request of the administrator, verify a list of such officials and employees, the amounts and rates of compensation and other information concerning payments to officials and employees about whom information is furnished. The administrator shall, on or before April fifteenth in each even-numbered year, publish a document containing such information concerning said officials and employees in the employ of the commonwealth on the preceding June thirtieth as, in its opinion, may be of public interest. Said document shall contain such summary and comparative tables as will best show the numbers of officials and employees in the service of the common-

wealth during the two years preceding said June thirtieth, and during a further period of two years prior thereto, to be arranged in such manner as will make them of the greatest practical utility. The document may be revised or rearranged at the discretion of the administrator.

SECTION 15. Sections two to seven, inclusive, of chapter thirteen of the General Laws are hereby repealed.

SECTION 16. The first sentence of section 32 of said chapter 13, as appearing in section 10 of chapter 1099 of the acts of 1971, is hereby amended by striking out, in line 2, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 17. Section 4A of chapter 16 of the General Laws, as appearing in chapter 897 of the acts of 1965, is hereby amended by striking out, in lines 1 and 2, the words "director of personnel and standardization and the director of civil service" and inserting in place thereof the words:— personnel administrator —, by striking out, in lines 4 and 5, the words "with the assistance of the division of civil service"—, by striking out, in lines 14 and 45, the words "director of civil service" and inserting in place thereof, in each instance, the words:— personnel administrator —, and by striking out, in line 16, the word "director" and inserting in place thereof the word:— administrator.

SECTION 18. The second paragraph of section 12 of said chapter 16, as appearing in section 1 of chapter 821 of the acts of 1963, is hereby amended by striking out, in line 8, the words "civil service commission" and inserting in place thereof the words:— personnel administrator.

SECTION 19. Section 6A of chapter 17 of the General Laws, inserted by chapter 591 of the acts of 1966, is hereby amended by striking out, in line 11, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 20. The sixth paragraph of section 5 of chapter 18 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1967, is hereby amended by striking out, in line 9, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 21. Section 9 of said chapter 18, as so appearing, is hereby amended by striking out, in line 15, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 22. The first paragraph of section 7 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 lines 14 and 15, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 23. The first paragraph of section 10 of chapter 19 of the General Laws, as appearing in section 1 of chapter 735 of the acts of 1966, is hereby amended by striking out, in lines 8 and 9, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 24. The third paragraph of said section 10, as amended by chapter 28 of the acts of 1969, is hereby further amended by striking out, in line 6, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 25. The fifth sentence of the third paragraph of section 18 of said chapter 19, as appearing in section 15 of chapter 888 of the acts of 1970, is hereby amended by striking out, in line 9, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 26. The sixth sentence of the third paragraph of said section 18 of said chapter 19, as appearing in chapter 838 of the acts of 1971, is hereby amended by striking out, in line 8, the words "director of the division of civil service" and inserting in place thereof the words:— personnel administrator —, and by striking out, in line 9, the word "director" and inserting in place thereof the word:— administrator.

SECTION 26A. The seventh sentence of said third paragraph of said section 18 of said chapter 19, as so appearing, is hereby amended by striking out, in line 3, the word "director" and inserting in place thereof the word:— administrator.

SECTION 27. Section 2A of chapter 27 of the General Laws, inserted by chapter 286 of the acts of 1965, is hereby amended by striking out, in line 2, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 28. Section 4B of chapter 28 of the General Laws, as appearing in chapter 533 of the acts of 1967, is hereby amended by striking out, in lines 1 and 2, the words "the director of personnel and standardization and the director of civil service" and inserting in place thereof the words:— the personnel administrator —, by striking out, in line 4, the words ", with the assistance of the division of civil service," —, by striking out, in lines 12 and 43, the words "director of civil service" and inserting in place thereof, in each instance, the words:— personnel administrator —, by striking out, in line 14, the word "director" and inserting in place thereof the word:— administrator —, and by striking out, in line 37, the words "civil service" and inserting in place thereof the words:— personnel administration.

SECTION 29. Chapter 29 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 27 of chapter 704 of the acts of 1969, and inserting in place thereof the following section:—

Section 1. The word "departments" as used in this chapter, shall, unless the context otherwise requires, mean all the departments of the commonwealth, except the department of banking and insurance, but including the division of banks and loan agencies, of insurance, of savings bank life insurance, and also including the several boards serving in the division of registration, the metropolitan district commission, and each of the executive offices created by chapters six A and seven.

SECTION 30. Section 29A of said chapter 29, as amended by section 8 of chapter 1230 of the acts of 1973, is hereby further

amended by striking out, in lines 5 and 6, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator —, by striking out, in line 7, the word "director" and inserting in place thereof the word:— administrator —, and by striking out, in line 10, the words "bureau of personnel" and inserting in place thereof the words:— division of personnel administration.

SECTION 31. The third paragraph of section 31 of said chapter 29, as appearing in chapter 545 of the acts of 1968, is hereby amended by striking out in lines 3 and 4, the words "the director of personnel and standardization and the director of civil service" and inserting in place thereof the words:— and the personnel administrator.

SECTION 32. Said chapter 29 is hereby further amended by striking out section 31A, as most recently amended by section 50 of chapter 757 of the acts of 1962, and inserting in place thereof the following section:—

Section 31A. (*a*) Upon the death of a state employee who is eligible for vacation under the rules of the personnel administrator, payment shall be made in an amount equal to the vacation allowance as earned in the vacation year prior to the employee's death but which had not been granted, and, in addition, that portion of the vacation allowance earned in the vacation year during which the employee died, up to the time of his separation from the payroll; provided, that no monetary or other allowance has already been made therefor. The division of personnel administration may, upon request of the appointing officer of the deceased employee, authorize the payment of such compensation upon the establishment of a valid claim therefor, in the following order of precedence:—

First: To the surviving beneficiary or beneficiaries, if any, lawfully designated by the employee under the state employees' retirement system;

Second: If there be no such designated beneficiary, to the estate of the deceased.

(*b*) Employees who are eligible for vacation under the rules of said personnel administrator and whose services are terminated by dismissal through no fault or delinquency of their own, or by retirement, shall be paid an amount equal to the vacation allowance as earned in the vacation year prior to such dismissal or retirement which had not been granted, and, in addition, that portion of the vacation allowance earned in the vacation year during which such dismissal or retirement occurred, up to the time of separation; provided, that no monetary or other allowance has already been made therefor.

(*c*) Employees who are eligible for vacation under the rules of said administrator and whose services were terminated for reasons other than those defined in paragraphs (*a*) or (*b*) shall be paid an amount equal to the vacation allowance credited but not granted to them as of the final date of the next preceding vacation year; provided, that no monetary or other allowance has already been made therefor.

SECTION 33. Chapter 30 of the General Laws is hereby

amended by striking out section 1, as most recently amended by section 36 of chapter 704 of the acts of 1969, and inserting in place thereof the following section:—

Section 1. The word "departments" as used in this chapter, shall, unless the context otherwise requires, mean all the departments of the commonwealth, except the department of banking and insurance, but including the divisions of banks and loan agencies, of insurance, of savings bank life insurance, and also including the several boards serving in the division of registration, the metropolitan district commission, and each of the executive offices created by chapters six A and seven.

SECTION 34. The first sentence of section 7 of said chapter 30, as most recently amended by section 37 of chapter 704 of the acts of 1969, is hereby amended by striking out, in lines 4 and 5, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 34A. Section 7A of said chapter 30, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the words "commissioner of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 35. Section 24B of said chapter 30 is hereby amended by striking out the first paragraph, as most recently amended by section 55 of chapter 757 of the acts of 1962, and inserting in place thereof the following paragraph:—

Whenever an employee in a lower grade is assigned the duties of a position in a higher grade for a period of thirty days or longer, the appointing officer shall, if a vacancy exists or is to exist for the position in the higher grade, forthwith submit to the personnel administrator a requisition for approval of the appointment of such employee to such position. The approval of said administrator of such an appointment shall, if given, take effect as of the earliest date, as determined by the administrator, that he could have approved the appointment if acted upon by him on the date the appointment was made, but in no case shall he approve an appointment to take effect earlier than sixty days next preceding the date of the receipt of said requisition by him.

SECTION 36. Said chapter 30 is hereby further amended by striking out section 38, as most recently amended by section 59 of chapter 757 of the acts of 1962, and inserting in place thereof the following section:—

Section 38. Every state officer, department or head thereof shall, whenever required by the personnel administrator, furnish him with such information as he prescribes concerning all officials and employees of the commonwealth employed in or by such office or department for whose services money has been paid by the commonwealth.

Said administrator shall establish and maintain a central personnel register, recording therein, for all employees of the commonwealth, such records as he may, with the approval of the secretary of administration, prescribe. He shall maintain a current record of all persons working for the commonwealth. Notwithstanding any other

provisions of law, all state officers or department heads, including the legislature, judicial and institution heads, shall report on all employees and all accessions and separations relating to their agencies.

SECTION 37. Section 45 of said chapter 30, as most recently amended by section 2 of chapter 210 of the acts of 1966, is hereby further amended by striking out the introductory paragraph and paragraphs (1) to (7A), inclusive, and inserting in place thereof the following:— The personnel administrator shall establish, administer and keep current and complete an office and position classification plan and a pay plan of the commonwealth.

(1) In pursuance of such responsibility as to the said classification plan, the said administrator shall classify all appointive offices and positions in the government of the commonwealth, excepting such offices and positions in the professional staffs serving under governing boards of institutions of higher education and in the judicial and legislative branches, but including clerical assistants of registers of probate and employees employed by the commissioner of probation under section ninety-eight of chapter two hundred and seventy-six, and he may from time to time reclassify any such office or position. In so classifying or reclassifying any such office or position, the said administrator (*a*) shall ascertain and record the duties, responsibilities, organizational relationships, qualifications for, and other significant characteristics of the office or position; (*b*) shall group into single classes all such offices and positions, regardless of agency or geographical location, which are substantially alike in the duties, responsibilities, organizational relationships, qualifications, and other significant characteristics; (*c*) for each such class shall establish specifications which shall include (*i*) an appropriate descriptive title and code number for the class, which shall be the official title of all offices and positions in the class and shall be set forth on all payrolls by name or code, and (*ii*) the common features of the duties, responsibilities and organizational relationships of, qualifications for, and other significant characteristics of all offices and positions in the class; and (*d*) may from time to time establish new classes and alter, divide, combine or abolish existing classes.

(2) All such specifications shall be open to public inspection in the files of the division of personnel administration, where three sets of such specifications shall be maintained as follows:— (*a*) a list arranged alphabetically by class titles; (*b*) a schematic list arranged so as to show the relationships between all the said classes; and (*c*) a departmental list arranged so as to show for each agency, and the principal administrative units thereof, the relationships between the several classes of offices and positions in the agency and the principal administrative units thereof. The personnel administrator shall furnish to each appointing authority copies of such specifications for all offices and positions to which the appointing authority may make appointments.

(3) In pursuance of his said responsibilities as to the said pay plan, the personnel administrator shall allocate, as provided in paragraph

four of this section, each such office or position to the appropriate job group in the salary schedule set forth in section forty-six, excepting such offices and positions the pay for which is or shall be otherwise fixed by law and those the pay for which is required by law to be fixed subject to the approval of the governor and council, and he may from time to time, in like manner, reallocate any such office or position. In so allocating or reallocating any such office or position, the said administrator shall use standard, objective methods and procedures for evaluating the same so that the principle of fair and equal pay for similar work shall be followed; and all offices and positions in the same class shall be allocated to the same job group.

(4) No permanent allocation or reallocation, in accordance with this section, of any office or position subject to the classification and pay plans provided by this section, shall be effected, unless and until

(*a*) a request for such allocation or reallocation shall have been made in writing to or by the personnel administrator;

(*b*) the written recommendation, if any, upon such request shall have been prepared by said administrator, which shall include the request, the comment and the recommendation of the appointing authority concerned which he is hereby required to make to said administrator;

(*c*) the written recommendation complying with clauses (*a*) and (*b*) shall have been filed on or before November fifteenth, and from time to time thereafter, by the personnel administrator with the budget director and the house and senate committees on ways and means, and shall be considered as a part of the budget preparation as provided in section six of chapter twenty-nine;

(*d*) it shall have been included in a schedule of permanent offices and positions approved by the joint committee on ways and means, a copy of which is on file with the personnel administrator; provided, however, that during the period when the legislature is not in session, any new temporary office or position subject to the classification and pay plans provided by this section and essential for the operation of the service of the commonwealth may be temporarily classified and allocated, but shall not be effected unless and until clauses (*a*) and (*b*) shall have been complied with.

(5) Subject to the approval of the commissioner of administration, the personnel administrator shall make, and from time to time may amend, rules governing the establishment and administration of the said classification and pay plans, and credits due officers or employees, subject to this section, for previous services. Such rules, and amendments thereto, shall be open to public inspection in the files of the division of personnel administration and copies thereof shall be made available to officers and employees of the commonwealth upon request.

(6) In performing his duties under this section, the said administrator shall from time to time consult with the appointing authorities concerned, or their designated deputies, and may from time to time consult with representatives of officers and employees of the commonwealth; and he may from time to time appoint and seek the

advice of such committees of such officers and employees, their representatives, and of consultants from outside the service of the commonwealth as he may consider necessary or desirable.

(7) Subject to the approval of the commissioner of administration and of the joint committee on ways and means, the personnel administrator shall establish a pay plan for persons in training at or in any agency of the commonwealth; provided, however, that the maximum salary under said plan shall not exceed the minimum salary for job group I under the salary schedule appearing in paragraph (1) of section forty-six.

SECTION 38. Paragraph (1) of section 46 of said chapter 30 is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 428 of the acts of 1973, and inserting in place thereof the following paragraph:—

The personnel administrator shall annually determine the percentum difference between the average cost of living for the next preceding calendar year and the average cost of living for the calendar year next preceding the calendar year during which the weekly rates prescribed in the above salary schedule were last revised, both as shown by the United States Consumer Price Index for such years, and shall prepare and submit to the general court a report of such determination within a reasonable time after said Index for the next preceding calendar year has become available. Whenever such determination indicates a percentum increase or decrease of at least three percentum, such report shall be accompanied by a recommendation for legislation to provide a corresponding percentum increase or decrease in the salaries of all employees in the service of the commonwealth and paid from the treasury thereof, including wages paid to blind workers by the Massachusetts commission for the blind, as provided in section one hundred and forty-three of chapter six of the General Laws, but excluding salaries fixed by statute, except those salaries fixed in accordance with the provisions of chapter seven hundred and sixty-six of the acts of nineteen hundred and sixty-nine, and compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services-Nonemployees", such increase or decrease to take effect as of the beginning of the first payroll period of the calendar year in which said report is so submitted; provided, however, that no decrease shall be recommended which would reduce any salary in the general salary schedule or any other salary affected by the provisions of this paragraph below that in effect on December thirty-first, nineteen hundred and sixty-nine; and provided further, that all such weekly rates, as so increased or decreased, shall be rounded, as necessary, to produce weekly rates which are evenly divisible by five. Whenever such determination indicates a percentum increase of at least three percentum, as hereinbefore described, such report shall be accompanied by a recommendation of legislation to provide a corresponding percentum increase in the salaries of the chief justice and associate justices of the supreme judicial court, the appeals court, the superior

court and the municipal court of the city of Boston, the judges and associate judges of the land court, the chief judge and the judges of probate and insolvency, the chief justice and the justices of the district courts other than the municipal court of the city of Boston, and justices and special justices of the Boston juvenile court, the justices of the Worcester, Bristol county and Springfield juvenile courts, and special justices of the district courts, including the municipal court of the city of Boston, such increase to take effect as of the beginning of the first payroll period of the year in which such report is submitted.

SECTION 39. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (2), as most recently amended by chapter 811 of the acts of 1972, and inserting in place thereof the following paragraph:—

(2) For purposes of salary increments provided for in the general salary schedule, a year of service shall be a period of fifty-two weeks of work. Increments shall commence on the first day of the payroll period in which such increments fall; provided, however, that if an employee is off the payroll for one or more days, such increment shall be postponed in accordance with the rules and regulations of the division of personnel administration. 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.

SECTION 40. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (4), as most recently amended by section 66 of chapter 757 of the acts of 1962, and inserting in place thereof the following paragraph:—

(4) Every regular step-rate increase in the salary of any office or employee of the commonwealth under the salary schedule set forth in this section shall be initiated by the division of personnel administration, in accordance with said salary schedule, and shall take effect in accordance with the said schedule upon certification of such increase by the personal administrator to the comptroller and the appointing authority concerned.

In the case of each teacher and each supervisor employed in any school or college within any department of the commonwealth whose regular service is rendered from September first to June thirtieth, salary increments due such person, notwithstanding the provisions of paragraph (2) of this section, shall take effect in the first week of September or in the first week of February, as the case may be, after periods of service as established in the General Laws.

Such certification must be sent at least thirty days before the effective date of such step-rate salary increase. The said appointing authority may, in writing to the personnel administrator not later than fifteen days before such effective date, object thereto, stating reasons therefor and furnishing a copy thereof to the said officer or employee, in which event said administrator shall, in writing not

later than five days preceding the date when the increase otherwise would have taken effect, remove such certification; and the appointing authority shall forthwith notify such officer or employee.

In the event that a step-rate increase has been denied an officer or employee of the commonwealth by the appointing authority, the appointing authority may recommend that such denial be removed and such step-rate increase be granted. The personnel administrator thereupon shall certify such increase in the manner provided for above in the case of regular step-rate increases, and such step-rate increase shall become effective upon such certification.

If a step-rate increase is denied any officer or employee under the provisions of this section, such officer or employee may appeal for review of such decision before the civil service commission.

The said recommendations and reasons of the said appointing authority shall be open to public inspection in the files of the division of personnel administration.

SECTION 41. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (5), as most recently amended by section 67 of chapter 757 of the acts of 1962, and inserting in place thereof the following paragraph:—

(5) The said administrator may, with the approval of the commissioner of administration, permit the recruitment of employees at a rate above the minimum, but not exceeding the maximum, of the job group salary range for the class concerned; provided, however, that the said administrator shall have first determined, upon request of the appointing authority, that an emergency exists due to inability to fill positions. Any such permit shall remain in effect until rescinded by the said administrator, but shall not be in effect longer than one year unless renewed in like manner and with like approval. Whenever the said administrator shall permit such recruitment, all employees in the same class being paid a rate or rates below such rate of recruitment shall be advanced to the said recruitment rate.

SECTION 42. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (5A), as most recently amended by section 15 of chapter 1230 of the acts of 1973, and inserting in place thereof the following paragraph:—

(5A) In accordance with regulations established by the personnel administrator with the approval of the commissioner of administration, designating certain classes as professional classes, an appointing authority may, in the initial appointment of a person to a position in such class, recruit such person at a salary rate above the minimum and within the grade to which the position is allocated, upon certification by said appointing authority to the administrator that the person to be employed has served satisfactorily in a comparable position for a period of time equivalent to the period required by the general salary schedule had such service been entirely in the service of the commonwealth, and, in the case of an office in or position with any department, agency, board, commission or institution within any of the executive offices established by chapters six A and seven, upon

the prior written approval of the secretary having charge of such executive office. For the purpose of such regulations, professional classes shall include, but shall not be limited to, classes including positions for registered nurses and persons employed in medical or technical positions in hospitals and clinics, including the administration thereof, persons employed for the instruction of students and engineers and chemists. Nothing in this section shall be construed to limit the recruitment of personnel under the provisions of section fourteen of chapter seventy-five. No person may be recruited under this section if he has held a personal services contract with or been in the service of the commonwealth within a twelve-month period immediately prior to the date of proposed recruitment.

SECTION 43. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (6), as most recently amended by section 10 of chapter 729 of the acts of 1956, and inserting in place thereof the following paragraph:—

(6) When in accordance with sections forty-five to fifty, inclusive, the office of any officer or the position of any employee shall be initially allocated to a job group in the salary schedule, or shall be reallocated to a higher job group, or when in accordance with the said sections any officer or employee shall be transferred or promoted to another position in a different job group, any such officer or employee, for subsequent step-rate increases, shall be credited with the number of years of service which shall correspond to his rate in the job group for such office or position. Any officer or employee reinstated or reemployed, if reinstated or reemployed within three years following his separation from the payroll, shall be credited with the number of years of service which shall correspond to his rate in the job group to which his office or position at the time of such separation shall then have been allocated; but in no event shall he be paid at a rate lower than that which he shall have been receiving at the time of such separation. Such credit for any employee reinstated or reemployed after three or more years following such separation shall be determined in accordance with rules of the personnel administrator.

SECTION 44. Section forty-seven of said chapter thirty is hereby repealed.

SECTION 45. Said chapter 30 is hereby further amended by striking out section 49, as most recently amended by section 1 of chapter 240 of the acts of 1963, and inserting in place thereof the following section:—

Section 49. Any employee of the commonwealth objecting to any provision of the classification affecting his office or position may appeal in writing to the personnel administrator and shall be entitled to a hearing upon such appeal. If the administrator finds that the office or position of the person appealing warrants a different position reallocation or that the class in which said position is classified should be reallocated to a higher job group, he shall report such recommendation to the budget director and the house and senate committees on ways and means in accordance with paragraph (4) of section forty-

five. Any employee or group of employees further aggrieved after appeal to the personnel administrator may appeal to the civil service commission. Said commission shall hear all appeals as if said appeals were originally entered before it. If said commission finds that the office or position of the person appealing warrants a different position reallocation or that the class in which said position is classified should be reallocated to a higher job group, it shall report such recommendation to the budget director and the house and senate committees on ways and means in accordance with paragraph (4) of section forty-five.

SECTION 46. Section 53 of said chapter 30, as appearing in section 1 of chapter 615 of the acts of 1958, is hereby amended by striking out, in lines 1, 15 and 16, and 39 and 40, the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator — by striking out, in lines 9 and 10, the words "the civil service commission or" — by striking out, in lines 18, 19, 23, 26, 31 and 33, the word "director" and inserting in place thereof, in each instance, the word:— administrator —, by striking out, in lines 24 and 36, the words "personnel appeals board" and inserting in place thereof, in each instance, the words:— civil service commission —, and by striking out, in line 29, the word "board" and inserting in place thereof the word:— commission.

SECTION 47. Sections fifty-four to fifty-six, inclusive, of said chapter 30 are hereby repealed.

SECTION 48. Section 57 of said chapter 30, as appearing in section 1 of chapter 615 of the acts of 1958, is hereby amended by striking out, in lines 1 and 8, the word "board" and inserting in place thereof, in each instance, the words:— civil service commission —, and by striking out, in line 9, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 49. Section 60 of said chapter 30, inserted by chapter 203 of the acts of 1968, is hereby amended by striking out, in lines 1 and 9 and 10, the words "director of the bureau of personnel" and inserting in place thereof, in each instance, the words:— personnel administrator —, and by striking out, in line 11, the words "director of civil service" and inserting in place thereof the words:— said administrator.

SECTION 50. Section 1 of chapter 30A of the General Laws is hereby amended by striking out paragraph (2), as most recently amended by section 8 of chapter 838 of the acts of 1969, and inserting in place thereof the following paragraph:—

(2) "Agency", any department, board, commission, division or authority of the state government or subdivision of any of the foregoing, or official of the state government, authorized by law to make regulations or to conduct adjudicatory proceedings, but does not include the following: the legislative and judicial departments; the governor and council; military or naval boards, commissions or officials; the department of correction; the department of youth

services; the parole board; the division of industrial accidents of the department of labor and industries; the division of child guardianship of the department of public welfare; the personnel administrator; and the appellate tax board.

SECTION 51. Section 1 of chapter 31 of the General Laws, is hereby amended by inserting after the introductory paragraph the following definition:—

"Administrator", personnel administrator.

SECTION 52. Said section 1 of said chapter 31 is hereby further amended by striking out the definition of "Director", as appearing in section 9 of chapter 238 of the acts of 1939.

SECTION 53. Said section 1 of said chapter 31 is hereby further amended by striking out the definition of "Division", as amended by section 38 of chapter 704 of the acts of 1969, and inserting in place thereof the following definition:—

"Division", the division of personnel administration.

SECTION 54. Section 2 of said chapter 31, as most recently amended by section 1 of chapter 320 of the acts of 1973, is hereby further amended by striking out the introductory paragraph and inserting in place thereof the following paragraph:—

In addition to the duties imposed by this chapter, chapter seven and chapter thirty, the commission shall —.

SECTION 55. Paragraph (*a*) of said section 2 of said chapter 31, as appearing in section 1 of chapter 725 of the acts of 1945, is hereby amended by striking out, in line 3, the word "director" and inserting in place thereof the word:— administrator.

SECTION 56. Paragraph (*b*) of said section 2 of said chapter 31, as appearing in section 1 of chapter 320 of the acts of 1973, is hereby amended by striking out, in lines 2, 3, 6 and 7, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 57. Paragraph (*c*) of said section 2 of said chapter 31, as appearing in section 1 of chapter 725 of the acts of 1945, is hereby amended by striking out, in line 3, the word "director" and inserting in place thereof the word:— administrator.

SECTION 58. Section 2A of said chapter 31, as most recently amended by chapter 490 of the acts of 1973, is hereby further amended by striking out the introductory paragraph and inserting in place thereof the following paragraph:—

In addition to other duties imposed upon him by this chapter, chapter seven and chapter thirty, the administrator shall —.

SECTION 59. Paragraph (*b*) of said section 2A of said chapter 31, as appearing in section 1 of chapter 12 of the acts of 1969, is hereby amended by striking out, in line 4, the word "director" and inserting in place thereof the word:— administrator.

SECTION 60. Paragraph (*d*) of said section 2A of said chapter 31, as appearing in section 5 of chapter 780 of the acts of 1967, is hereby amended by striking out, in lines 6 and 10, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 61. Said section 2A of said chapter 31 is hereby further amended by striking out paragraph (*e*), as most recently amended by chapter 221 of the acts of 1971, and inserting in place thereof the following paragraph:—

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

SECTION 62. Paragraph (*f*) of said section 2A of said chapter 31, as most recently amended by section 1 of chapter 612 of the acts of 1972, is hereby further amended by striking out the first subparagraph and inserting in place thereof the following subparagraph:—

Establish such standards for the several offices and positions in the official or labor service as he may determine to be necessary, which standards shall not be waived or dispensed with in the case of any applicant; provided, that the administrator, in establishing such standards, shall make provision for promoting opportunities for the employment of handicapped and disadvantaged persons and persons formerly convicted of a crime.

SECTION 63. Paragraph (*k*) of said section 2A of said chapter 31, as appearing in chapter 490 of the acts of 1973, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word:— administrator.

SECTION 64. Paragraph (*l*) of said section 2A of said chapter 31, as amended by section 2 of chapter 320 of the acts of 1973, is hereby further amended by striking out, in line 5, the word "director" and inserting in place thereof the word:— administrator.

SECTION 65. Said section 2A of said chapter 31 is hereby further amended by striking out paragraph (*n*), as most recently amended by section 2 of chapter 612 of the acts of 1972, and inserting in place thereof the following paragraph:—

(*n*) Develop programs and advise and assist appointing authorities in promoting opportunities for employment of handicapped persons and persons determined by the administrator to be disadvantaged and, whenever possible, subject to the provisions of this chapter, for

the rehabilitation and employment of certain persons who have been convicted of violating the laws of the commonwealth.

SECTION 66. Said chapter 31 is hereby further amended by inserting after section 2A the following two sections:—

Section 2B. The personnel administrator may designate persons outside of or in the classified civil service of the commonwealth, or of any city or town where chapter thirty-one is in force, who shall, with the consent of the head of the department or office in which any such person in said classified civil service serves, act as examiners of applicants for any public employment and perform such other duties as may be required by said administrator, but no person elected by popular vote to public office shall serve as aforesaid, nor shall any person so serve when any relative by blood or marriage, within the degree of first cousin, is an applicant.

Notwithstanding any provision of section ninety-one of chapter thirty-two to the contrary, the personnel administrator may reemploy a former examiner who is retired from the service of the commonwealth or any of its political subdivisions to act as such examiner. Such reemployment shall not affect the pension or retirement rights or amount of pension or retirement allowance of any person reemployed as an examiner; provided, that the total annual compensation received for such reemployment as an examiner does not exceed two thousand dollars.

Section 2C. Any person holding an office or position to which he has been elected by the people, or by the aldermen or city council of a city or the selectmen of a town, shall not be eligible for appointment to the office of representative of civil service in the division of personnel administration.

SECTION 67. The first paragraph of section 5B of said chapter 31, as appearing in section 1 of chapter 351 of the acts of 1973, is hereby amended by striking out, in lines 6, 11, and 14, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 67A. The first sentence of section 6 of said chapter 31, as appearing in chapter 154 of the acts of 1970, is hereby amended by striking out, in line 8, the word "director" and inserting in place thereof the word:— administrator.

SECTION 68. Said section 6 of said chapter 31, is hereby further amended by striking out the second sentence, as most recently amended by section 15 of chapter 238 of the acts of 1939, and inserting in place thereof the following sentence:— No rule shall prevent the administrator, in his discretion, from accepting an application for registration or examination from any person who has been dismissed from the public service, or has resigned therefrom during the pendency of charges against him, or from permitting any such person, upon application, to be registered or to take an examination.

SECTION 69. Section 6A of said chapter 31, as appearing in section 9 of chapter 780 of the acts of 1967, is hereby amended by striking out, in lines 2, 11, and 23, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 70. The third paragraph of said section 6A of said chapter 31, as appearing in chapter 484 of the acts of 1969, is hereby amended by striking out, in line 8, the word "director" and inserting in place thereof the word:— administrator.

SECTION 71. The fourth paragraph of said section 6A of said chapter 31, as appearing in section 2 of chapter 155 of the acts of 1970, is hereby amended by striking out, in line 4, the word "director" and inserting in place thereof the word:— administrator.

SECTION 72. Section 6B of said chapter 31, as amended by section 2 of chapter 298 of the acts of 1969, is hereby amended by striking out, in lines 4 and 9, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 73. Said chapter 31 is hereby further amended by striking out section 8 and inserting in place thereof the following section:—

Section 8. (*a*) Official Service. The administrator shall prepare notices of all open competitive examinations and send them to the clerks of the several cities and towns having persons domiciled therein who may be eligible to apply for said examinations, who shall cause all notices sent them to be posted in the city and town halls and in other conspicuous places at least three weeks prior to the final date for filing applications therefor. There shall be so posted not less than five of such notices in every such town, except in towns of less than twenty-five hundred population, where two such notices shall be posted, and not less than twenty-five in every such city, including one in each ward. The clerks of said cities and towns shall make an annual report to the administrator, at such time as he may determine, certifying that all such announcements have been so posted and setting forth such detail relative to the time and place of posting as the administrator shall require. The administrator may require additional posting or may modify the preceding requirements as he determines local conditions warrant. Such modification may include provisions for making the announcements available to the public during the required periods of posting in loose-leaf notebooks or other form in lieu of actual posting on bulletin boards, as the administrator determines necessary and advisable. The administrator shall cause copies of such notices to be posted at similar times in a conspicuous place at the office of the division.

The administrator shall also prepare notices of all promotional examinations to be held on a competitive basis, and shall send copies of such notices to the appointing authority in the department in which the promotion is to be made and also to the appointing authority in any department in which persons eligible to take said examination may be employed. Said appointing authority shall cause such notices to be posted in conspicuous places in his department including one in each branch office of such department. A copy of said notice shall be mailed to any employee on sick or military leave; on vacation; or off the payroll during the entire period of the posting of such notice. Each appointing authority shall make provisions for keeping all persons in his department fully informed as to the places where such notices will be posted.

Notices of all such examinations shall state the duties and compensation of positions, the class or title, qualifications required therefor, time, place and manner of making application for admission to the examination, entrance requirements, if any, and any other information which the administrator considers pertinent and useful.

(*b*) Labor Service. Prior to any request to the administrator for promotion of a permanent employee in the classified labor service to a position of higher grade in the classified labor service, or for a change within said service from the duties of a position of one grade to a position of a grade which is not higher, where there are substantially dissimilar requirements which prevent a transfer under section sixteen A, which may be either a temporary or permanent position, the appointing authority shall cause a promotional bulletin to be posted in locations where it can be seen by all employees eligible under the civil service law and rules for at least five working days. Such promotional bulletin shall state the title of the position to be filled, the salary and location of the position, any pertinent information as to any special qualifications, or licenses required by law to fill the position, and whether such position is permanent or temporary, and, if temporary, the probable duration of the vacancy. It shall also clearly state the last date for applying for such position. All such requests recommended by the appointing authority to the administrator shall be in conformance with the civil service law and rules. A promotional bulletin shall be mailed to any employee on sick or military leave; on vacation; or off the payroll during the entire period of the posting of such bulletin. Any request for promotion to the administrator shall state therein that such promotional bulletin has been posted indicating the location and date of the posting. Any such appointing authority or his designee who neglects or wilfully refuses to post such notice shall be punished by a fine of not more than one hundred dollars.

Within fourteen days after the approval of the personnel administrator of a promotion in the classified labor service, the appointing authority shall cause to be posted in all areas under the control of such authority where five or more civil service employees start their tour of duty, the name, permanent title, position to which promoted, and date of seniority of the person or persons so promoted. Any such appointing officer who neglects or wilfully refuses to post a copy of such list shall be punished by a fine of not more than one hundred dollars.

SECTION 74. The first paragraph of section 8A of said chapter 31, inserted by section 1 of chapter 110 of the acts of 1967, is hereby amended by striking out, in line 2, the word "director" and inserting in place thereof the word:— administrator.

SECTION 75. Section 8B of said chapter 31, as appearing in section 1 of chapter 197 of the acts of 1971, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word:— administrator.

SECTION 76. Section 8C of said chapter 31, inserted by chapter 655 of the acts of 1968, is hereby amended by striking out, in lines 1,

2, 9, 11, 13, 15 and 20, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 77. Section 8D of said chapter 31, inserted by chapter 7 of the acts of 1970, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word:— administrator.

SECTION 78. Said chapter 31 is hereby further amended by striking out section 10, as most recently amended by section 6 of chapter 320 of the acts of 1973, and inserting in place thereof the following section:—

Section 10. No question in any examination or application shall relate to political or religious opinions or affiliations, and no appointment to a position or selection for employment shall be affected by them. Examinations shall be conducted under the direction of the administrator, who shall determine the form, method and subject matter thereof; provided, that they shall relate to matters which will fairly test the fitness of the applicants actually to perform the duties of the positions for which they apply. All answers of applicants to questions in examinations relating to education, training and experience shall be made under the penalties of perjury. The administrator shall determine the scope, weight and passing requirements of examinations. Any such examination may include a practical test, or written examination, or oral examination or any combination thereof, at the discretion of the administrator; provided, that whenever an oral examination is given, it must be used in conjunction with a written examination or practical test; and provided further, that any oral examination shall be conducted by a board of not less than three persons chosen by the administrator. If a blind person is an applicant for an examination for any position, the duties of which such applicant may properly perform, the administrator shall, in preparing such examination, make such provision as will enable such blind person to take the examination, and, upon passing the examination, such blind person may be appointed to the position notwithstanding his inability to meet required physical standards so far as they relate to the eyes. In the grading of the subject of training and experience in any competitive examination, no credit shall be allowed in the marking for employment or experience in the position for which the examination is held, unless such employment or experience in the position was the result of an appointment or promotion after certification from an eligible list for the position.

Whenever an appointing authority makes a requisition to fill a temporary position in the classified civil service and attaches thereto a request that approval be given for the employment of a mentally retarded person in the position, the administrator may, notwithstanding the provisions of this chapter or any other law, approve such employment; provided, that the appointing authority certifies that in his opinion the duties of the position may be performed by a mentally retarded person. The appointing authority shall forward the name of such mentally retarded person to the administrator together with a

certificate from the Massachusetts rehabilitation commission that said person is mentally retarded and a statement of approval of such employment of said mentally retarded person from said commission. The administrator 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 mentally retarded 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 mentally retarded person it has obtained a certificate from the Massachusetts rehabilitation commission that the retarded 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, (3) a commitment by the appointing authority that it will fully utilize the services of the Massachusetts rehabilitation commission for assistance to the employee's immediate supervisor in the training and supervision of the employee and for post-placement counseling to the employee, (4) a statement that the appointing authority will not terminate a mentally retarded person's employment without prior notification to the Massachusetts rehabilitation commission. Thereupon, the personnel administrator shall approve such appointment. The administrator may require any such mentally retarded 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 of the administrator of such employment in accordance with the provisions of this section, the retarded person shall be regarded as properly appointed to the position and shall continue subject to the provisions of this chapter. The position of any such mentally retarded 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 personnel administrator 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, each appointing authority concerned, and the house and senate committees on ways and means, each such position to be included.

Any appointments to positions for which the federal standards for a merit system of personnel administration apply shall not be approved unless the appointee meets such established standards.

SECTION 79. Section 10A of said chapter 31, inserted by chapter 619 of the acts of 1972, is hereby amended by striking out, in lines 2 and 19, the words "director of civil service" and inserting in place thereof, in each instance, the words:— personnel administrator —, by striking out, in lines 5, 8, 9, 19 and 23, the words "the director" and inserting in each place thereof, in each instance, the words:— the administrator —, by striking out, in lines 31 and 32, the words "director of personnel" and inserting in place thereof the words:—

personnel administrator —, and by striking out, in line 34, the words "the director of civil service".

SECTION 80. The first paragraph of section 12 of said chapter 31, as appearing in chapter 571 of the acts of 1955, is hereby amended by striking out, in lines 4 and 8, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 81. Said section 12 of said chapter 31 is hereby further amended by striking out the second paragraph, as amended by chapter 304 of the acts of 1974, and inserting in place thereof the following paragraph:—

No person shall remain eligible for more than two years upon any eligible list, notwithstanding any other provision of law to the contrary, except provisions of law extending eligibility to persons in the military and naval service; provided, however, that whenever the administrator is temporarily enjoined by a court order from certifying persons from an eligible list, the period of eligibility of all persons whose names appear on said list shall be extended for a period equal to the duration of such order.

SECTION 82. The third paragraph of said section 12 of said chapter 31, inserted by chapter 241 of the acts of 1964, is hereby amended by striking out, in lines 2 and 4, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 83. The fourth paragraph of said section 12 of said chapter 31, inserted by chapter 25 of the acts of 1969, is hereby amended by striking out, in line 4, the word "director" and inserting in place thereof the word:— administrator.

SECTION 84. Section 12A of said chapter 31, as most recently amended by section 8 of chapter 320 of the acts of 1973, is hereby further amended by striking out, in lines 2, 5, 6, 8, 10, 13, 16, 19, 25, 26, 30 and 34, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 85. The first sentence of section 13 of said chapter 31, as appearing in chapter 186 of the acts of 1971, is hereby amended by striking out, in line 2, the word "director" and inserting in place thereof the word:— administrator.

SECTION 86. Section 13A of said chapter 31, as appearing in section 3 of chapter 725 of the acts of 1945, is hereby amended by striking out, in lines 1 and 9, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 87. Said chapter 31 is hereby further amended by striking out section 15 and inserting in place thereof the following section:—

Section 15. No person shall be appointed or promoted to any position in the classified civil service except upon requisition by the appointing officer and upon certification by the administrator from an eligible list prepared in accordance with this chapter and the rules made thereunder. If there is no such list, or if the administrator is unable to comply with a requisition, he may, or in the case of any

department, board, commission, institution, or other agency within any of the executive offices established by chapters six A and seven, the secretary having charge of such executive office may subject to section twenty-five, authorize a provisional appointment. A provisional appointment may be authorized pending the establishment of an eligible list; provided, that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, the administrator shall forthwith make arrangements to establish an eligible list within a year from the date of the approval of the provisional authorization.

Upon authorization of a provisional appointment, as provided by this section, whether to a permanent or a temporary position, the administrator shall proceed to conduct an examination as he determines necessary; provided, that for any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards of a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held and an eligible list established within a year from the date of the approval of the provisional authorization.

If, as a result of any examination, no suitable eligible list is established, authorization for a further extension of the provisional appointment, whether to a permanent or temporary position, may be granted by the administrator pending the establishment of an eligible list, upon the request of the appointing authority; provided, that the administrator shall forthwith make arrangements to conduct another examination and establish an eligible list within eighteen months from the date of the determination of the results of such examination; and provided further, that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the last examination.

Authorization to make a provisional appointment shall be void if not exercised within two weeks.

A provisional appointment to fill a permanent or temporary position shall be terminated by the administrator within thirty days after the establishment of an eligible list for such position, and it may be terminated by the administrator at any time.

Except as otherwise provided by this chapter, where there is no suitable eligible list, no person shall be appointed to an office or position by the appointing authority, and no provisional appointment to fill such an office or position, permanent or temporary, shall be authorized until the appointing authority has filed with the administrator and, in the case of an office or position in the classified civil service in any department, board, commission, institution or other agency within any of the executive offices established by chapters six A and seven, with the secretary having charge of such

executive office, a notification, in such form as the administrator shall prescribe, containing the following information: (1) a statement of the information the appointing authority believes necessary to conduct an examination, including the duties of the office or position, the knowledge, skills and abilities necessary to perform said duties, and the entrance requirements of the office or position; (2) a certification to the administrator that in his opinion the person proposed to be provisionally appointed meets said qualifications and requirements; (3) a substantiating statement showing how the proposed appointee meets the entrance requirements; and (4) a proposal as to the type of examination to be held. The administrator or secretary having charge of an executive office, as the case may be, shall review the statements, certification and proposal and, if he determines them satisfactory, may authorize a provisional appointment. If at any time the administrator shall determine that the appointee under any provisional appointment so authorized by the administrator does not in fact meet the said qualifications and requirements, the administrator shall terminate such appointment; and any provisional appointment so authorized by any such secretary shall be terminated by the secretary or the administrator if either shall determine that the appointee does not in fact meet the said qualifications and requirements. Every provisional appointment made after such authorization shall be reported by the appointing authority to the administrator. If the administrator and appointing authority are in agreement that the duties, qualifications and entrance requirements are correct as stated, and if no qualified person can be found to fill the position pending the holding of the examination, the positions shall remain unfilled until the eligible list is established. If an emergency exists, and the appointing authority certifies that the position has to be filled, sets forth the reasons for the emergency, and submits a statement satisfactory to the administrator of what steps he has taken to find a qualified person, the administrator may authorize the filling of the position by a person who does not possess the qualifications and requirements approved. Said authorization under such emergency conditions shall not be construed to mean that said person is thereby ruled as eligible to take the examination. If no eligible list is established as the result of the scheduled examination, the administrator and the appointing authority shall confer and decide what action should be taken, including the holding of another examination on a different basis and the restructuring of the office or position. A requisition to make an appointment to fill a vacancy in a permanent position or in a newly created position for which funds have been appropriated or are available on a permanent basis shall state that such vacancy is to be filled on a permanent basis.

No provisional appointment shall be approved or continued, except in accordance with the provisions of section fifteen G; provided, however, that where a list has been established as the result of an open competitive examination, and the appointing authority requests that the office or position be filled by a competitive promotional or a qualifying examination, as hereunder provided in paragraphs A and

B, a provisional promotion of a person from within his department may be authorized in accordance with the provisions of this chapter. Nothing herein contained shall affect the rights of disabled veterans as provided in section twenty-three.

Any alteration in the nature of the employment of a person holding such a provisional appointment or any increase in salary thereof shall immediately terminate such an appointment.

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

A person may be certified from a civil service list to fill, for the duration of the vacancy, a temporary vacancy.

In case of an emergency, except as otherwise provided in this paragraph, which could not have been foreseen and where the public business would be seriously impeded by delay in filling any position in the manner provided by law, an appointing authority may make an emergency appointment without requisition; but in no case, except as otherwise provided in this paragraph, shall such emergency appointment continue for more than thirty days within the sixty consecutive days next following, and in every case he shall forthwith report the same to the administrator, stating the reason therefor, in such form and detail as the administrator may prescribe, and the time, not exceeding thirty days within the sixty consecutive days next following, for which such employment is to last. No such emergency appointment shall be renewed except with the consent of the administrator or be renewed more than once, except that in departments, institutions or hospitals the functions of which are connected with the public safety or public health where the public service would otherwise suffer, the administrator may renew such emergency appointment for one additional period; but no person shall receive more than one such appointment and renewal or renewals, as the case may be, in any twelve-month period. In case of an emergency in the position of laborer, which could not have been foreseen and where the public business would be seriously impeded by delay in filling the position in the manner provided by law, an

appointing authority may make an emergency appointment without requisition; but in no case shall such emergency appointment continue for more than thirty days within the sixty consecutive days next following, except that the appointing authority may renew the emergency appointment for one additional period, as provided in this paragraph or, at his discretion, renew the emergency appointment immediately for a period not to exceed an additional fifteen days, in which event no further emergency appointment under this section may be given such laborer within the twelve-month period from the date that the thirty-day emergency appointment began; and in every such case the appointing authority shall forthwith report the same to the administrator, stating the reason therefor, in such form and detail as the administrator may prescribe, and the time, not exceeding thirty days within the sixty consecutive days next following, or the additional fifteen days provided for in this section, for which such employment is to last. If the person given such an emergency appointment as a laborer has had prior emergency employment under another title in the classified civil service within the twelve consecutive months next following the date of his first employment under the emergency appointment, the total emergency employment in any position, including that of laborer, shall not exceed a total of sixty days in any twelve-month period. Vacancies of which an appointing authority has had, or might with due diligence have had, reasonable knowledge shall not be considered an emergency under this section.

A. An appointing authority, with the approval of the administrator, may promote in the same department in the official service a permanent employee in one grade to the next higher grade as determined by the administrator; provided, that such employee has been employed in such department after certification on a permanent basis in the lower grade for at least three years next preceding the date of request, is the oldest employee, the second oldest employee or the third oldest employee in length of service, who is willing to accept such position, and that such employee passes a qualifying examination prescribed by the administrator. In case of promotions of more than one employee, the next oldest employees in succession in length of service may be selected from the same number of such oldest employees as that provided in the civil service rules governing certification for more than one vacancy. If there is only one permanent employee in a department of a city, town or district who is eligible for promotion, such employee may be promoted on the request of the appointing authority; provided, that such employee has been employed on a permanent basis, after certification, for at least one year, and that such employee passes a qualifying examination prescribed by the administrator. This paragraph shall not apply in any case where a promotion is required to be made as provided in section twenty nor in the case of a temporary promotion except where the administrator is satisfied that there is a likelihood of the position becoming permanent within a reasonable period of time. If a person has been so temporarily promoted, the

administrator may, upon the request of the appointing authority, approve the promotion on a permanent basis when the position becomes permanently vacated without requiring a further examination. The effective date of a permanent promotion under this paragraph shall be the date on which the person passed the qualifying examination; provided, however, that if the appointing authority has not assigned the person to the higher duties pending the passing of the examination, the effective date of the promotion shall be the date on which the appointing authority certifies that the person has assumed the higher duties.

B. (1) Except as otherwise provided in section twenty, all promotions in the official service in a department shall be made (*a*) in accordance with paragraph A, (*b*) after a departmental promotional examination subject to this clause or after a departmental promotional examination subject to clause (2) of this paragraph, (*c*) after an executive office promotional examination, (*d*) after a competitive promotional examination or (*e*) after an open competitive examination, whichever method shall be selected by the appointing authority, with the approval of the administrator. Any such departmental promotional examination shall be open, until there are at least two employees in lower grades eligible to apply, to all permanent employees in the department in grades equal to that of the position for which the examination is held and in the next lower grades, as determined by the administrator, who have been employed in the department in such grades, after certification and in a permanent or temporary status, for at least one year preceding the date of examination; provided, that no such departmental promotional examination shall be open to any employee of a department who has not been employed therein, after certification and in a permanent status, for at least one year next preceding the date of the examination, or who has permanent status after certification in a grade higher than that of the position for which the examination is to be held. Any such competitive promotional examination shall be open to all permanent employees of the commonwealth, or of the city, town or district where the promotion is to be made, as the case may be, who after certification in a permanent status, have been employed for at least the six months next preceding the date of said examination in permanent or temporary status in positions which are in the class or service group of the position for which the examination is to be held, as such class or service group shall have been established in accordance with section forty-five of chapter thirty, or in any other class or service group, as determined by the administrator, which contains positions having duties, qualifications, and other significant characteristics similar or functionally related to those of the position for which the examination is to be held, and which are in grades equal to that of the said position and in the next lower grades, as determined by the administrator.

(2) Departmental promotional examinations which are not made in accordance with clause (1) of this paragraph shall be open to permanent employees in the department (*a*) who have been employed

therein, after certification, whether in a permanent or temporary status, for at least one year preceding the date of examination in a position determined by the administrator to be directly qualifying for the position for which the examination is held, or (*b*) who meet such experience or education and training requirements as shall be determined by the administrator to be qualifying for the position for which the examination is held. Such experience, education or training may have been acquired within or without the department, and shall be creditable only upon presentation of evidence satisfactory to the administrator that such experience or training are of the length, type and quality determined by the administrator to be appropriate for the classification; provided, that no such promotional examination shall be open to any employee of the department who has not been employed therein, after certification and in a permanent status, for at least one year next preceding the date of examination, or to any employee who has permanent status, after certification, in a grade higher than that of the position for which the examination is held. All promotions in the official service of the division of employment security in the department of labor and industries shall be made in accordance with paragraph A or the provisions of this clause. The provisions of this clause at the discretion of the administrator may be applied to any position in the official service in any other department, and so far as practicable, to executive office promotional examinations, with the approval of the secretary thereof, and to competitive promotional examinations.

C. In each instance when the appointing authority appoints or promotes, as the case may be, any person other than the person whose name appears highest on a list certified by the administrator for a position and such person is willing to accept such appointment or promotion, the appointing authority shall forthwith deliver to the administrator a written statement of his or its reason for so appointing or promoting the person so appointed or promoted, and no appointment or promotion of any person other than the person whose name appears highest on such list shall become effective until such statement has been received by the administrator. Every such statement shall be filed in the office of the division and shall be open to public inspection.

D. Notwithstanding any provision of law to the contrary no individual, other than in an emergency as heretofore set forth in this section, shall be appointed, transferred, excepting a transfer to a position with substantially identical authority, duties and responsibility, or promoted to any office or position which is subject to the federal standards for a merit system of personnel administration unless the administrator or the secretary having charge of an executive office established by chapters six A or seven, as the case may be, has certified such individual meets the minimum qualifications conformable with applicable federal requirements, which minimum qualifications the administrator is hereby authorized and directed to establish for each such office or position.

All departmental promotional examinations for positions in the

department of public works shall be open to eligible employees in said department, as determined by the administrator and in the case of promotional qualifying examinations length of service shall be computed on total length of permanent service, as set forth in section fifteen D, regardless of the unit to which assigned.

For positions in the classified labor service, districts established under section three of chapter sixteen shall not be changed except in accordance with section eighteen A of this chapter and certification shall be made in accordance with the provisions of said section.

Requests to make a promotion of a civil service employee to fill a permanent vacancy or a newly created position for which funds have been appropriated or are available on a permanent basis shall state that such vacancy is to be filled on a permanent basis and not on a temporary basis.

SECTION 88. Said chapter 31 is hereby amended by striking out section 15B, as most recently amended by section 4 of chapter 683 of the acts of 1971, and inserting in place thereof the following section:—

Section 15B. An employee in the classified civil service of a department may, upon requisition made by the appointing officer, be appointed or promoted to a position in the lowest grade, as determined by the administrator, of the official service of such department upon certification from an eligible list established as a result of an examination open only to permanent employees in the classified civil service of such department who have been employed therein after certification for at least one year.

Notwithstanding the provisions of this section extending eligibility for such an examination to the classified civil service, the administrator may restrict such eligibility to any group or groups of positions in the labor service if there are sufficient number of employees in such a group or groups to take a competitive examination, as determined by the administrator. The administrator may also include in such an examination incumbents of those positions in the official service in said department whom the administrator determines proper for admission to the examination.

An employee may be promoted to a position in the lowest grade of the official service of the department with the approval of the administrator, provided such employee passes a qualifying examination, has been employed in the department for at least one year, and is the oldest employee, the second oldest employee or the third oldest employee in length of service who is willing to accept such position. The determination as to which employees are willing to accept shall be made only after the posting of a promotional bulletin in accordance with the provisions of section eight; provided, that for the purposes of making said determination persons in the official service in said department shall be eligible to respond to the bulletin and those who do respond shall be considered in making the determination.

The provisions of this section may, upon the request of the appointing authority and at the discretion of the administrator, be applied to a department where the official service is subject to the provisions of

this chapter but wherein the labor service is not so subject, in which case the words "classified civil service" shall include persons who have been employed for at least one year in the department in said labor service notwithstanding the fact that they are employed in positions which are not subject to the provisions of this chapter. The seniority date of any person who acquires civil service status under this section shall be computed from the date of permanent appointment after certification by the administrator for promotion, following his passing such examination.

SECTION 88A. The first paragraph of section 15C of said chapter 31, as appearing in chapter 195 of the acts of 1953, is hereby amended by striking out, in line 3, the word "director" and inserting in place thereof the word:— administrator.

SECTION 88B. Section 15E of said chapter 31, inserted by chapter 540 of the acts of 1946, is hereby amended by striking out, in lines 6, 14 and 16, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 89. Said chapter 31 is hereby amended by striking out sections 15F and 15G and inserting in place thereof the following two sections:—

Section 15F. Any person who is appointed to a permanent position after certification may, upon request of the appointing authority and the approval of the administrator, be provisionally promoted to a position in the next higher grade in the same department or division of a department, if there is no suitable eligible list from which to certify; or be appointed after certification in accordance with the civil service law and rules to a temporary position in a higher grade. If, however, there is no such employee qualified and willing to accept such a provisional promotion, a provisional promotion to a position in the classified official service without regard to class or grade may be authorized by the administrator if in his opinion the appointing authority submits sound and sufficient reasons to show that said provisional promotion will be for the public good. If the administrator has approved the holding of a competitive promotional examination, as provided in paragraph B of section fifteen, he may approve a provisional promotion of a person who is eligible to take said examination, notwithstanding the fact that the promotion may involve a transfer from one department to another. Such provisional promotion or such temporary appointment shall not be deemed to interrupt the serving of the probationary period or the period of eligibility for promotion required by this chapter in the office or position of the lower grade.

No provisional promotion shall be made under this section without the prior approval of the administrator; provided, however, that provisional promotions to any office or position in the classified civil service in any department of the commonwealth, as defined by section one of chapter twenty-nine, and in any board, commission, institution or other agency within any of the executive offices established by chapter six A and seven may be authorized by the secretary having charge of such executive office without further authorization or approval by the administrator upon submission of notification of such

provisional promotion to the administrator, in such form as he shall prescribe, and subject to all applicable provisions of this chapter and the rules and regulations established thereunder. If at any time the administrator shall determine that any provisional promotion authorized by any such secretary shall have been made in violation of any such provision, or that the person provisionally appointed shall fail to meet the qualifications and requirements established by the administrator for the position, the administrator shall terminate such promotion. Every provisional promotion made after such authorization shall be reported by the appointing authority to the administrator.

Section 15G. Whenever a certification of names of persons eligible for appointment or promotion is made by the administrator and the eligible list contains the names of three persons willing to accept, selection and appointment or promotion shall be made by the appointing authority from the eligible list in accordance with the law and rules. The appointing authority may make a selection and appointment or promotion from a certification of less than three at his own discretion. If the appointing authority does not make an appointment or promotion from a certification of less than three names he shall notify the administrator that it is his intention to leave the position unfilled until such time as an eligible list of at least three persons willing to accept is established, or, if the appointing authority wishes to fill the position by a person whose name does not appear on said eligible list, he shall certify to the administrator that each person on the list who reported for an employment interview as directed by the administrator was interviewed and considered for the position. In such case, the appointing authority shall state sound and sufficient reasons, satisfactory to the administrator, why the certification of less than three names was not adequate to make a proper selection. No provisional appointment or provisional promotion shall be approved or continued following a certification by the administrator if the list contains the names of three persons eligible and willing to accept. Nothing herein contained shall affect the rights of disabled veterans as provided in section twenty-three.

SECTION 90. Said chapter 31 is hereby further amended by striking out section 16A, as most recently amended by section 22 of chapter 1230 of the acts of 1973, and inserting in place thereof the following section:—

Section 16A. Any person who has been permanently appointed in accordance with the civil service law and rules and who has served a probationary period required by section twenty D may, after application in writing to the administrator by an appointing authority and with the consent of the administrator, be transferred to another similar position, provided the appointing authority submits sound and sufficient reasons, in the opinion of the administrator, to show that the transfer will be for the public good and will not impose unreasonable hardship on the employee to be transferred. No position shall be considered similar which is higher in grade or for which there are substantially dissimilar requirements for appointment.

If such transfer shall be to a temporary position, the transfer shall be temporary and for such period of time as the appointing authority shall determine, with the consent of the administrator. If such transfer shall be to a permanent position, the transfer shall be permanent or temporary, as the appointing authority shall determine, with the consent of the administrator; and if temporary, shall be for such period of time as the appointing authority shall determine, with the consent of the administrator. A temporary transfer shall not affect the seniority date of the employee so transferred and shall not be deemed to interrupt the serving of the period of eligibility for promotion required by this chapter in the office or position from which the employee is transferred.

Without the consent of the administrator but otherwise subject to the requirements of the two preceding paragraphs, a transfer from an office or position with a department, as defined by section one of chapter twenty-nine, within any of the executive offices established by chapters six A and seven to another office or position within the same department may be authorized by the secretary having charge of such executive office upon submission of notification of such transfer to the administrator in such form as he shall prescribe, and subject to all applicable provisions of this chapter and the rules and regulations established thereunder; provided, however, that the duration of any such transfer to a temporary position shall be subject to the approval of the personnel administrator. If at any time the administrator shall determine that any such transfer so authorized by any such secretary shall have been made in violation of any such provision, the administrator shall terminate such transfer.

Nothing herein contained shall affect the rights of disabled veterans as provided in section twenty-three.

Any person aggrieved by any such transfer may appeal to the commission in accordance with the provisions of paragraph (*b*) of section two.

In case of an emergency where the public safety or health would be seriously impaired by delay in the performance of essential duties, the appointing authority may, in the manner and subject to the conditions specified by the provisions of section fifteen relating to emergency appointments, make an emergency transfer or other assignment of any employee.

Notwithstanding any of the foregoing provisions, any person who has been permanently appointed in accordance with the civil service law and rules may apply in writing to his appointing authority for transfer to another similar position, and said appointing authority, with the consent of the administrator, may grant such application.

SECTION 91. The first paragraph of section 16B of said chapter 31, inserted by chapter 185 of the acts of 1971, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word:— administrator.

SECTION 92. The second paragraph of said section 16B of said chapter 31, inserted by section 23 of chapter 1230 of the acts of 1973, is hereby amended by striking out, in lines 1, 9, 12 and 14, the word

"director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 93. Said chapter 31 is hereby further amended by striking out section 17, as most recently amended by chapter 25 of the acts of 1963, and inserting in place thereof the following section:—

Section 17. No person habitually using intoxicating liquors to excess shall be appointed, employed or retained in any position to which this chapter applies, nor shall any person be appointed or employed in any such position within one year after his conviction of any crime against the laws of the commonwealth, other than a rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles established by any city or town or by any commission or body empowered by law to make such rules or regulations; provided, that the administrator may in his discretion authorize the appointment or employment, within said year, of a person convicted of any of the following offenses:— (1) a violation of any rule or regulation, other than one relating to parking, made under section two of chapter eighty-five or under section thirty-one of chapter ninety; (2) a violation of any provision of said chapter ninety relating to motor vehicles which constitutes a misdemeanor, other than one relating to parking; (3) any other offense for which the sole punishment imposed was (*a*) a fine of less than one hundred dollars, (*b*) a sentence to imprisonment in a jail or house of correction for less than six months, with such a fine or without any fine, or (*c*) a sentence to any other penal institution under which the actual time served was less than six months, with such a fine or without any fine.

SECTION 94. The second paragraph of section 18 of said chapter 31, inserted by section 3 of chapter 179 of the acts of 1971, is hereby amended by striking out, in lines 2, 5, 7 and 14, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 95. Section 18A of said chapter 31, as appearing in chapter 389 of the acts of 1945, is hereby further amended by striking out, in line 6, the word "director" and inserting in place thereof the word:— administrator.

SECTION 96. Section 19A of said chapter 31, as most recently amended by chapter 55 of the acts of 1949, is hereby further amended by striking out, in line 8, the word "director" and inserting in place thereof the word:— administrator.

SECTION 97. Section 19B of said chapter 31, as most recently amended by section 1 of chapter 53 of the acts of 1969, is hereby further amended by striking out, in lines 4 and 19, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 98. Section 19C of said chapter 31, as appearing in chapter 263 of the acts of 1968, is hereby amended by striking out, in lines 1, 5 and 8, the word "director" and inserting in place thereof, in each instance, the word:— administrator —, and by striking out, in line 15, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 99. The second paragraph of section 20 of said chapter 31, inserted by chapter 183 of the acts of 1971, is hereby amended by striking out, in lines 6 and 8, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 100. Section 20A of said chapter 31, as appearing in section 1 of chapter 255 of the acts of 1953, is hereby amended by striking out, in lines 6, 16 and 31, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 101. The first sentence of section 20C of said chapter 31, as appearing in section 2 of chapter 53 of the acts of 1969, is hereby amended by striking out, in lines 4 and 11, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 102. The fourth sentence of said section 20C, as appearing in section 2 of chapter 167 of the acts of 1952, is hereby amended by striking out, in line 2, the word "director" and inserting in place thereof the word:— administrator.

SECTION 103. The first paragraph of section 20D of said chapter 31, as appearing in section 2 of chapter 703 of the acts of 1945, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences:— There shall be no increase in pay or change in the duties of any such office or position during such a period without the approval of the administrator. If any such increase in pay or change in duties is made during such a period without such approval, the administrator may cancel and declare void the certification under which the appointment was made, and thereupon the employment of the person so appointed shall cease.

SECTION 104. The second paragraph of said section 20D of said chapter 31, as most recently amended by chapter 506 of the acts of 1968, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following two sentences:— The appointing authority shall at the same time send a copy of such notice to the administrator. In default of such a notice, the appointment of such person shall become permanent upon the termination of such period; provided, however, that the administrator with the approval of the commission, may establish procedures ensuring the evaluation by appointing authorities of the performance of police officers during such probationary period,.

SECTION 105. The third paragraph of said section 20D of said chapter 31, as appearing in section 2 of chapter 182 of the acts of 1971, is hereby amended by striking out, in lines 5 and 20, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 106. Section 21 of said chapter 31, as appearing in section 3 of chapter 627 of the acts of 1954, is hereby amended by striking out, in line 32, the word "director" and inserting in place thereof the word:— administrator.

SECTION 107. The first sentence of the first paragraph of section 22 of said chapter 31, as most recently amended by section 4 of chapter 627 of the acts of 1954, is hereby further amended by

striking out, in line 3, the word "director" and inserting in place thereof the word:— administrator.

SECTION 107A. The second paragraph of said section 22 of said chapter 31, inserted by chapter 345 of the acts of 1946, is hereby amended by striking out, in line 2, the word "director" and inserting in place thereof the word:— administrator.

SECTION 108. Section 23A of said chapter 31, as most recently amended by section 2 of chapter 1051 of the acts of 1971, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

"Disabled veteran", as used in this chapter, shall mean any veteran, as defined in section twenty-one or twenty-one A, who has a continuing disability at the time of application for appointment, and who (1) shall present proof satisfactory to the administrator that such disability is a service-incurred disability of not less than ten per cent based on wartime service for which he is receiving compensation, or is entitled to receive compensation from the Veterans' Administration, or who shall present proof satisfactory to the administrator that such disability is a service-incurred disability based on wartime service, or for which he is receiving or is entitled to receive a statutory award from the Veterans' Administration; or who (2) has been retired by the armed forces for such permanent physical disability incurred by wartime service for which he is receiving retirement allowance or is entitled to receive retirement allowance for not less than ten per cent disability based on wartime service from any branch of the armed forces. The administrator may require any such veteran to present a certificate of a physician, approved by the administrator, that his disability is not such as to incapacitate him from the performance of the duties of the position to which he is eligible. The cost of a physical examination of such veteran for the purpose of obtaining such certificate shall be borne by the commonwealth.

SECTION 109. Section 23B of said chapter 31, as appearing in section 1 of chapter 430 of the acts of 1956, is hereby amended by striking out, in line 4, the word "director" and inserting in place thereof the word:— administrator.

SECTION 110. Section 24 of said chapter 31, as most recently amended by chapter 27 of the acts of 1956, is hereby further amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences:— If, however, the appointing officer certifies in the requisition for laborers that the work to be performed requires young and vigorous men, and, on investigation, the administrator is satisfied that such certificate is true, he may fix a limit of age and certify only those whose age falls within such limit. The names of widows or widowed mothers of veterans who were killed in action or died from service-connected disability incurred in wartime service, upon presenting proof from official sources of such facts, satisfactory to the administrator, and that she has not remarried, shall be placed on the eligible list for the class for which such widows register above the names of all other applicants but below the names of veterans.

SECTION 111. Section 25 of said chapter 31, as appearing in chapter 502 of the acts of 1969, is hereby amended by striking out, in lines 2, 4 and 7, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 112. Section 29 of said chapter 31, as most recently amended by section 29 of chapter 320 of the acts of 1973, is hereby further amended by striking out, in lines 2 and 8, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 113. Section 31 of said chapter 31, as most recently amended by chapter 32 of the acts of 1965, is hereby amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs:—

The officer or board having the power in any city or town subject to this chapter to appoint or employ persons in any department thereof to which this chapter and the rules thereunder apply shall, within seven days after the receipt of a written request therefor made by the commission or the administrator, make and file with said commission or the administrator and with the auditor or officer whose duty it is to audit the accounts of such appointing or employing officer or board, a report containing the names of all persons who have been appointed or employed by such appointing or employing officer or board or who have received pay or rendered bills for services or labor rendered or performed during the calendar month next preceding the date of the filing of such request. Said report shall be in the form prescribed by the commission or the administrator, shall be made under oath, and shall contain the following information: first, the full name of the person appointed or employed or rendering bill for services or labor; second, the title of the officer or position authorized by the division of personnel administration wherever applicable, otherwise the title authorized by the appointing authority; third, the salary, wages or other compensation; and fourth, the dates of employment; provided, that such appointing or employing officer or board shall not be required to file in any month more than one such report with the commission or the administrator and one with the auditor or auditing officer. The reports in the office of the auditor or auditing officer shall be open to public inspection.

The supreme judicial court by mandamus or other appropriate remedy in law or in equity, upon suit or petition of the commission or of the administrator, may compel any such appointing or employing officer or board in any such city or town to comply with this section.

SECTION 114. Section 31A of said chapter 31, inserted by section 2 of chapter 422 of the acts of 1939, is hereby amended by striking out, in lines 6, 7, 26, 28 and 31, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 115. Section 31B of said chapter 31, as most recently amended by section 2 of chapter 4 of the acts of 1969, is hereby further amended by striking out the first four sentences and inserting in place thereof the following four sentences:— The

administrator shall prepare and keep on file in his office rosters of all positions in the classified civil service of the commonwealth, and of each city and town, subject to this chapter, and of the persons whose employment in such positions, respectively, whether permanent or temporary, is legal, and each appointing authority shall be given a copy of the roster for his department. The administrator shall file a copy of such roster for the commonwealth with the comptroller, and shall file a copy of such roster for each such city or town with the treasurer or other officer thereof whose duty it is to pay the salary or compensation of persons in the service of such city or town, and with the auditor or other officer thereof whose duty it is to authorize the drawing, signing or issuing of warrants for such payment. Whenever any person is legally employed in or appointed to a position in the classified civil service, the administrator shall make on the proper roster, or append thereto, a record of such employment, appointment or change and shall give notice thereof to each officer with whom a copy of such roster is herein required to be filed, who shall make on his copy of said roster, or append thereto, a corresponding record. Whenever a change occurs in the status of any person by virtue of suspension, discharge, resignation or any other separation from the classified civil service, the appointing authority, in addition to the report to the administrator required by section eighteen, shall give notice thereof to each officer with whom a copy of such roster is herein required to be filed by the administrator, and such officer shall make on his copy of said roster, or append thereto, a corresponding record.

SECTION 116. The first sentence of section 32 of said chapter 31, as amended by section 17 of chapter 780 of the acts of 1967, is hereby further amended by striking out, in line 2, the word "director" and inserting in place thereof the word:— administrator.

SECTION 117. Section 33 of said chapter 31, as most recently amended by section 3 of chapter 420 of the acts of 1939, is hereby further amended by striking out, in line 4, the word "director" and inserting in place thereof the word:— administrator.

SECTION 118. Section 34 of said chapter 31, as most recently amended by section 4 of chapter 420 of the acts of 1939, is hereby further amended by striking out, in line 2, the word "director" and inserting in place thereof the word:— administrator.

SECTION 119. Section 38 of said chapter 31, as most recently amended by section 3 of chapter 422 of the acts of 1939, is hereby further amended by striking out, in lines 1 and 4, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 120. Section 39 of said chapter 31, as amended by section 42 of chapter 238 of the acts of 1939, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— Any person found by the administrator to be illegally appointed or employed may file a petition for a writ of mandamus in the supreme judicial court to compel the administrator to authorize such appointment or employment, and the payment of compensation of salary therefor.

SECTION 121. Section 42 of said chapter 31, as most recently amended by section 1 of chapter 720 of the acts of 1970, is hereby further amended by striking out, in lines 9, 11, each time it appears in line 12, and in lines 19 and 28, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 122. Paragraph (*e*) of section 43 of said chapter 31, as most recently amended by section 4 of chapter 72 of the acts of 1970, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:— A copy of the notice of suspension to the officer or employee shall be forwarded forthwith to the personnel administrator by the person authorized to make the suspension, together with a request for the approval of reinstatement of the officer or employee to be effective at the expiration of the period of suspension.

SECTION 123. Said paragraph (*e*) of said section 43 of said chapter 31 is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— Notice of any action taken by the appointing authority under this paragraph shall be forwarded forthwith to the personnel administrator.

SECTION 124. Said section 43 of said chapter 31 is hereby further amended by striking out paragraph (*f*), as most recently amended by section 43A of chapter 766 of the acts of 1969, and inserting in place thereof the following paragraph:—

An officer or employee shall automatically be reinstated at the end of the first period for which he was suspended. Any subsequent reinstatement after suspension shall be subject to the approval of the administrator, and, if denied, an appeal may be taken to the commission as provided in paragraph (*b*) of section two. The notice required by paragraph (*a*) of this section to be given to an employee whom it is proposed to suspend after a prior suspension shall state that his reinstatement after such suspension is subject to the approval of the administrator.

SECTION 125. Paragraph (*g*) of said section 43 of said chapter 31, as amended by chapter 281 of the acts of 1965, is hereby further amended by striking out, in lines 12 and 26, the words "director of civil service" and inserting in place thereof, in each instance, the words:— personnel administrator.

SECTION 126. Section 46C of said chapter 31 is hereby amended by striking out the first sentence, as amended by section 2 of chapter 3 of the acts of 1969, and inserting in place thereof the following sentence:— An officer or employee of the commonwealth or of any city or town who has been separated from an office or position in the official or labor service may, upon the request of the appointing authority and with the approval of the administrator, be reinstated in the same or in another department in a position in the same class and grade or in a lower grade in the same class; provided, that the appointing authority submits to the administrator in writing the reasons why such reinstatement would be in the public interest; but no such request shall be approved if there is a suitable eligible list containing names of two or more persons available for appointment

to such position and if the officer or employee for whom reinstatement is requested has been separated from the official or labor service for a period of over five years.

SECTION 127. Said section 46C of said chapter 31 is hereby further amended by striking out the last two sentences, as amended by section 3 of said chapter 3, and inserting in place thereof the following two sentences:— If the administrator fails to approve the reinstatement of such officer or employee within thirty days after the request of the appointing authority, the appointing authority or such officer or employee may make a request for a hearing before the administrator. The administrator shall forthwith hold a hearing and render his decision.

SECTION 128. The first paragraph of section 46E of said chapter 31, as most recently amended by section 4 of said chapter 3 is hereby further amended by striking out the last three sentences and inserting in place thereof the following three sentences:— A copy of such written approval shall be kept on file by the appointing authority who shall, upon request, forward a copy of said written approval to the commission or administrator. In the case of a city or town, the appointing authority shall forward forthwith a copy of the written approval of such leave of absence to the city or town clerk, as the case may be. No leave of absence for a period longer than three months, except one granted on account of illness, as evidenced by the certificate of a registered physician approved by the administrator, may be granted without the prior approval of the administrator.

SECTION 129. The last paragraph of said section 46E of said chapter 31, inserted by section 5 of said chapter 3, is hereby amended by striking out, in line 5, each time it appears in line 7 and in line 15, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 130. Said chapter 31 is hereby further amended by striking out sections 46H and 46I and inserting in place thereof the following two sections:—

Section 46H. Any officer or employee of a city or town who has become separated from the classified civil service by reason of his retirement under the provisions of any general or special law, if his retirement is subsequently invalidated and his retirement allowance discontinued by reason of the illegality of, or a defect in, the proceedings relative to such retirement, shall, upon application to the administrator within one year from the last payment of such retirement allowance, be reinstated by the administrator in the same position, or in a position in the same class and grade as that formerly held by him, without loss of compensation.

Section 46I. Whenever a person is separated from the official or labor service for lay-off due to lack of work or lack of money or for abolition of position, his name shall be placed by the administrator on the reemployment list, and if a person is separated from such service because of resignation on account of illness his name shall be placed thereon upon his request in writing made within two years from the date of such separation. The name of any person so placed on the reemployment list shall remain thereon until he is appointed to a

position after certification from such list or reinstated to a civil service position, but in no event for longer than two years. This section shall not apply to persons originally employed on requisition for temporary service or to provisional appointees. Thereafter, on requisition to fill any position which, in the judgement of the administrator, can be filled from such reemployment list, the administrator, before certifying from the regular list, shall certify from such reemployment list, in accordance with the rules relative to certification, the names of persons then standing thereon in the order of the dates of their original appointment.

If the functions of an office or position occupied by a person holding permanent civil service status are transferred to another department, division, board or commission, the incumbent of such office or position shall at his own request, in lieu of being placed on a reemployment list, be transferred, upon the approval of the administrator, to such department, division, board or commission, to a similar office or position without loss of seniority, retirement or other rights.

SECTION 131. Section 46M of said chapter 31, inserted by section 1 of chapter 378 of the acts of 1961, is hereby amended by striking out, in line 7, the word "director" and inserting in place thereof the word:— administrator.

SECTION 132. Section 47A of said chapter 31, as most recently amended by chapter 152 of the acts of 1971, is hereby further amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs:—

Where any office or position is placed within the official or labor service by the provisions of this chapter or by any other statute, or by rule, or by acceptance of provisions of this chapter or any other statute by a city or town, the appointing authority shall forthwith submit to the administrator a list of the incumbents of all such offices and positions. Said list shall state the type and kind of work, a record of service with dates of employment, and the compensation of each person, and any other information which the administrator may require. The appointing authority shall cause a copy of such list to be posted in a public place for a period of thirty days.

After the completion of said period of posting, the administrator shall classify each office or position on said list and shall fix the seniority date of each employee in conformity, so far as practicable, with the provisions of section fifteen D. The administrator shall notify each person on said list of his rating and seniority date as determined by him and such other information as the administrator shall deem pertinent. Within fourteen days after said notification, any person whose rights are alleged to have been affected may appeal to the administrator as to the correctness of the list, his rating and seniority date. The administrator or his authorized representative shall forthwith hold a hearing and shall hear all parties concerned. After said hearing, the administrator may make such changes as he may deem necessary in the rating and seniority date. After seniority is determined as provided herein, it shall continue subject, however, to the provisions of section fifteen D. The provisions of this paragraph

relative to the classification of any office or position or the appeal or change relative to a rating shall not apply in the cases of those offices or positions which are subject to the provisions of section forty-five of chapter thirty.

SECTION 133. The third paragraph of said section 47A of said chapter 31, as most recently amended by chapter 152 of the acts of 1971, is hereby further amended by striking out subdivisions 4 and 5 and inserting in place thereof the following two subdivisions:—

4. All incumbents of offices or positions within the official service who have been employed for six months or more but less than two years immediately prior to the placing of the office or position under civil service shall be subject to a qualifying examination prescribed by the administrator, and, if they pass, shall be certified for permanent appointment subject to serving a probationary period.

5. All incumbents of offices or positions within the official service who have been employed for two years or more immediately prior to placing the office or position under civil service shall be subject to a qualifying examination prescribed by the administrator, and, if they pass, shall be certified for permanent appointment without serving any probationary period.

SECTION 134. Section 48 of said chapter 31, as amended by section 6 of chapter 701 of the acts of 1945, is hereby further amended by striking out, in line 77, the word "director" and inserting in place thereof the word:— administrator.

SECTION 135. The second sentence of section 48A of said chapter 31, as appearing in chapter 226 of the acts of 1972, is hereby further amended by striking out, in line 4, the words "director of civil service" and inserting in place thereof the words:— personnel administrator —, and by striking out, in line 7, wherever it appears, the word "director" and inserting in place thereof, in each instance, the word:— administrator.

SECTION 136. Section 51 of said chapter 31, as amended by section 2 of chapter 237 of the acts of 1971, is hereby further amended by striking out, in line 1, the word "director" and inserting in place thereof the word:— administrator.

SECTION 137. The second paragraph of section 56 of chapter 32 of the General Laws, inserted by chapter 677 of the acts of 1945, is hereby amended by striking out, in lines 4 and 5, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 138. The first sentence of section 91 of said chapter 32, as most recently amended by chapter 676 of the acts of 1968, is hereby further amended by striking out, in lines 26 to 28, inclusive, the words "if the position is subject to the civil service laws, by the director of civil service, and in the case of a state employee, by the director of personnel and standardization" and inserting in place thereof the words:— if the position is subject to the civil service laws or in the case of a state employee holding a position not subject to the provisions of chapter thirty-one, by the personnel administrator.

SECTION 139. Section 42 of chapter 41 of the General Laws, as amended by chapter 299 of the acts of 1959, is hereby further

amended by striking out, in line 4, the words "civil service" and inserting in place thereof the words:— personnel administration.

SECTION 140. Section 108J of said chapter 41, inserted by chapter 129 of the acts of 1966, is hereby amended by striking out, in line 3, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 141. Section 36A of chapter 48 of the General Laws, inserted by section 1 of chapter 149 of the acts of 1948, is hereby amended by striking out, in line 19, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 142. Section 16 of chapter 73 of the General Laws, as appearing in section 15 of chapter 642 of the acts of 1963, is hereby amended by striking out, in lines 29 and 30, 33 and 57, the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator —, and by striking out, in lines 29, 40 and 41, the word "commissioner" and inserting in place thereof the word:— director.

SECTION 143. Section 42 O of chapter 74 of the General Laws, as appearing in section 2 of chapter 696 of the acts of 1963, is hereby amended by striking out, in lines 27 and 28, 31 and 57 and 58 the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator.

SECTION 144. Section 14 of chapter 75 of the General Laws, as appearing in section 1 of chapter 648 of the acts of 1962, is hereby amended by striking out, in lines 31, 34 and 59 the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator —, and by striking out, in lines 30 and 41, the word "commissioner" and inserting in place thereof, in each instance, the word:— director.

SECTION 145. Section 11 of chapter 75A of the General Laws, as appearing in section 7 of chapter 1175 of the acts of 1973, is hereby amended by striking out, in lines 56, 73 and 95, the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator.

SECTION 146. Section 10 of chapter 75B of the General Laws, as appearing in section 1 of chapter 582 of the acts of 1964, is hereby amended by striking out, in lines 27 and 28, 30 and 31, and 54, the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator —, and by striking out, in line 38, the word "commissioner" and inserting in place thereof the word:— director.

SECTION 147. The second sentence of paragraph (10) of section 10 of chapter 92 of the General Laws, as appearing in section 5 of chapter 549 of the acts of 1946, is hereby amended by striking out, in lines 3 and 4, the words "division of personnel and standardization of the commission on administration and finance" and inserting in place thereof the words:— personnel administrator.

SECTION 148. Section 62A of said chapter 92, as amended by section 1 of chapter 441 of the acts of 1939, is hereby further

amended by striking out, in lines 3 to 5, inclusive, the words "on the list of the division of civil service in the department of civil service and registration of eligibles" and inserting in place thereof the words:— on the division of personnel administration's list of eligibles.

SECTION 149. Section 4F of chapter 111 of the General Laws, as appearing in section 1 of chapter 484 of the acts of 1965, is hereby amended by striking out, in line 3, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 150. Section 10 of chapter 115A of the General Laws, inserted by chapter 400 of the acts of 1963, is hereby amended by striking out, in line 10, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 151. Section 4 of chapter 125 of the General Laws, as most recently amended by chapter 226 of the acts of 1974, is hereby amended by striking out, in line 2, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 152. Section 9 of said chapter 125, as most recently amended by section 9 of chapter 777 of the acts of 1972, is hereby further amended by striking out, in lines 35 and 36, the words "division of civil service" and inserting in place thereof the words:— division of personnel administration.

SECTION 153. Section 30A of chapter 149 of the General Laws, as most recently amended by chapter 271 of the acts of 1973, is hereby further amended by striking out, in lines 8 and 33, the words "director of personnel and standardization" and inserting in place thereof, in each instance, the words:— personnel administrator —, by striking out, in line 33, the words "the director of personnel and standardization" and inserting in place thereof the words:— said administrator —, and by striking out, in line 35, the words "commission on administration and finance" and inserting in place thereof the words:— commissioner of administration.

SECTION 154. Section 30B of said chapter 149, as most recently amended by section 2 of chapter 758 of the acts of 1970, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— The personnel administrator is empowered to make rules and regulations, subject to the approval of the commissioner of administration, to carry out the provisions of this section.

SECTION 155. Section 30C of said chapter 149 inserted by section 7 of chapter 1004 of the acts of 1971, is hereby amended by striking out, in line 17, the words "director of personnel and standardization" and inserting in place thereof the words:— personnel administrator.

SECTION 156. Section 73A of chapter 152 of the General Laws, inserted by chapter 649 of the acts of 1941, is hereby amended by striking out, in line 10, the words "personnel and standardization" and inserting in place thereof the words:— personnel administration —, and by striking out, in line 15, the words "director of civil service"

and inserting in place thereof the words:— personnel administrator.

SECTION 157. Section 75 of said chapter 152 is hereby amended by striking out the third sentence, as amended by section 8 of chapter 680 of the acts of 1954, and inserting in place thereof the following sentence:— The name and address of every such agent shall be filed with the division, and, in the case of every such agent acting for any board, commission or department of the commonwealth, with the personnel administrator immediately upon his designation.

SECTION 158. Section 69E of chapter 164 of the General Laws, as appearing in chapter 94 of the acts of 1964, is hereby amended by striking out, in lines 4 and 5, the words "civil service in such form as the director of civil service" and inserting in place thereof the words:— personnel administration in such form as the personnel administrator.

SECTION 159. Section 2 of chapter 708 of the acts of 1941, as appearing in section 1 of chapter 610 of the acts of 1945, is hereby amended by striking out, in lines 8 and 9 and 51, the words "civil service" and inserting in place thereof, in each instance, the words:— personnel administration.

SECTION 160. Section 2A of said chapter 708, inserted by chapter 238 of the acts of 1946, is hereby amended by striking out, in line 5, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 161. Section 2B of said chapter 708, inserted by chapter 11 of the acts of 1947, is hereby amended by striking out, in line 6, the word "director" and inserting in place thereof the word:— administrator.

SECTION 162. Section 3 of said chapter 708 is hereby amended by striking out, in line 10, the words "civil service" and inserting in place thereof the words:— personnel administration.

SECTION 163. The second paragraph of said section 3 of said chapter 708, inserted by section 2 of chapter 548 of the acts of 1943, is hereby amended by striking out, in line 9, the words "civil service" and inserting in place thereof the words:— personnel administration.

SECTION 164. Section 4A of said chapter 708, inserted by section 3 of chapter 271 of the acts of 1946, is hereby amended by striking out, in lines 3 and 8, the words "civil service" and inserting in place thereof, in each instance, the words:— personnel administration —, and by striking out, in lines 19 and 20, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 165. Section 5 of said chapter 708 is hereby amended by striking out, in line 7, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 166. Paragraph (*b*) of section 1 of chapter 535 of the acts of 1943 is hereby amended by striking out, in line 5, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 167. Paragraph (*g*) of section 1 of said chapter 535 is hereby amended by striking out, in line 1, the words "director of civil

service" and inserting in place thereof the words:— personnel administrator.

SECTION 168. Section 1A of said chapter 535 is hereby amended by striking out, in line 8, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 169. Section 2 of said chapter 535 is hereby amended by striking out, in line 10, the words "director of civil service" and inserting in place thereof the words:— personnel administrator.

SECTION 170. Chapter 282 of the acts of 1948 is hereby amended by striking out, in line 4, the words "civil service" and inserting in place thereof the words:— personnel administration.

SECTION 171. Chapter 573 of the acts of 1949 is hereby amended by striking out, in line 7, the words "director of civil service" and inserting in place thereof the words:— personnel administration.

SECTION 172. Chapter 773 of the acts of 1949 is hereby amended by striking out, in line 11, the words "civil service" and inserting in place thereof the words:— personnel administration.

SECTION 173. The offices of director of personnel and standardization, director of civil service, chairman of the personnel appeals board and member of the personnel appeals board are hereby abolished.

SECTION 174. The bureau of personnel of the fiscal affairs division of the executive office for administration and finance is hereby abolished. All powers and duties exercised by said bureau immediately prior to the effective date of this act are hereby transferred to the division of personnel administration established under the provisions of section four A of chapter seven of the General Laws, as amended by section four of this act.

SECTION 175. The personnel appeals board is hereby abolished. All powers and duties exercised by said board immediately prior to the effective date of this act are hereby transferred to the civil service commission established under the provisions of section four I of chapter seven of the General Laws, inserted by section eight of this act.

SECTION 176. The division of civil service within the executive office for administration and finance is hereby abolished. Unless a contrary intent clearly appears, all powers and duties exercised by said division immediately prior to the effective date of this act are hereby transferred to the division of personnel administration established under the provisions of section four A of chapter seven of the General Laws, as amended by section four of this act.

SECTION 177. The removal of the civil service commission from the division of civil service within the executive office for administration and finance shall not be construed as abolishing said commission, nor shall the establishment of the civil service commission within the executive office for administration and finance by section four I of chapter seven of the General Laws, inserted by section eight of this act, be construed as creating a new agency, but as a transfer of said commission from the division of civil service to the executive of-

fice for administration and finance. Unless a contrary intent clearly appears, all powers and duties of said commission, as existing immediately prior to the effective date of this act, shall be exercised and performed by said commission as so transferred. Notwithstanding the provisions of section fifteen of this act, the incumbents of the office of commissioner of civil service immediately prior to the effective date of this act shall continue to so serve until expiration of the term for which he has been appointed.

SECTION 178. Notwithstanding the provisions of section one hundred and seventy-three of this act, all officers and employees of the bureau of personnel within the fiscal affairs division of the executive office for administration and finance and the division of civil service within the executive office for administration and finance who, immediately prior to the effective date of this act, hold positions classified under chapter thirty-one of the General Laws, or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws, are hereby transferred to the division of personnel administration of the executive office for administration and finance, established by this act, every such transfer to be without impairment of the civil service status, seniority, retirement and other rights of the officer or employee, without interruption of his service within the meaning of the said chapter thirty-one or section nine A of chapter thirty, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer.

All officers and employees of the said bureau of personnel and the said division of civil service who immediately prior to said effective date do not hold positions classified under said chapter thirty-one, or do not have tenure in their positions by reason of said section nine A, are hereby transferred to said division of personnel administration established by this act, every such transfer to be without impairment of seniority, retirement and other rights, without interruption of service within the meaning of the said section nine A of chapter thirty, and without reduction in compensation and salary grade.

The provisions of this section shall not apply to any person who immediately prior to the effective date of this act holds the office of director of civil service, chairman of the personnel appeals board or member of the personnel appeals board.

Nothing in this section shall be construed to confer upon any officer or employee any rights not held immediately prior to said effective date, or to prohibit any subsequent reduction of salary or grade, transfer or reassignment, suspension, discharge, lay-off or abolition of position not prohibited prior thereto.

All questions regarding the identification of such officers and employees and of the agencies to which they are so transferred shall be determined by the commissioner of administration.

SECTION 179. All books, papers, records, documents, equipment, lands, interests in land, buildings, facilities and other property, both personal and real, which immediately prior to the effective date of this act, are in the custody of any agency from which powers and

duties are transferred to any other agency by the provisions of this act, and which relate to or are maintained for the purpose of the exercise of such powers or the performance of such duties, are hereby transferred to such other agency; provided, that all such property held in trust shall continue to be held in trust, and be administered in accordance with the terms of such trust, by such other agency or, if such agency shall decline such trust, by the trustees appointed by any court of competent jurisdiction upon application of any interested person for such appointment or for instructions in connection therewith.

All questions regarding the identification of such property and of the agencies to which custody thereof is so transferred shall be determined by the commissioner of administration.

SECTION 180. All monies heretofore appropriated for any agency from which powers and duties are transferred to any other agency by the provisions of this act for the purpose of the exercise of such powers or the performance of such duties, and remaining unexpended on the effective date of this act, are hereby transferred to, and shall be available for expenditure by, such other agency.

All questions regarding the identification of such monies and of the agencies to which they are so transferred shall be determined by the commissioner of administration.

SECTION 181. All duly existing contracts, leases and obligations of any agency from which powers and duties are transferred to any other agency by the provisions of this act which relate to the exercise of such powers for the performance of such duties, and which are in force immediately prior to the effective date of this act, shall thereafter be performed by such other agency. This section shall not affect any renewal provision or option to renew contained to any such lease in existence on said effective date, all of which may thereafter be exercised by such other agency.

All questions regarding the identification of such contracts, leases and obligations and of the agencies to which the performance thereof is so transferred shall be determined by the commissioner of administration.

SECTION 182. All petitions, hearings and other proceedings duly brought before, and all prosecutions and legal and other proceedings duly begun by, any agency from which powers and duties are transferred to any other agency by the provisions of this act which arise from or relate to the exercise of such powers or the performance of such duties, and which are pending immediately prior to the effective date of this act, shall continue unabated and remain in force notwithstanding the passage of this act, and shall thereafter be completed before or by such other agency, as the case may be.

All orders, rules and regulations duly made, and all licenses, permits, certificates and approvals duly granted, by any agency from which powers and duties are so transferred to any other agency, which arise from or relate to the exercise of such powers or the performance of such duties, and which are in force immediately prior

to said effective date, shall continue in force, and the provisions thereof shall thereafter be enforced, until superseded, revised, rescinded or canceled in accordance with law, by such other agency.

All questions regarding the identification of such petitions, hearings, prosecutions, proceedings, orders, rules, regulations, licenses, permits, certificates and approvals, and of the agencies to which the completion or enforcement thereof is so transferred shall be determined by the commissioner of administration.

SECTION 183. Wherever the name of any department, agency, office, commission, committee, council, board, division, bureau, institution, other administrative unit or officer within such agency, from which powers and duties are transferred by the provisions of this act, appears in any statute, order, rule, regulation or other document related to the exercise of such powers or the performance of such duties, such name shall be construed as referring to the department, agency, office, commission, committee, council, board, division, bureau, institution, other administrative unit or officer within such agency, to which such powers and duties are so transferred.

SECTION 184. The personnel administrator first appointed under the provisions of this act shall serve until July first, nineteen hundred and seventy-nine.

SECTION 185. This act shall take effect on July first, nineteen hundred and seventy-five.

Approved August 13, 1974.

Chap. 836. AN ACT TRANSFERRING CONTROL OF A CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF BOSTON FROM METROPOLITAN DISTRICT COMMISSION TO THE BOARD OF TRUSTEES OF STATE COLLEGES.

Be it enacted, etc., as follows:

SECTION 1. The following described land presently under the control of the metropolitan district commission and having been used for a sewerage pumping facility is hereby transferred to the board of trustees of state colleges to be used by Boston State College for its physical education program and for parking: A certain parcel of land in the city of Boston bounded and described as follows: Beginning at a point, said point being the intersection of the easterly sideline of Vancouver Street and the northerly sideline of Ward Street;

thence proceeding along said Vancouver Street, N 24-54-23 E, 497.49 feet to the intersection of said line of Vancouver Street and the southeasterly line of Huntington Avenue;

thence N 61-36-20 E, 51.44 feet along Huntington Avenue;

thence S 28-23-40 E, 109.3 feet more or less;

thence turning and running on a variable radius curve to the left, 239 feet more or less;

thence S 26-59-01 W, 109.18 feet to a stake and tack;

thence S 28-52-13 E, 117.04 feet to a stake and tack;
thence S 17-25-55 W, 74.99 feet to a drill hole;
thence N 72-34-05 W, 264.16 feet to the point of beginning.
Containing 77,000 sq. ft. more or less.

SECTION 1A. There shall be retained by said commission the perpetual right and easement to construct, inspect, repair, renew, replace, operate and forever maintain covered sewers, constructing sewers and drains with their proper manholes, embankments, walls, culverts and other appurtenances in, through, and under the described property and for access for the removal of screenings from the Ward street head works.

Unless the written consent of said commission or such other authority having the control and management of said easements on behalf of the commonwealth, shall first have been obtained, no buildings or structures or foundations of buildings or structures or parts thereof shall be erected or maintained upon any part of said easement.

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

Approved August 13, 1974.

Chap. 837. AN ACT AUTHORIZING THE TEMPORARY DETERMINATION OF FREE CASH RESULTING FROM THE CHANGE IN THE FISCAL CYCLE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow cities and towns to adjust the free cash as set forth herein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law, the amount of available funds which the assessors may be required to deduct under clauses *(b)* and *(c)* of section twenty-three of chapter fifty-nine of the General Laws in the computation of the tax rate for the fiscal year ending June thirtieth, nineteen hundred and seventy-five, shall be the amount certified by the director of accounts as available on July first, nineteen hundred and seventy-four, together with the total of the proceeds from the sale of tax title possessions and the receipts from tax title redemptions, in addition to the real and personal property taxes of prior years collected or received between July first, nineteen hundred and seventy-four, and the last day of the month preceding the month in which the said tax rate for the nineteen hundred and seventy-five fiscal year is determined but in no event later than August thirty-first, nineteen hundred and seventy-four.

SECTION 2. The provisions of section one of this act shall not nullify any of the provisions of chapter eighty of the acts of nineteen hundred and seventy-four.

Approved August 13, 1974.

Chap. 838. AN ACT RELATIVE TO CERTAIN IRREVOCABLE LICENSES IN CERTAIN TIDEWATERS OF BOSTON HARBOR ADJACENT TO THE RESERVED CHANNEL IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter 958 of the acts of 1973 is hereby amended by striking out the third paragraph.

Approved August 13, 1974.

Chap. 839. AN ACT AUTHORIZING THE CITY OF MEDFORD TO ESTABLISH AN OFFICE OF COMMUNITY DEVELOPMENT.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the city of Medford, hereinafter called the city, an office of community development, hereinafter called the office. The jurisdiction of the office shall encompass the community development board established by this act, the development and industrial commission, the conservation commission, the historical commission, and, with the concurrence of the city council, such other boards, committees, commissions, agencies, or departments as may from time to time be authorized under state or federal law to undertake community development activities. The powers, duties, property and functions of said commissions, boards, committees, agencies, and departments shall continue in accordance with all applicable law now governing them unless otherwise provided in this act.

SECTION 2. The planning department, the planning board and the Redevelopment Authority of the city of Medford, are hereby abolished. All powers, duties, property and functions thereof are transferred as provided for in this act.

All salaried employees, appointed by, through, or under said authorities, departments, boards, commissions or agencies are hereby transferred to and made employees of the office of community development. At the discretion of the city manager, said employees shall not suffer reduction in their rank or compensation, or impairment of their retirement rights, or their vacation, holiday, or sick leave rights, or their civil service seniority and other rights in the position held on the effective date of this act.

SECTION 3. The city manager shall appoint an officer to be known as the director of the office of community development, who shall be executive and administrative head of the office and, *ex officio,* the sole member of the community development authority and who may be removed by the city manager. The position of director created under this section shall not be subject to the provisions of chapter thirty-one of the General Laws or the provisions of section nine A of chapter thirty of the General Laws. For the purpose of

chapter two hundred and sixty-eight A of the General Laws, the office shall be considered a municipal agency and, without limiting the power of the city manager to classify additional special municipal employees pursuant to said chapter, each member of the office of community development board, and any person who performs professional services for the office on a part-time, intermittent, or consultant basis, such as those of architect, attorney, engineer, planner, or real estate or traffic expert, shall be considered a special municipal employee.

SECTION 4. The city manager, after consultation with the director, shall appoint such other officers and employees as may be necessary to carry out the work of the office, each of whom may have functions, rights, and powers as may be delegated to them by the director of the office of community development or as shall otherwise be provided in this act.

Division heads within the office that are appointed hereunder shall not be subject to chapter thirty-one or section nine A of chapter thirty of the General Laws.

SECTION 5. The director of the office of community development and all officers and employees necessary to carry out the work of the office shall receive such annual salary as shall be fixed by the city manager with the approval of the city council.

SECTION 6. The director of the office of community development shall supervise the preparation of the plans and programs for the commercial, industrial, and residential development of the city. He shall exercise supervision over and direct the office staff, be charged with internal organization of said staff functions, negotiate and confer with federal and state officials, be charged with the recruitment of staff personnel, not otherwise provided for by this act. He shall coordinate his efforts with those of the city manager and with the efforts of the departments of the city. The director shall have the power, whenever he deems it necessary, to call for special meetings of the community development board, the development and industrial commission, the conservation commission, and the historical commission. Such meetings shall be called pursuant to the provisions of section twenty-three A of chapter thirty-nine of the General Laws.

So far as practical, the office shall make use of the services of the agencies, officers, and employees of the city, and the said city may by ordinance or otherwise, if requested, make available such services and permit the temporary or permanent transfer of city departments or their employees to the office.

SECTION 7. There is hereby established a community development board of seven members of which six members shall be appointed by the city manager and one member by the department of community affairs. Each member shall receive an amount of compensation to be recommended by the city manager and approved by the city council. Said board shall have all powers, duties, and functions of a planning board under applicable law.

The chairman of the board shall be elected annually by its mem-

bers. Three members of the seven members shall serve for three years, two members of which shall be appointed by the city manager and one by the governor. Two members shall initially be appointed by the city manager for a term of two years. Two members shall initially be appointed by the city manager for a term of one year. Upon expiration of the initial terms, members appointed thereafter to said positions by the city manager shall serve for three years. No member shall serve more than two consecutive terms. Terms of all members shall expire on June thirtieth of any year.

The city manager shall continue to appoint members of the conservation commission, historic commission, and the development and industrial commission. The members now serving on the board of each said commission shall complete their respective terms irrespective of this act, and future appointments shall thereupon follow procedures and regulations in existence prior to the effective date of this act. All respective boards included herein shall have such functions, rights, and powers as may be delegated to them by the director of the office of community development or as shall otherwise be provided in this act or by state law.

SECTION 8. There is hereby established a community development authority of the city, herein referred to as the authority, which shall be an operating agency and an urban renewal agency within the meaning of chapter one hundred and twenty-one B of the General Laws and to the extent provided by this act shall in addition have the powers of a housing authority within the meaning of said chapter one hundred and twenty-one B. The powers of the authority under said chapter one hundred and twenty-one B shall be exercised in conformity with the restrictions contained in the act. The authority shall be managed, controlled and governed by a single member who shall be the director of the office of community development, *ex officio*. After the qualification of such a director the city clerk shall forthwith file a certificate of that appointment with the department of community affairs and a duplicate thereof in the office of the state secretary. Thereupon the state secretary shall issue to the authority a certificate of organization as provided in said chapter one hundred and twenty-one B.

The director as sole member of the authority shall not receive additional compensation and the authority need not elect officers. So far as practical, the authority shall make use of the services of the office for staff and administrative functions and the office may charge the authority for such services an amount agreed to by the office and the authority with the approval of the city manager.

SECTION 9. The city of Medford may annually appropriate money to defray expenses incurred by the office in exercising powers and performing duties under this act.

SECTION 10. The office shall have the existing powers, duties, and functions of the planning department and, while not expressly limited to, shall include the following powers subject to the limitations provided in this act:

(a) to conduct investigations, make studies, surveys, and plans and

disseminate information relative to community development, including desirable patterns for land use and community growth, urban renewal, relocation, and any other matter deemed by it to be material in connection with any of its powers and duties, and to make such studies, plans, and information available to the federal government, to agencies and subdivisions of the commonwealth, and to interested persons.

(b) to develop, test, and report methods and techniques and carry out demonstrations relative to community development.

(c) to provide to the city auditor the data necessary to compute and the actual computations of relocation payments due to persons and businesses displaced as a result of carrying out any such project.

(d) to make studies and conduct investigations related to community development for all city departments which have or project capital expenditures or which contribute to the physical development of the city.

(e) to compile, analyze, and interpret data pertaining to municipal planning; initiate and conduct studies of the resources, possibilities, and needs of the city; prepare plans and drafts of recommendations for: (1) use of land for residential, commercial, industrial recreational, and other purposes, (2) control of shifts of population, (3) situating public and private ways, bridges, parks, recreation facilities, public buildings, public utility services, public garages, and off-street parking facilities, and (4) affording further facilities for the housing, transportation, employment, health, safety, and general welfare of the population.

(f) to prepare and submit annually a long-range capital improvement program for the city, including data as to the cost of each project recommended, relative priorities of projects from the standpoint of urgency and desirability, and the amounts that might be available from borrowed funds, federal or state grants-in-aid or loans, special revenue and trust funds, accumulated surplus, and funds obtained from the annual tax levy, together with the estimated amounts returnable to the city by betterment assessments.

(g) to act as a depository for the official records and as a clearinghouse for the historic, conservation, and development and industrial commissions by providing coordination, communication, and resource data among said commissions and the office of community development.

(h) to administer and coordinate, under the authority and direction of the city, the disposition of any funds received under clause (b) of section eleven.

SECTION 11. The authority shall have in addition to the powers set forth in section eight the following powers and duties, subject to the provisions of chapter one hundred and twenty-one B of the General Laws:

(a) to determine what areas within its jurisdiction constitute decadent, substandard, or blighted open areas;

(b) to prepare and execute plans approved by the city council for the clearance, conservation, and rehabilitation of congested,

substandard, or blighted open areas, including plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, plans for the enforcement of laws, codes, and regulations relating to the use of land and the use or occupancy of buildings and improvements, plans for the compulsory repair and rehabilitation of buildings and improvements, and plans for the demolition and removal of buildings and improvements;

(c) to clear and improve property acquired by it or the city;

(d) to prepare or cause to be prepared urban renewal plans, master or general plans, workable programs for development of the community, general neighborhood renewal plans, community renewal programs, and any plans or studies required or assisted under state or federal laws;

(e) to engage in urban renewal or community development projects, and to enforce restrictions and controls contained in any approved urban renewal or community development plan or any covenant or agreement contained in any contract, deed, or lease by the authority notwithstanding that the authority may no longer have any title to or interest in the property to which such restrictions and controls apply or to any neighboring property. The powers and duties created by this clause shall be exercised only after the procedures specified in section forty-eight of chapter one hundred and twenty-one B have been complied with;

(f) to act as agent of the city or to cooperate under the authority and direction of the city with the federal government in any clearance, housing, relocation, urban renewal, rehabilitation, community development, or other projects which it is authorized to undertake by and within the city;

(g) to recommend to the city the taking by eminent domain under chapter seventy-nine or chapter eighty A or the General Laws, or the purchasing or leasing, or the acquisition by gift, bequest, or grant, of any property, real or personal, or any interest therein, found by it to be necessary or reasonably required to carry out its purposes, and to recommend the sale, exchange, transfer, lease, or assignment of the same by the city to the authority or to any other person;

(h) to acquire only from the city by purchase, exchange, transfer, lease, gift, grant, or assignment and to hold any property, real or personal, or any interest therein, found by it to be reasonably required to carry out its purposes, and to sell, exchange, transfer, lease or assign such property to the city or to any other person;

(i) to make studies of housing needs and markets, including data with respect to population and family groups and their distribution according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages and other factors affecting housing needs and markets, and surveys and plans for housing related to community development, including those desirable for land use and community growth, and to make such studies, surveys, and plans available to the federal government, state agencies, the housing authority, and the public;

(j) to provide housing projects for families of low income as provided in chapter one hundred and twenty-one B of the General Laws, including section thirty-four thereof, that shall, upon completion, be operated, managed and maintained in total by the housing authority in accordance with policies and procedures applicable to other projects of that authority;

(k) to provide projects or parts thereof for elderly persons of low income as provided in chapter one hundred and twenty-one B of the General Laws, including section forty-one thereof, that shall, upon completion, be operated, managed, and maintained in total by the housing authority in accordance with policies and procedures applicable to other projects of that authority;

(l) to undertake and provide relocation projects as provided in chapter one hundred and twenty-one B of the General Laws;

(m) to undertake as a separate project the demolition, clearance, preparation for sale, and sale or other disposition pursuant to chapter one hundred and twenty-one B of the General Laws of any existing housing project undertaken by it and, upon request of the housing authority, of any existing housing project undertaken by said housing authority;

(n) to conduct investigations and disseminate information relative to housing and living conditions and any other matter deemed by it to be material in connection with any of its powers and duties.

SECTION 12. The powers, duties, and functions that shall be reserved to the city are as follows:

(a) to have with respect to the authority all of the powers and liabilities of a municipality with respect to an authority or operating agency under chapter one hundred and twenty-one B of the General Laws;

(b) upon recommendation of the authority, to take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or to purchase or lease, or to acquire by gift, bequest or grant, any property, real or personal, or any interest therein, found by the authority to be necessary or reasonably required for the purposes of the authority, and to hold, sell, exchange, transfer, lease, or assign such property to the authority or to any other person;

(c) to enter into agreements with the federal government upon recommendation of the director and approval of the city council, relative to the acceptance or borrowing of funds for any project it determines to undertake and containing such covenants, terms, and conditions as it may deem desirable; provided, however, that nothing shall be construed to require approval by the city council or the appropriate state agency of requisition agreements and similar contracts between an agency and the federal government which are entered into pursuant to an agreement approved by them; and

(d) to enter into, execute, and carry out contracts and all other instruments necessary or convenient to the exercise of the powers granted by this act.

SECTION 13. The city or the authority may obligate itself, in any contract with the federal government for a loan or the payment

of annual contributions authorized by general law or this act, to convey to the federal government the project to which such contract relates, upon the occurrence of a substantial default with respect to the covenants, terms, and conditions of such contract to which the city or the authority is subject. Such contract may further provide that, in case of such conveyance, the federal government may complete, operate, manage, lease, convey, or otherwise deal with the project in accordance with the terms of such contract, provided that the contract shall require that, as soon as practicable, after the federal government is satisfied that all of the defaults on account of which it acquired the project have been remedied, and that the project will thereafter be operated in compliance with the terms of the contract, the federal government shall reconvey to the city or the authority the project in the condition in which it then exists. The obligation of the city or the authority under such contract shall be subject to specific enforcement by any court having jurisdiction.

SECTION 14. The provisions of this act are hereby declared to be severable and if any such provision or the application of such provision to any person or circumstances shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions of this act or the application of such provisions to persons or circumstances other than those as to which it is held invalid. It is hereby declared to be the legislative intent that this act would have been adopted had such invalid or unconstitutional provisions not been included therein.

It is hereby further declared to be the legislative intent that all rights and powers given to redevelopment authorities under the provisions of any laws which do not conflict with specific provisions of this act shall be given to the community development authority and that all rights and powers given to housing authorities under the provisions of any laws which do not conflict with the specific provisions of this act, other than those relating solely to operation, management and maintenance of housing projects, shall be given to the community development authority.

SECTION 15. Upon the passage of this act, all moneys, furniture, fixtures, supplies, equipment, contractual obligations, and rights of the Medford redevelopment authority shall be assigned, transferred, and delivered to the Medford community development authority.

Approved August 13, 1974.

Chap. 840. AN ACT PROVIDING FOR INCREASED ASSISTANCE TO THE ELDERLY AND TO LOW-INCOME FAMILIES.

Be it enacted, etc., as follows:

SECTION 1. Clause *(a)* of the seventh paragraph of section 34 of chapter 121B of the General Laws, as appearing in section 11 of chapter 1215 of the acts of 1973, is hereby amended by striking out

the second paragraph and inserting in place thereof the following paragraph:—

Notwithstanding the provisions of section seventeen the payment of the principal of, and interest on, all such notes or bonds or both shall be guaranteed by the commonwealth, and the full faith and credit of the commonwealth is hereby pledged for any such guarantee; provided, that the total amount of notes or bonds or both so guaranteed shall not exceed two hundred and seventy million dollars, in the aggregate, for all projects constructed under this section and section thirty-five, exclusive of any such notes or bonds or both which may be issued for refunding purposes.

SECTION 2. The first paragraph of clause *(b)* of said section 34 of said chapter 121B, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Each contract for financial assistance or supplementary state financial assistance shall provide that the commonwealth shall pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed twenty-one million six hundred thousand dollars.

SECTION 3. The third paragraph of said clause *(b)* of said section 34 of said chapter 121B, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— Each contract for state financial assistance or for supplementary state financial assistance shall provide that the commonwealth shall pay to the housing authority annual contributions; provided, however, that the total amount of such additional contribution contracted for by the commonwealth for any one year shall not exceed six million six hundred thousand dollars.

SECTION 4. Section 41 of said chapter 121B, as most recently amended by section 13 of said chapter 1215, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following two sentences:— The amount of bonds and notes, or bonds or notes, guaranteed by the commonwealth under this section shall not exceed five hundred and sixty million dollars. Each contract for state financial assistance shall provide that the commonwealth shall pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed forty-four million eight hundred thousand dollars.

Approved August 13, 1974.

Chap. 841. AN ACT ESTABLISHING THE OTIS TRUST FUND.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to authorize the establishment of the Otis trust fund for the benefit of the communities in which the former Otis Air Force Base is located, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

There is hereby established, separate and apart from monies and funds of the commonwealth, a fund to be known as the Otis trust fund, which shall be administered by the director of accounts in the department of corporations and taxation. All payments by the United States of America pursuant to any lease contract by and between the commonwealth and the United States of America, or any division, bureau or agency thereof relative to land of the commonwealth known as the Massachusetts Military Reservation, Otis Air Force Base, as most recently described in lease contract no. DA-19-016-ENG-6114, shall be paid into said fund to the benefit of the towns of Bourne, Falmouth, Mashpee and Sandwich and shall forthwith be disbursed to said towns in proportion to their land valuations in the year nineteen hundred and seventy-three.

Approved August 14, 1974.

Chap. 842. AN ACT REGULATING CERTAIN ACTIVITIES IN MOUNTAIN REGIONS OF BERKSHIRE COUNTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the protection of mountain regions of Berkshire county, 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 131 of the General Laws is hereby amended by inserting after section 39 the following section:—

Section 39A. A city or town in the county of Berkshire which accepts the provisions of this section may designate its conservation commission, or if having none, the board of selectmen in a town or the mayor in a city, to carry out the provisions of this section. The designated agency shall adopt reasonable rules and regulations relative to the mountain regions situated within the territorial limits of such city or town to protect watershed resources and preserve the natural scenic qualities of the environment.

The term "applicant" as used in this section shall mean the person giving notice of intention to remove, fill, excavate, or alter.

The term "base elevation" as used in this section shall mean the mean elevation of the watershed in which the activity is proposed. The mean elevation shall be determined relative to the portion of the watershed which is situated in said county by taking the highest and lowest elevation in each city and town within the watershed and finding the average of these elevations.

The base elevation for each of the watersheds in said county shall be as follows:

Farmington River watershed	1,500 feet above mean sea level
Housatonic River watershed	1,500 feet above mean sea level
Westfield River watershed	1,600 feet above mean sea level

Deerfield River watershed	1,700 feet above mean sea level
Hudson River watershed	1,700 feet above mean sea level
Hoosic River watershed	1,800 feet above mean sea level

The term "hearing authority" as used in this section shall mean the conservation commission, or if none, the board of selectmen in a town, or the mayor of a city in which an activity subject to the provision of this section is proposed.

The term "mountain regions" as used in this section shall mean those highland areas within the city or town which are subject to the provisions of this section.

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 hearing authority shall draft proposed boundaries for mountain regions. The mountain regions shall generally be those areas within the city or town which have an elevation greater than the base elevation as defined in this section.

If the hearing authority determines that the regulation of certain areas which have elevations lower than the base elevation is necessary to accomplish the purposes of this section, the hearing authority may include those areas in the proposed mountain regions. If the hearing authority finds that regulation of certain areas above the base elevation would not accomplish the purposes of this section, the hearing authority may exempt those areas from the proposed mountain regions.

The boundaries of the mountain regions shall not become effective until after a public hearing in relation thereto has been held by the hearing authority. Notice of the time and place of said hearing shall be given once in each of two successive weeks, by publication in a newspaper of general circulation in the city or town in which an activity is proposed, the first publication occurring not less than fourteen days before the day of such hearing. Said publication shall be at public expense. In addition, the hearing authority shall submit a map or text delineating the proposed boundaries to the board of health and the planning board of said city or town and to the department. If the conservation commission is the hearing authority, and is carrying out the provisions of this section, notice shall also be given to the board of selectmen or to the mayor. Agencies receiving such notice shall submit written comments to the hearing authority and shall testify at the public hearing. A copy of the map or text delineating the proposed boundaries shall be filed with the city or town clerk for public inspection not less than fourteen days before the hearing and may be published in full in a newspaper.

The hearing authority shall submit a map or text delineating final boundaries to the city council or town meeting within twenty-one days after the hearing. After submission of the report or a lapse of twenty-one days without submission of the report, the city council or

town meeting may adopt, by a two-thirds vote, reject, or amend and adopt final boundaries of the mountain regions.

The hearing authority shall submit a map or text delineating the final boundaries of mountain regions to the commissioner.

The boundaries of mountain regions may be amended, changed, or repealed by a two-thirds vote of all the members of the city council in a city or by a two-thirds vote of the town meeting in a town.

Any person who proposes to remove, fill, excavate, or alter any land situated within the mountain regions shall file written notice of his intention to so remove, fill, excavate, or alter, including such plans as may be necessary to describe such proposed activity and its effect on the environment, and shall receive and comply with an order of conditions as provided in this section.

The notice required by this section shall be sent by certified mail to the hearing authority of the city or town in which the activity is proposed. Each 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 department and to the department of public works. No such notice shall be sent before all permits, variances, and approvals required by by-law or ordinance with respect to the proposed activity have been filed. Upon receipt of any notice the department shall designate a file number for such notice and shall send a notification of such number to the person giving notice, to the hearing authority 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 hearing authority shall hold a public hearing on the proposed activity within twenty-one days after receipt of said notice. Notice of the time and place of the 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 of the published notice to the applicant and to the board of health and the planning board of said city or town and to the department and to the department of public works.

Within twenty-one days after the hearing, the hearing authority shall issue a written order which may impose conditions on the proposed activity to protect public or private water supply, to protect the ground water supply, to prevent pollution and erosion, to control flooding, and to preserve the natural scenic qualities of the environment. The activity shall be done in accordance with such order. If the hearing authority determines that the proposed activity will not noticeably affect such interests or that the applicant has taken adequate measures to protect such interests, the order shall so state. The order shall be signed by a majority of the conservation commission, a majority of the selectmen, or by the mayor, as the case may be, and a copy thereof shall be sent forthwith to the applicant and to the department and the department of public works. At the same time, a copy of the order shall be published in a newspaper of general circulation in the city or town where the activity is proposed.

Upon issuance of an order, the applicant or any person aggrieved by the order, or any owner of land abutting the land upon which the proposed activity would be done, or any ten residents of the city or town where such land is located, or the commissioner may request the department to determine if conditions should be imposed on the proposed activity to protect public or private water supply, to protect ground water supply, to prevent pollution and erosion, to control flooding, and to preserve the natural scenic qualities of the environment. Such request may be submitted if the hearing authority fails to hold a hearing within twenty-one days after receipt of the notice of intention, or if the hearing authority holds a hearing but fails to issue an order within twenty-one days after the hearing. The request shall be sent to the department by certified mail within ten days after the hearing authority has acted or failed to act. At the same time, the party making the request shall send copies thereof by certified mail to the hearing authority and, if the party is not the applicant, to the applicant. Within thirty days after the receipt of the request, the department shall notify the applicant if his application is not in the proper form or is lacking information or documentation necessary to make the determination. Within seventy-two days after receipt of such request, the department shall make the determination requested and shall issue a written order, signed by the commissioner, imposing conditions to protect the interests described herein. Such order shall supersede the prior order of the hearing authority and all work shall be done in accordance therewith. A copy of the order shall be sent to the applicant, to the hearing authority, to the department of public works, and the party who requested the order if not the applicant. At the same time, a copy of the order shall be published in a newspaper of general circulation in the city or town where the activity is proposed.

Any person aggrieved by an order of the department issued under the provisions of this section may appeal under the provisions of chapter thirty A. Such right of appeal shall be exclusive.

No activity in any mountain region 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. Upon completion of the activity in compliance with the order, the applicant may obtain a certificate of compliance from the hearing authority. The applicant may record that certificate in the registry of deeds for the district in which the land is located.

Any person who purchases land upon which an activity has been done in violation of the provisions of this section or in violation of an order issued under this section shall forthwith comply with the order or restore the land to its condition prior to any violation.

If an applicant fails to undertake the proposed activity within one year following the date of issuance of an order, such inaction shall constitute an abandonment of the project and the order shall be considered expired. The applicant may request an extension of the order prior to the expiration of the one-year period from the agency which issued the order. Said agency, in its discretion, may grant two extensions of the order for a period no longer than one year.

The agency which issued the order may suspend or revoke the order if it finds that the applicant has not complied with the conditions set forth in the order, or that the applicant has exceeded the scope of activity as set forth in the application. Such a finding shall be made only after giving notice to the applicant of the facts or conduct which warrant the intended action, and after a hearing at which the applicant is given an opportunity to show compliance with the conditions of the order.

The hearing authority, its agents, officers, and employees, the commissioner, his agents and employees, may enter upon privately owned land for the purpose of carrying out the provisions of this section.

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, a city or town, an owner or occupant of property which may be affected by removal, filling, excavation, 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 thousand dollars or by imprisonment for not more than six months or both. Each day or portion thereof of continuing violation shall constitute a separate offense. This section may be enforced by natural resources officers or deputy natural resources officers.

The provisions of this section shall not apply to owners of land who propose to cut forest products on land devoted to forest purposes and who have complied with the provisions of sections forty to forty-six, inclusive, of chapter one hundred and thirty-two.

This section shall not apply to any activity which is subject to the provisions of section forty, any activity conducted in connection with the construction or maintenance of any facility, as that term is defined in section sixty-nine G of chapter one hundred and sixty-four, to any activity conducted in connection with the construction or maintenance of any electrical, transmission or distribution facilities or facilities used in the transmission of intelligence by electricity or by telephone or otherwise for which locations in the public ways have been approved by the selectmen or aldermen under the provisions of section twenty-two of chapter one hundred and sixty-six, or to the construction or maintenance of any electric distribution facilities required to serve a building or structure whose construction has been approved by the local conservation commission.

SECTION 2. The provisions of section thirty-nine A of chapter one hundred and thirty-one of the General Laws, inserted by section one of this act, which require a notice of and a public hearing and approval of certain activities in mountain regions in the county of Berkshire, shall not become effective until a map or text delineating the boundaries of the mountain regions has been filed with the city or town clerk and has been recorded in the registry of deeds for the county or district in which the city or town is located and the hearing authority has after notice and public hearing, adopted rules and

regulations consistent with the provisions of this section which have been approved by the commissioner of natural resources.

SECTION 3. The provisions of section thirty-nine A of chapter one hundred and thirty-one of the General Laws, inserted by section one of this act, shall not apply to existing buildings or structures in existence on the effective date of this act, nor to the use of land to the extent to which it is used on said effective date. The provisions of said section thirty-nine A, as so inserted, shall not apply to any activity for which application for permits, variances and approvals required by by-law or ordinance have been filed before the effective date of this act nor to a lot in a subdivision if such subdivision has been approved pursuant to sections eighty-one K to eighty-one GG, inclusive, of chapter forty-one prior to said effective date.

SECTION 4. If any provision of section thirty-nine A of chapter one hundred and thirty-one of the General Laws, inserted by section one of this act, or the application of such provision to any person or circumstances shall be invalid, the remainder of said section or application of that provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

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

Approved August 14, 1974.

Chap. 843. AN ACT INCREASING THE FUNDS AVAILABLE FOR INVESTMENT BY SAVINGS BANKS AND CO-OPERATIVE BANKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to prevent the current loss of investment funds by certain financial institutions, 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 paragraph 3 of section 34 of chapter 168 of the General Laws is hereby amended by striking out the words "section sixty-six A" and inserting in place thereof the words:— sections sixty-six A and sixty-six C.

SECTION 2. Section 66 of said chapter 168, as amended by chapter 418 of the acts of 1972, is hereby further amended by striking out the second, third, and fourth sentences and inserting in place thereof the following sentence:— No borrowing made under the authority of clause *(b)* shall be for a period or periods aggregating more than fifteen years; and the aggregate of all borrowing outstanding at any one time under said clause *(b)* shall not exceed ten per cent of the deposits of such corporation as shown by its books at the time of such borrowing; provided, however, that the commissioner may by order or regulation authorize any such corporation or corporations to borrow money in such amounts and upon such terms, including provisions for variation or adjustments of interest payable, as he may deem consistent with safe and sound banking practice.

SECTION 3. Said chapter 168 is hereby amended by inserting after section 66B the following section:—

Section 66C. Any such corporation may issue or may participate with other persons in the issuance of securities representing units of interest in specific mortgage loans or pools of mortgage loans held by such corporation or other issuer, and in connection therewith may enter into and perform such agreements relating to the custody and servicing of such mortgages and to other related matters, including without limitation provisions for guaranteeing collection or payment of the principal and interest on such securities, as may be found necessary and appropriate by the board of investment of such corporation; provided, however, that the commissioner may from time to time promulgate regulations governing the terms and conditions upon which any such securities which may be issued.

SECTION 4. Chapter 170 of the General Laws is hereby amended by inserting after section 27A the following section:—

Section 27B. Any such corporation may issue or may participate with other persons in the issuance of securities representing units of interest in specific mortgage loans or pools of mortgage loans held by such corporation or other issuer, and in connection therewith may enter into and perform such agreements relating to the custody and servicing of such mortgages and to other related matters, including without limitation provisions for guaranteeing collection or payment of the principal and interest on such securities, as may be found necessary and appropriate by the security committee of such corporation; provided, however, that the commissioner may from time to time promulgate regulations governing the terms and conditions upon which any such securities which may be issued.

Approved August 14, 1974.

Chap. 844. AN ACT REGULATING CERTAIN PROCEDURES IN THE PREPARATION OF STATE BUDGETS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to regulate and improve certain procedures in the preparation of state budgets, 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 inserting after section 38A, as inserted by section 1 of chapter 272 of the acts of 1971, the following section:—

Section 38B. The committee on ways and means of each branch of the general court, or the joint committee on ways and means, shall conduct public hearings on all requests and recommendations for appropriations for the executive, judicial and legislative branches of the state government and on all requests and recommendations for capital outlay programs and projects which the governor submits to the general court; provided, however, that in the case of requests and

recommendations for appropriations submitted pursuant to section two of Article LXIII of the Amendments to the Constitution and in the case of requests and recommendations for capital outlay programs and projects said committee shall give five days public notice prior to holding such public hearings.

SECTION 2. Chapter 29 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 3 of chapter 1230 of the acts of 1973, and inserting in place thereof the following section:—

Section 3. Every officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth, including periodic appropriations to be met by assessments, shall annually, on or before a date set by the commissioner of administration, submit to the budget director statements (1) showing in detail the amounts appropriated for the preceding and the current fiscal years; (2) the interchanges during the preceding fiscal year between the subsidiary accounts prescribed in accordance with section twenty-seven; (3) the deficiencies and overdrafts, if any, in appropriations for the latest complete fiscal year and for the current fiscal year; (4) estimates of the amounts required for ordinary maintenance for the ensuing fiscal year, with an explanation of any increased appropriations recommended and with citations of the statutes relating thereto, a statement indicating the priorities assigned to each program by said officer; (5) and statements showing in detail the revenue of the office, department or undertaking in his charge for the latest complete fiscal year, and the revenue and estimated revenue thereof for the current fiscal year, and the estimated revenue from the same or any additional sources for the ensuing fiscal year, with his recommendations as to any changes in the management, practices, rules, regulations or laws governing such office, department or undertaking which would effect an increase or cause a decrease in revenue from operations, fees, taxes or other sources, or which would facilitate the collection thereof; (6) together with such other information on the expenditures, revenues, activities, output or performance of any such office, department or undertaking as may be required by rule or regulation of the commissioner of administration, and any other information, including the priorities assigned to each program by said officer, required at any time by the budget director. Every such officer shall also submit to the budget director a statement showing in detail the number of permanent, temporary, and part-time positions authorized for the office, department or undertaking in his charge and the volume of work performed in the latest complete fiscal year, and justifying his request for permanent, temporary and part-time positions in the ensuing fiscal year in relation to the volume of work expected to be performed by his office, department or agency.

All such statements, recommendations and estimates shall, to the fullest possible extent, conform with the programs of the office, department or undertaking, as defined by the commissioner of administration, with the advice of the officers responsible for the ad-

ministration thereof and the officer making the submission to the budget director. The said estimates shall not include any estimate for any new or special purpose or object not authorized by statute.

Before any such statements, estimates, recommendations and other information relating to an office, department, or undertaking, within any of the executive offices established by chapters six A and seven, except a public institution of higher learning, shall be so submitted, they shall be submitted to the house committee and the senate committee on ways and means and to the secretary having charge of such executive office who shall review the same and make such additions thereto, deletions therefrom and modifications therein as such secretary deems appropriate; provided, however, that prior to making any such additions, deletions or modifications, such secretary shall conduct public hearings, for which he shall give five days' public notice prior thereto, on all items for which he shall submit a recommendation for appropriations to the governor. In the case of a public institution of higher learning, the officer having charge thereof shall, before any such statements, recommendations and estimates are so submitted to the budget director, first submit same to the house committee and the senate committee on ways and means and to the secretary of educational affairs who shall conduct public hearings, for which he shall give five days' public notice prior thereto, on all items for which such officer shall submit a recommendation for appropriations to the governor. Said secretaries shall furnish, to the house and senate committees on ways and means and the joint legislative committee on post audit and oversight of the general court copies of all such statements, estimates, recommendations, and other information and of all such additions, deletions, and modifications.

SECTION 3. Said chapter 29 is hereby further amended by striking out section 4, as most recently amended by section 4 of said chapter 1230, and inserting in place thereof the following section:—

Section 4. Officers and heads of departments who, in their annual reports or otherwise, recommend or petition for the expenditure of money by the commonwealth from any source of revenue, including expenditures to be met by assessments or the issue of notes or bonds, for any purpose not covered by the estimates required to be submitted under section three shall, annually, on or before a date set by the commissioner of administration, submit detailed estimates thereof to the budget director, together with any other information required by said budget director. Except in the case of a public institution of higher learning, such estimates and other information relating to an office, department or undertaking within any of the executive offices established by chapters six A and seven, before being submitted to the budget director, shall first be submitted to the secretary of such executive office on or before a date set by him; said secretary shall review the same and make such additions thereto, deletions therefrom and modifications therein as he deems appropriate; provided, however, that prior to making any such additions, deletions or modifications, said secretary shall conduct public hearings, for which he shall give five days' public notice prior thereto, on all items for which he shall submit to the governor a recommendation for an ap-

propriation of one million dollars or more. Any such estimates and other information relating to a public institution of higher learning shall, before being so submitted to the budget director, be first submitted to the secretary of educational affairs, who shall conduct public hearings, for which he shall give five days' public notice prior thereto, on all items for which a recommendation for an appropriation of one million dollars or more has been submitted to the governor.

SECTION 3A. Said chapter 29 is hereby further amended by inserting after section 5A the following section:—

Section 5B. The commissioner of administration, with the approval of the governor, shall annually on or before August fifteenth, prepare estimates of the total revenue which in his judgment will be available for the annual budget for the ensuing fiscal year. In making such estimates he shall take into account the impact of existing taxes, the probable economic growth within the state, anticipated federal fund receipts and departmental and other revenue based on existing laws.

The estimates shall be prepared in such form that they will facilitate a comparison of increases or decreases from actual collections of the preceding fiscal year and the estimates of such revenue for the then current fiscal year.

Said commissioner shall transmit the estimates to every secretary of an executive office, to every statutory officer of the commonwealth, who shall transmit to each subordinate agency such of the information which each such officer or secretary determines is appropriate to assist each such agency in its budget preparations, and to the house committee and the senate committee on ways and means.

Said secretaries shall identify any new program approved by them that will require additional revenue.

SECTION 4. Said chapter 29 is hereby further amended by striking out section 6, as most recently amended by section 5 of said chapter 1230, and inserting in place thereof the following two sections:—

Section 6. The budget director shall study and review all estimates and requests for appropriations and other authorizations for expenditures of state funds filed with him as provided by sections three and four, and shall make such investigations as will enable him to prepare a budget for the governor, setting forth such recommendations as the governor shall determine upon. The governor may call upon the comptroller for information relative to finances and for assistance in the preparation of the budget. The budget shall be submitted by the governor to the general court annually within three weeks after the general court convenes in regular session. The budget shall embody all estimates, requests and recommendations for appropriations, distributions of state-collected revenues and other authorizations for expenditures by the commonwealth in accordance with existing law, and prior-year appropriations and expenditures, as submitted by each officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth, including periodic appropriations to be met by assessments, by the secretary of the executive office within which such office,

department or undertaking shall be, and by the governor. The budget shall be classified and designated so as to show separately estimates and recommendations for — *(a)* expenses of administration, operation and maintenance; *(b)* deficiencies or overdrafts in appropriations of former years; *(c)* new construction, additions, improvements and other capital outlays; *(d)* interest on the public debt and sinking fund and serial bond requirements; and *(e)* all requests and proposals for expenditures for new programs and other undertakings; and shall include in detail definite recommendations of the governor relative to the amounts which should be appropriated therefor. Said recommendations for appropriation shall, to the fullest possible extent, conform with the programs of the several offices and departments as defined by the commissioner of administration with the advice of agency heads or other officers responsible for the administration thereof. The budget shall show the estimated revenue of each office, department or undertaking. The budget shall indicate the number of permanent positions proposed to be authorized for each office, department or undertaking for the ensuing fiscal year, the number of permanent positions for each office, department or undertaking which have been vacant during the previous three months of the current fiscal year, and a projection relative to the number of persons to be served or the volume of work to be performed by each office, department or undertaking in the current and the ensuing fiscal years and such other information as may be held to explain the anticipated results of the proposed expenditures. The budget shall include a sum payable from the General Fund equal to one half of the amount necessary for payment for personal services and other expenses for or on account of the enforcement of the laws relating to game and inland fisheries. The budget shall also include definite recommendations of the governor for financing the expenditures recommended, and the relative amounts to be raised from ordinary revenue, direct taxes or loans. All appropriations based upon the budget to be paid from taxes or revenue shall be incorporated in a single bill to be designated the general appropriation bill.

With the budget the governor shall submit to the general court statements detailing and explaining his decisions for recommending any increase in, decrease in, or deletion from the budgetary recommendations *(a)* of any department, office, commission or institution, or, in the case of a department, office, commission or institution within any executive office established by chapters six A and seven, of the secretary of such executive office, *(b)* of the general court, and *(c)* of the judiciary. The governor shall also submit such other messages, statements or supplemental data relative to the budget as he deems expedient and, from time to time during the session of the general court, may submit supplemental messages on recommendations relative to appropriations, revenues and loans. Upon submission of the budget to the general court, the governor shall, through the executive office for administration and finance, make available to the public all material relevant to said budget, including all supporting documents pertinent thereto.

Section 6A. All requests and recommendations for appropriations or authorizations for expenditures by the commonwealth, other than those submitted by the governor to the general court pursuant to section two of Article LXIII of the Amendment to the Constitution, shall be submitted by the governor to the general court; shall be classified to show the request of each officer having charge of an office, department or undertaking, including the priorities assigned to each program by said officer, the recommendation of the secretary of the executive office within which such office, department or undertaking shall be, the recommendation of the governor, and the prior year appropriation, if any; and shall indicate the number, if any, of permanent positions proposed to be authorized for an office, department or undertaking and the number of persons to be served or the number of actions to be taken by such office, department or undertaking.

SECTION 5. Said chapter 29 is hereby further amended by inserting after section 7 the following section:—

Section 7A. All estimates, requests and recommendations for the expenditure of state funds, by which such expenditures shall be defrayed by borrowing or by the issuance of notes, bonds or other obligations, for new construction, additions, improvements and other capital outlay programs and projects shall be submitted by the governor to the general court and shall be itemized and classified to indicate those requests which are most urgent, those which are essential but may be delayed and those which are future, long-range development plans of a state agency; shall show separately:— *(a)* the request of the agency desiring such program or project, *(b)* the recommendation, if any, of the secretary of the executive office within which such agency shall be and, *(c)* the recommendation of the governor; and shall include a statement of the estimated annual operating and maintenance cost of the facilities to be constructed, shall indicate whether the project is to repair, enlarge or improve an existing, properly identified structure or to provide entirely new and additional facilities. The governor shall transmit therewith a statement showing the total indebtedness proposed to be incurred under each capital outlay program or project and the fund to be charged therefor, and a statement relative to the condition of the state debt.

Approved August 14, 1974.

Chap 845. AN ACT PROVIDING FOR THE APPOINTMENT OF GUARDIANS AND CONSERVATORS FOR CERTAIN MENTALLY RETARDED PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence 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 word "appointed", in line 9, the words:— or removed,.

SECTION 2. Section 1 of chapter 201 of the General Laws, as most recently amended by section 1 of chapter 314 of the acts of

1956, is hereby further amended by inserting after the word "persons", in line 3, the words:—, mentally retarded persons, and —, by inserting after the word "or", in line 5, the words:—, mental retardation or, — and by adding the following paragraph:—

For the purposes of this chapter, a mentally retarded person is a person who, as a result of inadequately developed or impaired intelligence, is substantially limited in his ability to learn or adapt, as determined in accordance with established standards for the evaluation of a person's ability to function in society.

SECTION 3. Section 6 of said chapter 201, as most recently amended by section 2 of said chapter 314, is hereby further amended by striking out, in lines 1 to 4, inclusive, the words "Two or more relatives or friends of a mentally ill person, or the mayor and aldermen of a city or the selectmen of a town in which he is an inhabitant or resident" and inserting in place thereof the words:— A parent of a mentally ill person, two or more relatives or friends of a mentally ill person, a nonprofit corporation organized under the laws of the commonwealth whose corporate charter authorizes the corporation to act as a guardian of a mentally ill person —, and by striking out, in line 6, the word "him" and inserting in place thereof the words:— such mentally ill person.

SECTION 4. Said chapter 201 is hereby further amended by inserting after section 6 the following section:—

Section 6A. A parent of a mentally retarded person, two or more relatives or friends of a mentally retarded person, a nonprofit corporation organized under the laws of the commonwealth whose corporate charter authorizes the corporation to act as guardian of a mentally retarded person, or any agency within the executive offices of human services or educational affairs may file a petition in the probate court asking to have a guardian appointed for such mentally retarded person. If, after notice as provided in section seven and a hearing, the court finds that the person is mentally retarded to the degree that he is incapable of making informed decisions with respect to the conduct of his personal and financial affairs, that failure to appoint a guardian would create an unreasonable risk to his health, welfare and property, and that appointment of a conservator pursuant to section sixteen B would not eliminate such risk, it may appoint a guardian of his person and estate. The court shall not so find unless the petition is accompanied by a report from a clinical team consisting of a physician, a licensed psychologist and a social worker, each of whom is experienced in the evaluation of mentally retarded persons, that it has examined the said person and has determined that he is mentally retarded to the degree that he is incapable of making informed decisions with respect to the conduct of his personal and financial affairs. The court shall not, pursuant to this section, appoint as guardian any person or organization which, in its opinion, has any interest, responsibilities or powers which would render such person or organization unable to perform the duties of guardian in the best interest of the mentally retarded person. A copy of such appointment shall be sent by mail by the register to the department

of mental health. The court may require additional testimony as to the existence and degree of mental retardation, and may require the person subject to the petition to submit to examination. It may also appoint one or more persons experienced in the evaluation of mentally retarded persons to examine such person and report their conclusions to the court. Reasonable expenses incurred in any examination conducted pursuant to this section shall be paid by the petitioner, the estate of such person, or by the county, as may be determined by the court.

The guardian of a mentally retarded person shall act to protect the welfare of such person and may utilize the services of agencies and individuals to provide necessary and desirable social and protective services of different types appropriate to such person including, but not limited to, counseling services, advocacy services, legal services, and other aid as he deems to be in the interest of such person.

SECTION 5. Section 7 of said chapter 201, as most recently amended by section 3 of chapter 314 of the acts of 1956, is hereby further amended by inserting after the word "ill", in lines 4, 5, 11, and 15, in each instance, the words:— or mentally retarded.

SECTION 6. Section 12 of said chapter 201, as amended by section 4 of said chapter 314, is hereby further amended by inserting after the word "ill", in line 1, the words:— or mentally retarded —, and by striking out, in lines 6 and 7, the words ", except that the conditions relative to the education of the ward shall be omitted" and inserting in place thereof the words:— ; provided, however, that in the case of a guardian of a mentally ill person or spendthrift, the condition prescribed by clause Second of paragraph 6 of said section one of said chapter two hundred and five relative to the education of the ward shall be omitted.

SECTION 7. Section 13 of said chapter 201, as most recently amended by section 5 of said chapter 314, is hereby further amended by inserting after the word "ill", in lines 2, 5 and 8, in each instance, the words:— or mentally retarded.

SECTION 8. Said chapter 201 is hereby further amended by striking out section 13A, as amended by section 6 of said chapter 314, and inserting, in place thereof, the following section:—

Section 13A. A mentally ill person under guardianship or any person, agency or corporation authorized by section six to petition for the appointment of a guardian for a mentally ill person may file a petition for the removal of such guardian. A mentally retarded person under guardianship or any person, agency or corporation authorized by section six A to petition for the appointment of a guardian for a mentally retarded person may file a petition for the removal of such guardian.

SECTION 9. Said chapter 201 is hereby further amended by inserting, after section 16A, the following section:—

Section 16B. A parent of a mentally retarded person, two or more of his relatives or friends, a nonprofit corporation organized under the laws of the commonwealth whose corporate charter authorizes the corporation to act as a conservator of a mentally retarded person, or

any agency within the executive office of human services may file a petition in the probate court asking to have a conservator appointed for such mentally retarded person. If, after notice as provided in section seventeen and a hearing, the court finds that the person is mentally retarded to the degree that he is incapable of making informed decisions with respect to the conduct of his financial affairs and that the failure to appoint a conservator would create an unreasonable risk to his property, it may appoint a conservator to have charge and management of his property, subject to the direction of the court. The court shall not so find unless the petition is accompanied by a report from a clinical team consisting of a physician, a licensed psychologist and a social worker, each of whom is experienced in the evaluation of mentally retarded persons, that it has examined the person and has determined that the person is mentally retarded to the degree that he is incapable of making informed decisions with respect to the conduct of his financial affairs. In the case of a mentally retarded person of majority age who is wholly or substantially self-supporting by means of his wages or earnings from employment or other financial entitlement, the court may, upon the recommendation of such clinical team, exempt the property of the mentally retarded person from the powers of a conservator as described in section twenty to the extent of his wages or other financial entitlement, or three hundred dollars per month, whichever is less.

SECTION 10. Said chapter 201 is hereby further amended by striking out section 19, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 19. A conservator appointed pursuant to section sixteen or section sixteen A shall give the bond prescribed in section one of chapter two hundred and five except that the conditions set out in clause Second of paragraph 6 of said section one of said chapter two hundred and five regarding custody and education of the ward shall be omitted.

SECTION 11. Said chapter 201 is hereby further amended by striking out section 20, as amended by section 8 of chapter 314 of the acts of 1956, and inserting in place thereof the following section:—

Section 20. A conservator shall have the management of all of the estate of his ward, except as provided in section sixteen B, and all laws relative to the jurisdiction of the probate court over the estate of a person under guardianship as a mentally ill person, including the management, sale or mortgage of his property and the payment of his debts, shall be applicable to the estate of a person under conservatorship.

SECTION 12. Section 22 of said chapter 201, as amended by section 9 of said chapter 314, is hereby further amended by inserting after the word "ill", in line 2, the words:— or mentally retarded.

SECTION 13. Section 42 of said chapter 201, as amended by section 13 of said chapter 314, is hereby further amended by inserting after the word "ill", in lines 2, 3 and 5, in each instance, the words:— or mentally retarded.

SECTION 14. Section 43 of said chapter 201, as amended by section 14 of said chapter 314, is hereby further amended by inserting

after the word "ill", in lines 3 and 4, in each instance, the words:— or mentally retarded.

SECTION 15. Section 43A of said chapter 201, as amended by section 15 of said chapter 314, is hereby further amended by inserting after the word "ill", in lines 3 and 7, in each instance, the words:— or mentally retarded.

SECTION 16. Section 45 of said chapter 201, as most recently amended by section 16 of said chapter 314, is hereby further amended by inserting after the word "illness", in lines 4 and 18, in each instance, the words:— , mental retardation, — , and by inserting after the word "ill", in line 10, the words:— or mentally retarded.

SECTION 17. Section 48A of said chapter 201, as most recently amended by chapter 442 of the acts of 1972, is hereby further amended by inserting after the word "ill", in line 2, the words:— or mentally retarded.

SECTION 18. Section 7 of chapter 206 of the General Laws, as most recently amended by section 18 of chapter 314 of the acts of 1956, is hereby further amended by inserting after the word "ill", in lines 2 and 5, in each instance, the words:— or mentally retarded.

Approved August 14, 1974.

Chap. 846. AN ACT ESTABLISHING A MASSACHUSETTS HOME MORTGAGE FINANCE AGENCY.

Be it enacted, etc., as follows:

SECTION 1. *Definitions.* As used in this act the following words and terms shall have the following meanings unless a contrary intent is clearly indicated:—

"Mortgage lender", any bank, mortgage broker, mortgage company or mortgage banker, trust company, savings bank, credit union, national banking association, federal savings and loan association, or building and loan association maintaining an office in the commonwealth or any insurance company authorized to transact business in the commonwealth.

"New residential mortgage", a loan made by a mortgage lender and secured by a mortgage constituting a lien upon real property or a lease of the fee of real property located in the commonwealth and improved by a residential building or unimproved if the proceeds of such loan shall be used for the purpose of erecting, acquiring or rehabilitating, including home improvement loans, a residential building thereon; or for the purpose of purchasing a condominium unit or a cooperative share in a residential condominium or cooperative provided that each such mortgage loan made from the proceeds of a loan made by MHMFA to such mortgage lender shall be made to an owner-occupant pursuant to section five.

"Annual sinking fund payment", the amount of money specified in the resolution or resolutions authorizing term bonds as payable into a sinking fund during a particular calendar year for the retirement of term bonds at maturity after such fiscal year, but shall not include any amount payable by reason only of the maturity of a bond.

"Low income persons or families", those persons and families whose annual income is equal to or less than the maximum amount which would make them eligible for units owned or leased by the housing authority in the city or town in which the residence for which the mortgage loan is sought is located or, in the event that there is no housing authority, that amount which is established as the maximum for eligibility for low-rent units by the department of community affairs.

"Moderate income persons or families", those persons and families whose annual income is less than the amount necessary to enable them to obtain and maintain decent, safe and sanitary housing without the expenditure of over twenty-five per cent of such income for housing expenses, including the provision of heat, electricity, hot water and an allowance for maintenance and repairs.

"Annual income", a family's or person's gross annual income less such reasonable allowances for dependents, other than spouse, and for medical expenses as MHMFA determines.

"MHMFA", the Massachusetts Home Mortgage Finance Agency.

SECTION 2. *Declaration of Public Necessity.* It is hereby found that as a result of the continuing increases in the cost of construction or rehabilitation, municipal taxes, heating and electricity expenses, maintenance and repair expenses and the cost of land, low income persons and families and moderate income persons and families in many areas within the commonwealth, including areas which contained formerly stable neighborhoods, are unable to purchase, rehabilitate and maintain decent, safe and sanitary housing which provide an opportunity for home ownership either directly or through a condominium or cooperative form of ownership. The inability of such families to purchase and hold housing in the commonwealth results in the decline of new housing and in the decay of the existing housing stock and of existing neighborhoods with attendant increases in municipal costs for welfare, police and fire protection. The decline in new housing, together with the decay of existing housing stock, has produced a critical shortage of adequate housing in the commonwealth adversely affecting the economy of the commonwealth and the well-being of its residents. Private enterprise without the assistance contemplated by this act cannot achieve the construction or rehabilitation of any housing for persons and families of low or moderate income and the alternative of forcing such families to live in substandard housing is undesirable since it tends to decrease the interest of such families in their communities, the maintenance of their property and the preservation of their neighborhoods.

A large and significant number of commonwealth residents have and will be subject to hardship in finding decent, safe and sanitary housing unless new facilities are constructed and existing housing, where appropriate, is rehabilitated. Unless the supply of housing and the ability of low income persons and families and moderate income persons and families to obtain mortgage financing is increased significantly and expeditiously, a large number of residents of the commonwealth will be compelled to live in unsanitary, overcrowded

and unsafe conditions to the detriment of the health, welfare and well-being of these persons and of the whole community of which they are a part. By increasing the housing supply of the commonwealth and the ability of low income persons and families and moderate income persons and families to obtain mortgage financing, the clearance, replanning, development and redevelopment of blighted areas will be aided, and the critical shortage of adequate housing will be ameliorated.

It is hereby found that a major cause of this housing crisis is the lack of funds at interest rates which are at a level whereby low and moderate income persons and families can afford to own and maintain decent, safe and sanitary housing, and further, it is hereby found that an additional major cause of such a housing crisis is the lack of funds available to finance housing by the private mortgage lending institutions of the commonwealth. It is further found that this lack of funds has frustrated the maintenance, sale and purchase of existing residences in the Commonwealth.

It is hereby further found that to aid in remedying these conditions, to promote the expansion of the supply of funds at low interest rates available for new residential mortgages for low income persons and families and moderate income persons and families and thereby help alleviate the shortage of adequate housing, a corporate agency of the commonwealth shall be created with power *(i)* to raise funds from private investors in order to make those funds available, through mortgage lending institutions, for new residential mortgage loans to low income persons and families and moderate income persons and families, *(ii)* to insure such new residential mortgage loans, and *(iii)* to provide technical assistance to low income persons and families and moderate income persons and families desiring such new residential mortgage loans. By utilizing such powers the agency created shall help develop the financial resources available to meet such housing needs. This purpose is best accomplished through a program whereby mortgage lending institutions make the needed residential mortgage loans, insured or uninsured, through the use of proceeds of loans made available by the agency on terms designed to assure the expansion of available mortgage funds while protecting against the realization by these mortgage lending institutions of an excessive financial return or benefit.

It is hereby further found that the authority and powers conferred under this act and the expenditure of public moneys pursuant thereto constitutes a serving of a valid public purpose and that the enactment of the provisions hereinafter set forth is in the public interest and is hereby so declared to be such as a matter of determination by the general court.

SECTION 3. *Massachusetts Home Mortgage Finance Agency.* There is hereby created in the department of community affairs a body politic and corporate to be known as the Massachusetts Home Mortgage Finance Agency, which shall not be subject to the supervision or control of the department of community affairs or of any department, commission, board, bureau or agency of the commonwealth except to the extent and in the manner provided in

this act. The MHMFA is hereby constituted a public instrumentality and the exercise by the MHMFA of the powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

The MHMFA shall consist of the commissioner of community affairs or his designated representative and the commissioner of corporations and taxation or his designated representative and the chairman of the Massachusetts Housing Finance Agency, ex officiis, and four persons to be appointed by the governor, of whom one shall be experienced in commercial banking, one shall be experienced in real estate transactions and one shall be a representative of a community action agency, or other recognized low income organization. Each appointive member shall be appointed for a term of seven years, except that in making his initial appointments, the governor shall appoint three members to serve for terms of three, five and six years, respectively, as he may designate. Any person appointed to fill a vacancy shall serve only for the unexpired term. Any member shall be eligible for reappointment.

The chairman of the Massachusetts Housing Finance Agency shall serve as chairman of the MHMFA and the MHMFA shall annually elect one of its members as vice-chairman and shall also annually elect a secretary, a treasurer and such other officers as it may determine, none of whom need be members of the MHMFA. The secretary shall keep a record of the proceedings of the MHMFA and shall be custodian of all books, documents, and papers filed with the MHMFA and of its minute book and seal. He shall have authority to cause to be made copies of all minutes and other records and documents of the MHMFA and to give certificates under the seal of the MHMFA to the effect that such copies are true copies and all persons dealing with the MHMFA may rely upon such certificates. The treasurer shall be the chief financial and accounting officer of the MHMFA and shall be in charge of its funds, books of account and accounting records.

The chief executive officer of MHMFA shall be the executive director of the Massachusetts Housing Finance Agency.

Four members of the MHMFA shall constitute a quorum and the affirmative vote of four members shall be necessary for any action taken by the MHMFA. No vacancy in the membership of the MHMFA shall impair the right of a quorum to exercise all the rights and perform all the duties of the MHMFA.

The members, chairman and chief executive officer of the MHMFA shall serve without compensation, but shall be reimbursed for their necessary expenses incurred in the discharge of their official duties. Notwithstanding the provisions of any other law, no officer or employee of the commonwealth or of any public instrumentality thereof shall be deemed to have forfeited or shall forfeit his office or employment by reason of his acceptance of MHMFA or employment therewith.

SECTION 4. *General Grant of Powers.* The MHMFA is hereby authorized to:

(a) Make loans to mortgage lenders under terms and conditions

requiring the proceeds thereof to be used by such mortgage lenders for the making of new residential mortgages, all subject to the provisions of section five.

(b) Adopt by-laws for the regulation of its affairs and the conduct of its business.

(c) Adopt an official seal.

(d) Sue and be sued in its own name.

(e) Make and execute contracts and all other instruments necessary or convenient for the exercise of its power and functions.

(f) Acquire, use, hold and dispose of real or personal property or interests therein for its corporate purposes.

(g) Enter into agreements or other transactions with any federal or state agency.

(h) Contract with the Massachusetts Housing Finance Agency to render such services as the MHMFA may deem appropriate, including but not limited to the use of the premises, personnel and personal property of the Massachusetts Housing Finance Agency, and to pay the reasonable costs thereof and provide for the reimbursement to the Massachusetts Housing Finance Agency for any expenses necessarily incurred by the Massachusetts Housing Finance Agency in carrying out the terms of such contract.

(i) Invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in such investments as may be lawful for fiduciaries in the commonwealth.

(j) Borrow money by the making of notes and the issuance of bonds and secure such bonds by the pledge of revenues, mortgages and notes of others.

(k) Provide technical assistance to potential borrowers from mortgage lenders, subject to the provisions of section seven.

(l) Appear in its own behalf before boards, commissions, departments or other agencies of municipal, state, or federal government.

(m) Collect, enforce the collection of, and foreclose on any collateral securing its loans to mortgage lenders and acquire or take possession of such collateral and sell the same at public or private sale, with or without public bidding, and otherwise deal with such collateral as may be necessary to protect the interest of the MHMFA therein, all subject to any agreement with bondholders or noteholders.

(n) Procure insurance against any loss in connection with its property in such amounts, and from such insurers, as may be necessary or desirable.

(o) Employ such agents, employees, professional and business advisers as may from time to time be necessary in its judgment and to fix their compensation. The chief executive officer, professional advisers and business advisers shall not be subject to the provision of chapter thirty-one or section nine A of chapter thirty of the General Laws.

(p) Make and publish rules and regulations respecting the grant of loans under this act and the regulation of borrowers and any other regulations necessary to fulfill the purposes of this act.

(q) Accept gifts or grants or loans of funds or property or financial or other aid from any federal or state agency or private fund.

(r) Establish, and revise from time to time, and charge and collect fees and charges in connection with, loans made by the MHMFA to mortgage lenders and in connection with MHMFA's mortgage insurance program.

(s) Establish a program to insure loans made by mortgage lenders with the proceeds of loans made by MHMFA to such mortgage lenders, subject to the provisions of section six.

(t) Do any and all things necessary or convenient to carry out its purposes and exercise the powers expressly given and granted in this act.

SECTION 5. *Loans to Mortgage Lenders.* The MHMFA shall from time to time make loans to a mortgage lender under terms and conditions requiring the proceeds thereof to be used by such mortgage lender for the making of a new residential mortgage for housing to persons and families of low and moderate income, provided that such persons or families are or intend to be owner-occupants and provided that such mortgage lender secures such loan as to the payment of principal and interest by a pledge of and lien upon collateral security in such amounts and consisting of such obligations and securities as the MHMFA shall by resolution determine to be necessary to assure payment of such loans and the interest thereon as the same become due.

The MHMFA shall from time to time adopt, modify, amend or repeal rules and regulations governing the making of such loans to mortgage lenders and the application of the proceeds thereof, including rules and regulations as to any or all of the following:

(1) Procedures for the submission of requests or the invitation of proposals for loans;

(2) Standards and requirements as to allocations of loans among all or certain of the mortgage lenders or awards of loans and determining the amounts and interest rates thereof;

(3) Limitations or restrictions as to the number of family units, location or other qualifications or characteristics of residences to be financed by new residential mortgages;

(4) Restrictions as to the interest rates on new residential mortgages or the return realized therefrom by mortgage lenders;

(5) Requirements as to commitments made with loans from MHMFA by mortgage lenders with respect to new residential mortgages;

(6) Schedules of any fees and charges necessary to provide for expenses and reserves of the MHMFA;

(7) Procedures or standards for foreclosure and subsequent resale;

(8) Any other matters related to the duties, and the exercise of the powers of the agency.

Such rules and regulations shall be designed to effectuate the general purposes of this act and the following specific objectives: *(i)* the expansion of the supply of funds in the Commonwealth available for new residential mortgages; *(ii)* the provision of the additional

housing needed to remedy the shortage of adequate housing in the commonwealth and to eliminate the existence of a large number of substandard dwellings; and *(iii)* the effective participation by mortgage lenders in the program authorized by this act and the restriction of the financial return and benefit thereto from such program to that which is necessary and reasonable to induce such participation.

Loans to mortgage lenders shall be general obligations of the respective mortgage lenders owing the same and shall bear such date or dates, shall mature at such time or times, shall be evidenced by such note, bond or other certificate of indebtedness, shall be subject to prepayment, and shall contain such other provisions as the MHMFA shall by resolution determine.

Notwithstanding any other provision of this section to the contrary, the interest rate or rates and other terms of the loans to mortgage lenders made from the proceeds of any issue of bonds of the MHMFA shall be at least sufficient so as to assure the payment of said bonds and the interest thereon as the same become due from the amounts received by the MHMFA in repayment of such loans and interest thereon.

The MHMFA shall require as a condition of each loan to a mortgage lender that such mortgage lender shall, on or prior to the ninetieth day or such earlier day as shall be prescribed by rules and regulations of the MHMFA following the receipt of the loan proceeds, have entered into written commitments to make, and shall thereafter proceed as promptly as practicable to make and disburse from such loan proceeds new residential mortgages as defined in section one of this act to low income persons and families or moderate income persons, or families, such mortgage loans to be an aggregate principal amount equal to the amount of such loan from the MHMFA.

A new residential mortgage loan for rehabilitation of a dwelling of two or more units and which otherwise meets the criteria of this act may be made only if:

(i) the tenants residing in the dwelling have sufficient income reasonably to pay any increase in rent resulting from such rehabilitation so that new residential mortgage loans made with MHMFA loan funds minimize residential displacement; provided that this limitation shall not apply when the proceeds of said mortgage loan are to be used to alleviate conditions which violate the state sanitary code or applicable building or housing codes or to carry out other essential maintenance, and provided further that nothing in this act shall authorize a rent increase not otherwise authorized by law;

(ii) the borrower has entered into a two-year agreement on a form approved by MHMFA with each tenant residing in the dwelling which limits rent increases during such period to those properly resulting from the new residential mortgage or those necessitated by increases in property taxes, operating or maintainance expenses, or additional capital improvement;

(iii) the borrower has, on a form provided by MHMFA, notified each

tenant residing in the dwelling of the repairs or improvements to be undertaken with the proceeds of the mortgage loan, of the estimated increase in rent, if any, attributable to such repairs or improvements, and of the right of said tenant to review by the MHMFA of the mortgage application, if the tenant believes the mortgage loan is not being made in accordance with the requirements of this act or MHMFA regulations and if the tenant requests the review within fourteen days of receipt of the notice. Such review need not be in accordance with sections ten and eleven of chapter thirty A of the General Laws.

A district court or housing court within the jurisdiction in which a dwelling unit affected by an action, regulation or order of MHMFA under this section is located shall have original jurisdiction over proceedings contesting such action, regulation or order and shall be authorized to take such action with respect thereto as is provided in the case of the superior court under the provisions of chapter two hundred and thirty-one A of the General Laws. All orders, judgments and decrees of such district court or housing court may be appealed as is provided in the case of a civil action in such district court or housing court.

It shall be the policy of MHMFA in making loans to mortgage lenders to consider the ability of a mortgage lender to make loans comparable to the policies expressed in this act from existing reserves held by such mortgage lender for the purpose of making loans. MHMFA shall set requirements on participating mortgage lenders so that at least eighty per cent of the bond proceeds shall be for new residential mortgages on structures at least ten years old. MHMFA shall require participating mortgage lenders to make periodic reports including but not limited to, information on the geographic distribution, terms and type, as in first or second lien, of mortgages made with proceeds of MHMFA bonds, the distribution and terms of those mortgages insured by the MHMFA, and individual citation as to where and by how much rent levels have been projected to increase by the mortgage lender and the borrower in the course of processing the loan. Such information shall be published by the MHMFA and submitted annually to the general court and the department of community affairs. In addition, the MHMFA shall require as a condition to mortgage lenders that in any city or town with an approved neighborhood preservation program proposed to MHMFA by a city or town, an agreed upon dollar volume of bonding authorization as a minimum commitment shall be located in priority areas set forth in the neighborhood preservation program within an agreed upon time period, not greater than five years; provided, however, that local community organizations such as community action agencies or other recognized low income organizations shall be included in reviewing the neighborhood preservation program.

In proposing a neighborhood preservation program to the MHMFA, a city or town shall submit in a manner as may be required by the MHMFA, the following:

(1) the degree of blight, decay or deterioration of housing accom-

modations, or the imminent threat of such blight, decay or deterioration within the area;

(2) the degree to which conventional financing or refinancing of repairs, remodeling or rehabilitation of such housing accommodations is available;

(3) the proportion of residential structures within the area which are owner-occupied and;

(4) the degree to which the project income and the financial resources of owner-occupants, where relevant, of the housing accommodations with the area provide reasonable assurances of the economic feasibility of the financing of the repairs, remodeling or rehabilitation to be insured hereunder;

(5) the proportion of residential structures in the area where rehabilitation work can be done with financing as provided herein, without necessitating a substantial increase in carrying costs and rental charges to any owner-occupant or tenant beyond their capacity to absorb, and the extent of suitable vacant housing in such an area.

Before giving approval of a neighborhood preservation program, the MHMFA shall consider the expressed commitment of a city or town to provide a concentrated effort to enforce the building and housing codes within certain priority areas in such city or town, and the expressed commitment of a city or town to provide capital improvements and other city services to improve and restore such areas.

The MHMFA may revoke its approval of a neighborhood preservation program if it determines that a city or town in which an area for said program is located has failed to initiate and continue tangible activity on such a program.

The MHMFA shall require the submission, by each mortgage lender to which the MHMFA has made a loan, of evidence satisfactory to the MHMFA of the making of new residential mortgages as required by this Section and prescribed by rules and regulations of the MHMFA and in connection therewith may inspect the books and records of such mortgage lender.

The MHMFA may require as a condition of any loans to mortgage lenders such representations and warranties as it shall determine to be necessary to secure such loans and carry out the purposes of the act.

SECTION 6. *Mortgage Insurance Program.* MHMFA may, pursuant to regulations adopted by it, establish a program of mortgage insurance to insure those loans made by mortgage lenders as a condition to the receipt of a loan from the MHMFA under section five and also to insure conventional mortgage loans to resident owners made for purposes of acquisition and rehabilitation or rehabilitation in areas designated for neighborhood preservation programs under section five.

Such sums as may be appropriated or otherwise acquired may be used for the purpose of establishing a mortgage insurance fund administered by the MHMFA. Such sum, to the extent necessary, shall

be applied to the payment of *(i)* claims made by lenders who have made new residential mortgage loans as a condition to the receipt of a loan from the MHMFA under section five, and which new residential mortgage loans are in default and *(ii)* claims made by lenders of conventional mortgage loans, in default, made to resident owners for purposes of acquisition and rehabilitation in areas designated for neighborhood preservation programs under section five. Claims shall be made against the mortgage insurance fund in accordance with procedures established by MHMFA. Pursuant to this Section, and to rules and regulations adopted by it, MHMFA may have at any time a total amount of insurance risk outstanding not in excess of the amount contained in the fund multiplied by thirty. At such time as premiums and other sources of income to the fund provide adequate protection against potential losses, MHMFA shall, to the extent it deems it prudent, return to the General Fund of the commonwealth from the mortgage insurance fund all or a portion of such funds appropriated.

The commissioner of insurance shall prepare regulations to govern the issuance of mortgage insurance which shall be included without amendment in the regulations adopted by the MHMFA pursuant to this section. To the full extent practicable said regulations shall require compliance with the general provisions of chapter one hundred and seventy-five of the General Laws.

SECTION 7. *Technical Assistance.* MHMFA may, subject to appropriation by the general court or funds made available from any other public or private source, and pursuant to rules and regulations adopted by it, contract with nonprofit organizations incorporated under the laws of the commonwealth or qualified public agencies for technical assistance to potential borrowers from such mortgage lenders including without limitation the following services:

(i) consultation as to the nature, extent and manner of new construction, or the repair, remodeling or rehabilitation financed hereunder and consultation regarding the nature, extent and manner of repairs required to ensure that the dwelling structure shall not contain a substantial violation of the housing or building codes after such work is completed;

(ii) consultation regarding the laws, rules, regulations and codes regulating the nature, extent and manner of undertaking such work;

(iii) consultation as to the contractors, subcontractors, individuals, or other entities to perform such work;

(iv) consultation as to the proper manner, mode and method of financing such work;

(v) consultation regarding the manner, method or mode by which such borrowers may undertake all or any portion of the work themselves;

(vi) consultation regarding the progress of the work, including technical assistance regarding the quality of such work;

(vii) consultation regarding debt consolidation, debt management and money management to ensure the stability and repayment of any mortgage insured hereunder;

(viii) consultation regarding ongoing management of the premises.

SECTION 7A. *Resident Ownership Subsidy Program.* MHMFA shall create and establish a special fund, herein referred to as the Resident Ownership Fund, and shall pay into such fund any monies appropriated and made available by the commonwealth and any grants or financial aids received from others for the purposes of such fund. All monies held in the Resident Ownership Fund shall be used solely to assist low income families or persons who own single-family or multi-family homes or cooperative housing shares or condominium units, the purchase or rehabilitation of which are financed under this act by providing, as designated by appropriation, *(i)* a subsidy to such families or persons not to exceed the difference between the amount required annually to pay interest and debt service, real property taxes, fire insurance, reasonable management costs and reasonable maintenance costs on such a home, share, or unit, and twenty-five per cent of the annual income of such families or persons or *(ii)* special advice and assistance to such families or persons.

SECTION 8. *Issuance of Bonds and Notes.* The MHMFA shall have power and is hereby authorized from time to time to issue its negotiable bonds and notes in such principal amount as, in the opinion of the MHMFA, shall be necessary to provide sufficient funds for achieving its corporate purposes, including the making of loans, the payment of interest on bonds and notes of the MHMFA, establishment of reserves to secure such bonds and notes, and all other expenditures of the MHMFA incident to and necessary or convenient to carry out its corporate purposes and powers. The MHMFA shall have power, from time to time, to issue renewal notes, to issue bonds to pay notes and whenever it deems refunding expedient to refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and to issue bonds partly to refund bonds then outstanding and partly for any other purpose. The refunding bonds shall be sold and the proceeds applied to the purchase, redemption or payment of the bonds to be refunded.

The notes and bonds shall be authorized by resolution of the members, shall bear such date or dates, and shall mature at such time or times as such resolutions, may provide, except that no bond shall mature more than fifty years from the date of its issue. The bonds may be issued as serial bonds payable in annual installments or as term bonds or as a combination thereof. The notes and bonds shall bear interest at such rate or rates, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, contain such terms and provisions relating to, but not limited to, pledges of the MHMFA's assets, setting aside of reserves, limitations on additional notes and bonds, and such other matters as may affect the security or protection of the notes and bonds, be executed in such manner, be payable in such medium of payment, at such place or places and be subject to such terms of redemption as such resolution or resolutions may provide. The notes and bonds of the MHMFA may be sold at public or private sale, at such price or prices as the MHMFA shall determine. The principal of and interest on any

bonds or notes issued by the MHMFA may be secured by the full faith and credit of the MHMFA, by a pledge of any revenues and receipts of the MHMFA, by a pledge of loan collateral, or by any one or more of the foregoing, all as the MHMFA may determine in the resolution authorizing the issue of such bonds or notes. No notes or bonds of the MHMFA shall be sold by the MHMFA at private sale, unless such sale and the terms thereof have been approved by the state treasurer. The aggregate principal amount of notes and bonds of the MHMFA outstanding at any one time shall not exceed the sum of twenty-five million dollars.

Neither the members of the MHMFA nor any person executing the notes or bonds shall be liable personally on the notes or bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

The MHMFA, subject to such agreement with noteholders or bondholders as may then exist, shall have power out of any funds available therefor to purchase its notes or bonds, which shall thereupon be cancelled, at a price not exceeding *(i)* if the notes or bonds are then redeemable, the redemption price then applicable plus accrued interest to the next interest payment date thereupon, or *(ii)* if the notes or bonds are not then redeemable, the redemption price applicable on the first date after such purchase upon which the notes or bonds become subject to redemption plus accrued interest to such date.

SECTION 9. *Credit of Commonwealth or any Subdivision Thereof Not Pledged.* Bonds and notes issued under the provisions of this act shall not be deemed to constitute a debt of the commonwealth or of any political subdivision thereof or a pledge of the faith and credit of the commonwealth or, except as provided in section eight, of any such political subdivision, but such bonds and notes shall be payable solely from the proceeds of loans made under this act, reserve funds created therefor by the MHMFA, and other available funds of the MHMFA. All such bonds and notes shall contain on the face thereof a statement to the effect that neither the MHMFA nor the commonwealth nor any political subdivision thereof shall be obligated to pay the same or the interest thereon except from such proceeds, reserve fund and available funds and that neither the faith and credit nor the taxing power of the commonwealth or, except as provided in section eight, any political subdivision thereof, is pledged to the payment of the principal of or the interest on such bonds.

SECTION 10. *Capital Reserve Fund.* The MHMFA shall create and establish a special fund, herein referred to as the Capital Reserve Fund, and shall pay into said Capital Reserve Fund any monies appropriated and made available by the commonwealth or from any other source, public or private, for the purposes of such fund, any proceeds of sale of notes or bonds to the extent provided in the resolution of the MHMFA authorizing issuance thereof, and any other monies which may be available to the MHMFA for the purpose of such fund from any other source. All monies held in the Capital Reserve Fund, except as hereinafter provided, shall be used solely for the payment

of the principal or annual sinking fund payment of bonds of the MHMFA as the same mature or become due, the purchase of bonds of the MHMFA, the payment of interest on such bonds of the MHMFA or the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity; provided, however, that monies in such fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of such fund to less than the maximum amount of principal and interest or annual sinking fund payment, whichever is less, maturing or becoming due in any succeeding calendar year on all bonds of the MHMFA then outstanding, except for the purpose of paying the principal of and interest on such bonds of the MHMFA maturing or becoming due, whether at maturity or by annual sinking fund payment, and for the payment of which other monies of the MHMFA are not available. Any income or interest earned by, or increment to, the Capital Reserve Fund due to the investment thereof may be transferred by the MHMFA to any fund of the MHMFA to the extent it does not reduce the amount of the Capital Reserve Fund below the maximum amount of principal and interest or annual sinking fund payment, whichever is less, maturing or becoming due in any succeeding calendar year on all bonds of the MHMFA then outstanding.

The MHMFA shall not issue bonds at any time if the maximum amount of principal and interest maturing becoming due, whether at maturity or by annual sinking fund payment, in a succeeding calendar year or such bonds then to be issued and on all other bonds of the MHMFA then outstanding will exceed the amount of the Capital Reserve Fund at the time of issuance unless the MHMFA, at the time of issuance of such bonds, shall deposit in such fund from the proceeds of the bonds so to be issued, or otherwise, an amount which, together with the amount then in such fund, shall be not less than the maximum amount of principal and interest maturing or becoming due, whether at maturity or by annual sinking fund payment, in any succeeding calendar year on such bonds then to be issued and on all other bonds of the MHMFA then outstanding.

To assure the continued operation and solvency of the MHMFA for the carrying out of the public purposes of this act, provision is made in this section for the accumulation in the Capital Reserve Fund of an amount equal to the maximum amount of principal and interest, whether at maturity or by annual sinking fund payment, maturing or becoming due in any succeeding calendar year on all bonds of the MHMFA then outstanding. In order further to assure such maintenance of the Capital Reserve Fund there shall be annually appropriated and paid to the MHMFA for deposit in the Capital Reserve Fund such sum, if any, as shall be certified by the chairman of the MHMFA to the governor as necessary to restore the Capital Reserve Fund to an amount equal to the maximum amount of principal and interest, whether at maturity or by annual sinking fund payment, maturing or becoming due in any succeeding calendar year on the bonds of the MHMFA then outstanding. The chairman of the MHMFA shall annually, on or before December first, make and deliver to the governor

his certificate stating the amount, if any, required to restore the Capital Reserve Fund to the amount aforesaid and the amount so stated, if any, shall be appropriated and paid to the MHMFA during the then current fiscal year of the commonwealth. Such amount, if any, shall be repaid to the commonwealth as soon as possible by the MHMFA from monies in excess of the amount required to make and keep MHMFA self-supporting.

In computing the amount of the Capital Reserve Fund for the purposes of this section, securities in which all or a portion of such fund are invested shall be valued at par, or if purchased at less than par, at their cost to the MHMFA.

SECTION 11. *Trust Agreement.* In the discretion of the MHMFA, bonds and notes issued by it shall be secured by a trust agreement by and between the MHMFA and a trustee, which may be any trust company or bank within the commonwealth having the powers of a trust company. Either the resolution providing for the issuance of bonds and notes or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the MHMFA in relation to the custody, safeguarding and application of all monies.

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 and notes or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the MHMFA. Such trust agreement may set forth the rights and remedies of the bondholders and noteholders and of the trustee, and may restrict the individual right of action by bondholders and noteholders. In addition to the foregoing, such trust agreement may contain such other provision as the MHMFA may deem reasonable and proper for the security of the bondholders.

SECTION 12. *Bonds and Notes Tax Exempt.* The creation of the MHMFA is in all respects for the benefit of the people of the commonwealth and for the improvement of their health, safety, welfare, comfort and security, and its purposes are public purposes and the MHMFA shall be performing an essential governmental function. The Commonwealth covenants with the purchasers and all subsequent holders and transferees of the notes and bonds issued by the MHMFA, in consideration of the acceptance of any payment for the notes and bonds, that the notes and bonds of the MHMFA, issued pursuant to this act and the income therefrom shall at all times be free from taxation.

SECTION 13. *Bonds and Notes Eligible for Investment.* 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, co-operative banks, banking associations, investment companies, executors, trustees and other fiduci-

aries, 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. Such bonds and notes are hereby made securities which may properly legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

SECTION 14. *Advisory Committee.* To assist the MHMFA in the discharge of its duties, the Massachusetts Housing Finance Agency Advisory Committee shall assist the MHMFA and its staff in formulating policies and procedures dealing with programs to accomplish the purposes of this act.

Members of the Massachusetts Housing Finance Agency advisory committee shall receive no compensation. They shall not be subject to the provisions of chapter thirty-one or chapter two hundred and sixty-eight A of the General Laws.

SECTION 15. *Annual Report.* The MHMFA shall annually submit to the governor, the chairman of the senate committee on ways and means, the chairman of the house committee on ways and means, the commissioner of administration, and the comptroller within ninety days after the end of its fiscal year, a complete and detailed report setting forth: (a) its operations and accomplishments; (b) its receipts and expenditures during such fiscal year in accordance with the categories and classifications established by the MHMFA for its operating and capital outlay purposes; (c) its assets and liabilities at the end of its fiscal year, including a schedule of its loans, commitments, insurance in force and the status of reserve, special, or other funds, and (d) a schedule of its bonds and notes outstanding at the end of its fiscal year, together with a statement of the amounts redeemed and incurred during such fiscal year.

SECTION 16. *Inspection of Books and Records.* The books and records of the MHMFA shall be subject to an annual audit by the auditor of the commonwealth.

SECTION 17. *Liberal Construction.* This act, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect the purposes thereof.

SECTION 18. *Severability.* The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Approved August 14, 1974.

EMERGENCY LETTER — September 17, 1974 at 4:52 P.M.

Chap. 847. AN ACT REGULATING THE CONVERSION OF CERTAIN APARTMENT BUILDINGS IN THE CITY OF NEWTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter forty A

of the General Laws or of any special or general law to the contrary, no person shall convert an apartment building, garden apartment building or other multi-family dwelling containing three or more units in the city of Newton, for which a special permit has been granted for such use by the board of aldermen of said city to a condominium subject to the provisions of chapter one hundred and eighty-three of the General Laws, without having obtained an additional special permit from said board of aldermen authorizing such conversion. Said permit shall be granted only upon a finding by said board that the public convenience is served by such conversion and may contain such conditions and limitations to protect the rights of tenants as said board deems reasonably necessary.

SECTION 2. This act shall take effect upon its acceptance by the city of Newton in the current year, but not otherwise.

Approved August 14, 1974.

Chap. 848. AN ACT PROVIDING AN INCOME TAX DEDUCTION FOR CERTAIN EMPLOYMENT-RELATED EXPENSES NECESSARY FOR GAINFUL EMPLOYMENT.

Be it enacted, etc., as follows:

SECTION 1. Paragraph *(a)* of subsection B of section 3 of chapter 62 of the General Laws, as most recently amended by section 2 of chapter 723 of the acts of 1973, is hereby further amended by inserting after subparagraph (6) the following subparagraph:—

(7) In the case of an individual who maintains a household which includes as a member one or more qualifying individuals, the employment related expenses paid during the taxable year to enable the taxpayer to be gainfully employed to be computed according to and subject to the limitations and restrictions of section two hundred and fourteen (c), section two hundred and fourteen (d) and section two hundred and fourteen (e) (5) of the Internal Revenue Code; provided, that in the case of a taxpayer who is gainfully employed on less than a substantially full-time basis only that portion of the amount paid which is attributable to employment related expenses necessary for such gainful employment shall be taken into account in computing the deduction allowed herein. If the taxpayer is married for any period during the taxable year, there shall be taken into account employment related expenses incurred during any month of such period only if both spouses, except where one spouse is a qualifying individual described in section two hundred and fourteen (b) (1) (c) of the Internal Revenue Code, are gainfully employed. No deduction shall be allowed under this subparagraph for any amount paid by the taxpayer (i) to his or her spouse or (ii) to an individual bearing a relationship to the taxpayer described in paragraphs (1) through (8) of section one hundred and fifty-two (a) of the Internal Revenue Code who, for the taxable year of the taxpayer, is a member of the taxpayer's household or is claimed as a dependent of the taxpayer for the

purposes of section one hundred and fifty-one (e) of the Internal Revenue Code. If the taxpayer is married at the close of the taxable year, the deduction provided herein shall be allowed only if the taxpayer and his spouse file a joint return for the taxable year. For the purposes of this subparagraph, the terms "employment related expenses", "qualifying individual" and "maintaining a household" shall each have the same meaning as in section two hundred and fourteen of the Internal Revenue Code. The expenses on which the deduction is based shall have been paid during the tax year that is being reported. No expenses incurred prior to January first, nineteen hundred and seventy-five shall be claimed under this section regardless of when paid.

SECTION 2. This act shall apply to taxable years commencing after December thirty-first, nineteen hundred and seventy-four.

Approved August 14, 1974.

Chap. 849. AN ACT PROVIDING FOR AN EXPERIMENTAL PROGRAM TO COMPARE HOUSING CONSTRUCTION UNDER CONVENTIONAL BIDDING, TURNKEY AND CONTRACT MANAGER METHODS OF CONSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of the department of community affairs, hereinafter called the commissioner, may authorize one or more housing authorities to participate in an experimental program of not more than twenty-seven million dollars of the bond authorization provided for in sections thirty-four and forty-one of chapter one hundred and twenty-one B of the General Laws, to compare housing construction under competitive bidding as set forth in sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws with housing construction under a turnkey system of design, bidding and construction in accordance with procedures and standards provided in sections two and three and with housing construction under a contract-manager system of design, bidding and construction in accordance with procedures and standards provided in sections four and five. The experimental program shall provide for the use of *(a)* not more than nine million dollars of the bond authorization for the construction of two projects of new housing of approximately one hundred dwelling units each by the turnkey system of design, bidding and construction; *(b)* not more than nine million dollars for the award of contracts in accordance with sections forty-four A to forty-four L, inclusive, of said chapter one hundred and forty-nine for construction at approximately the same time for two projects of new housing of the same size and design as those approved pursuant to clause *(a)*; and *(c)* not more than nine million dollars of said bond authorization for the construction of two projects of new housing of approximately one hundred dwelling units of substantially the same design and construction as those approved

pursuant to clause *(a)* by the contract-manager method of construction. The commissioner shall not authorize the use of any part of the bond authorizations for any project as part of the experimental program until the experimental program review board provided for in section six has approved the entire experimental program.

SECTION 2. For turnkey construction a housing authority may enter into contracts with a turnkey developer for each of the two projects for the purchase or acquisition of new dwelling units to be constructed on a site owned by or to be purchased by the developer. Such contracts shall not require compliance with sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws, nor with sections thirty-nine F to thirty-nine P, inclusive, of chapter thirty of the General Laws, but the turnkey developers shall provide the security for payments as provided in section twenty-nine of said chapter one hundred and forty-nine and shall comply with sections twenty-six and twenty-seven of said chapter one hundred and forty-nine.

SECTION 3. Each turnkey developer shall select an architect registered in the commonwealth to prepare the plans and specifications for a turnkey project approved by the housing authority, to employ electrical, mechanical and structural engineers and to provide a full-time clerk of the works during construction. The architect shall enter into a contract with the housing authority and with the commissioner to prepare the plans and specifications for the turnkey project in the manner required for bidding as provided in sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws and section thirty-nine M of chapter thirty of the General Laws, all in accordance with the standards established by and for the fees authorized by the commissioner for contracts for projects awarded by competitive bidding as provided in said sections forty-four A to forty-four L, inclusive, of said chapter one hundred forty-nine. Said contract shall also provide that the commissioner and a housing authority shall use the same plans and specifications for the construction of a similar project of another housing authority, adapted to the site selected by that housing authority and constructed under a contract awarded under competitive bidding as provided in said sections forty-four A to forty-four L, inclusive, of said chapter one hundred forty-nine and in accordance with all laws applicable to housing authorities for the construction of a building project. The commissioner shall arrange to take bids for each project similar to the approved turnkey project at approximately the same time as he approves the commencement of the construction of the turnkey developer. Neither the turnkey developer nor the turnkey general contractor shall bid on the project similar to the turnkey project which is to be bid pursuant to said sections forty-four A to forty-four L, inclusive, of said chapter one hundred forty-nine.

SECTION 4. Each housing authority constructing a project under the contract manager method of construction shall *(a)* contract with an architect registered in the commonwealth to prepare plans

and specifications for each of the two contract-manager projects, including the employment of electrical, mechanical and structural engineers and a full-time clerk of the works during construction and *(b)* at the same time award a contract for a contract manager for each of the two contract-manager projects to the lowest responsible and eligible bidder for each project on the basis of competitive bids. A housing authority shall require that a contract manager have five years' experience in the scheduling, coordination and erection of building projects and may prequalify bidders for the contract-manager job. The contract manager shall not perform any project work with persons on his own payroll or with or by any persons in which he has a direct or indirect interest.

SECTION 5. The contract manager shall work with and assist the architect in the preparation of plans and specifications for a project, all with a view to having the plans and specifications for the project provide for substantial and economical construction. The plans and specifications shall provide for the housing authority to take separate bids and to enter into separate contracts with the lowest responsible and eligible bidder *(a)* for each of the subtrades listed in section forty-four C of chapter one hundred forty-nine of the General Laws and *(b)* for the remainder of the project divided into such subtrades as the housing authority may establish. The contracts with each successful bidder shall provide that the contract manager shall supervise the construction, shall establish the order and sequence of construction in accordance with customary methods of construction unless specifications provide for a different order and sequence and shall coordinate the construction work for the project, all with the view of completing the project within the time provided in the specifications. The provisions of sections forty-four A to forty-four L, inclusive, of said chapter one hundred forty-nine with respect to the procedure for the award of contracts shall not apply to the separate contracts for the construction of the contract-manager projects.

SECTION 6. An experimental program review board in the department of community affairs shall review and give prior approval to the details of the experimental program as submitted by the commissioner, including the projects involved, the sites, the plans and specifications, the times for commencement and completion of each of the projects in the experimental program and the award of all construction contracts and the appointment of the contract managers. The commissioner shall not approve any project of a housing authority as part of the experimental program until the board has approved the entire program. The board shall consist of the commissioner or his designee who shall act as chairman, the commissioner of the department of labor and industries or his designee, three members or their designees selected by the Massachusetts State Building Trades Council AFL-CIO, one member or his designee selected by Associated General Contractors of Massachusetts, one member or his designee selected by Associated Subcontractors of Massachusetts, one member or his designee selected by the Massachusetts State Association of Architects, and one member or his designee who shall be

the executive director of a housing authority selected by the Massachusetts State Association of Housing and Redevelopment officials. The commissioner shall notify each member and his designee at least one week before any meeting. Five members shall be a quorum and approval or disapproval of any matter shall require at least four votes. Any two members may request a meeting for a specific purpose by a request in writing to the commissioner and the commissioner shall immediately call said meeting.

SECTION 7. The experimental program review board shall continue in existence throughout the construction of projects under the experimental program. The board, or any member, may examine the construction and the records of the housing authority, the architect, the turnkey developer and its contractors and subcontractors and the contract manager and the contractors performing work on the contract-manager projects. The board shall bring to the attention of the housing authority and the commissioner all violations of this act and of the terms of any contract or subcontract and shall recommend to the commissioner procedures to stop such violations and to prevent such violations in the future and any other matters which it finds are necessary to carry out the program successfully.

SECTION 8. A housing authority constructing a turnkey or contract manager project as a part of the experimental program shall require contractors and subcontractors used on a turnkey project and contractors used on a contract-manager project *(a)* to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the project in order to avoid disputes between contractors and subcontractors employing union labor and those employing nonunion labor and *(b)* to comply with sections twenty-six and twenty-seven of chapter one hundred forty-nine of the General Laws. Every contractor and subcontractor performing labor on the site or on any temporary off-site facilities used to perform work for such a project shall file weekly certified copies of such labor payroll for submission to the commissioner of labor and industries on forms furnished by said commissioner. Each turnkey developer, the housing authority and the clerk of the works shall examine said certified copies of payroll records, make such investigation of their accuracy as appears necessary by checking the records of the contractor or subcontractor and their employees and then certify said copies for accuracy and for compliance with the wage rates and with the classifications of work established for the project by the commissioner of labor and industries. A turnkey developer shall have full responsibility for failure to pay the established wage rates by contractors and subcontractors employed on the project. A person who violates any provisions of clause *(b)* of this section shall pay a fine of not less than one thousand dollars nor more than five thousand dollars for each such separate violation.

SECTION 9. There shall be appropriated to the department of community affairs seventy-five thousand dollars for the initial cost of implementing the experimental program. Upon completion of the program, said department, in conjunction with the board, shall sub-

mit to the general court a full and complete report on costs, administrative expenses and other data on the three methods of construction used in the experimental program and any one or more members of the board may submit an additional report concurring with or dissenting from the report. The commissioner shall not submit the report of the department to the general court until the members of the board have had full opportunity to prepare and submit such concurring or dissenting report or reports as they may desire to submit.

Approved August 14, 1974.

Chap. 850. AN ACT FURTHER REGULATING THE LICENSING OF AUTOMOBILE CLUBS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 174B of the General Laws, as appearing in chapter 754 of the acts of 1972, is hereby amended by adding the following definitions:—

"Club agent", any person other than the automobile club itself, who acts or aids in any manner in the solicitation, delivery or negotiation of any service contract or of the renewal or continuance thereof; provided, however, that any person performing only work of a clerical nature in the office of the automobile club shall not be deemed to be a club agent.

"Service contract", any agreement whereby an automobile club, for a consideration, promises to render, furnish or procure specified services procure or to reimburse club members therefor.

SECTION 2. Said chapter 174B is hereby further amended by striking out section 6, as so appearing, and inserting in place thereof the following section:—

Section 6. An automobile club licensed pursuant to this chapter shall file a bond in the amount of one hundred thousand dollars with the state treasurer or shall file evidence of financial responsibility satisfactory to said treasurer.

SECTION 3. Said chapter 174B is hereby further amended by inserting after section 6 the following five sections:—

Section 7. An automobile club shall, with its application for original license, and annually before March first, file with the commissioner a true statement of its financial condition, transactions, and its affairs as of December thirty-first preceding. The statement shall contain such information as may be reasonably required by the commissioner, and shall be verified by the oaths of at least two of the automobile club's principal officers and the statement of financial condition shall be certified by a registered or certified public accountant within the previous six months, as presenting fairly, in accordance with generally accepted accounting principles, the financial position of the automobile club. The commissioner may suspend or revoke the license of any automobile club failing to file its annual statement when due or during any extension of time which the commissioner for good cause may grant.

Section 8. A license may be refused, or a license duly issued may be suspended or revoked, or the renewal thereof refused by the commissioner if, after notice and hearings he finds that the applicant for, or holder of, such license:

(a) has violated any provision of this chapter; or

(b) is in such financial condition that its further transaction of automobile club service in the commonwealth would be hazardous to its members and the automobile-club-service-buying public in the commonwealth, is insolvent; or

(c) has refused or refuses to remove or discharge, or terminate its relationship with a director or officer who has been convicted of any crime involving fraud or dishonesty; or

(d) customarily, or in the regular course of business, compels claimants under its service contract either to accept less than the amount due them or fewer services or compels them to bring suit in order to secure full payment of the amount or all of the services due to said claimants; or

(e) conducts its business outside this commonwealth in such a manner as unjustly to discriminate against or prejudice the interest of the people of this commonwealth; or

(f) is affiliated with and is under the same general management or interlocking directorate or ownership as another automobile club which transacts business in this commonwealth which does not have a certificate of authority therefor; or

(g) has exceeded, or exceeds, its charter powers; or

(h) has refused, or refuses, to be examined, or if its directors, managing officers, employees or representatives refuse to submit to examination by the commissioner when required by the commissioner, or refuse to perform any legal obligation relative to such examination; or

(i) maintains, through its employees, a policy of misrepresenting to the public its service contracts; or

(j) fails to issue service contracts to its members.

Section 9. No service contract shall be executed, issued or delivered in this commonwealth until the form thereof has been filed with the commissioner. The service contract may be in the form of a written agreement between the automobile club and the member or it may consist of a completed application, a membership card and a written description of services to be rendered by the automobile club. No service contract shall be executed, issued or delivered in this state unless it contains the following:

(a) The exact corporate or other name of the club.

(b) The location of its home office and its usual place of business in the commonwealth, if any, giving street number and city.

(c) A provision that the contract may be cancelled at any time by given written notice thereof by either the club or the holder, and that the holder will, if the dues or membership fee has been paid thereupon, be entitled to a refund of the unused portion of the consideration paid for such contract, calculated on a pro rata basis over the period of the contract, without any deductions; provided that automobile club may make a reasonable minimum charge.

(d) A provision plainly specifying the services promised, that the holder will not be required to pay any sum, in addition to the amount specified in the contract for any services thus specified, the territory wherein such services are to be rendered, the effective date of the contract and the first renewal date.

(e) A statement on the first page of the service contract in not less than fourteen point type stating, "This is not an automobile liability insurance contract".

Section 10. Every automobile club licensed by the commissioner shall, within thirty days of the date of employment of a club agent to sell memberships in the automobile club to the public, file with the commissioner a notice of such employment. Such notice shall have attached thereto an application completed by the club agent and verified by him and shall contain the name, address, age, sex and social security number of such club agent, and also contain proof satisfactory to the commissioner that such applicant is of good reputation and that he has received training from the club or is otherwise qualified in the field of automobile club service contracts, and the laws of this commonwealth pertaining thereto. Upon termination of any club agent's employment by an automobile club, the automobile club shall within thirty days thereafter notify the commissioner of such termination. Notifications and applications shall be upon such forms as the commissioner may prescribe. The registration fee for club agents shall be five dollars annually and such registration shall be renewable on April first of each year unless sooner revoked or suspended.

Section 11. The commissioner may suspend, revoke or refuse to renew any club agent's registration, if he finds that the club agent:

(a) has violated any of the provisions of this chapter;

(b) has misappropriated or converted to his own use or has illegally withheld monies required to be held in a fiduciary capacity;

(c) has materially misrepresented the terms or effects of any contract or has engaged in any fraudulent transaction;

(d) has shown himself to be incompetent, untrustworthy or a source of injury and loss to the automobile-club-service-buying public;

(e) has been convicted of a crime involving fraud or dishonesty.

Approved August 14, 1974.

Chap. 851. AN ACT FURTHER REGULATING THE MOVEMENT OF CERTAIN VEHICLES OVER THE WAYS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 87A, as most recently amended by section 6 of chapter 467 of the acts of 1968, and inserting in place thereof the following section:—

Section 87A. The director of standards, upon the written request of the registrar of motor vehicles, shall appoint any of those persons described in section twenty-nine of chapter ninety as having the powers

of constables and of police officers, and, upon the written request of the commissioner of public safety, shall appoint any of those persons appointed to the division of state police under the provisions of section nine A of chapter twenty-two as weighers and measurers of motor vehicles and trailers and of the loads of such vehicles and trailers. Before entering upon their duties, such weighers and measurers shall be sworn. Subject to section ninety, they shall serve as long as they have the powers of constables and police officers or until the said registrar or the said commissioner shall in writing request the director to revoke any such appointment.

SECTION 2. Section eighty-seven B of said chapter forty-one is hereby repealed.

SECTION 3. Section 30 of chapter 85 of the General Laws is hereby amended by inserting after the first paragraph the following four paragraphs:—

The owner or lessee of any motor vehicle or trailer or semitrailer unit duly registered in this commonwealth may apply to the commissioner of public works for a permit authorizing such owner or lessee to operate or have operated such motor vehicle or trailer or semitrailer unit on a public way when the weight of such vehicle or trailer or semitrailer unit together with its load would exceed the weight limitations prescribed by this section or the provisions of chapter ninety. No such application shall be accepted by the commissioner of public works if the weight of the motor vehicle or trailer or semitrailer unit, together with its load, for which such permit is sought exceeds the gross vehicle weight rating established by the original manufacturer of the chassis. All such applications shall be made on forms provided by the commissioner of public works which shall include, but not be limited to, the following:

(1) the make, model and year of the motor vehicle or trailer or semitrailer unit to which the permit is to apply, including the said gross vehicle weight rating and the weight for which it is registered in this commonwealth;

(2) the name, business address and residential address if any of the owner or lessee of the motor vehicle or semitrailer unit;

(3) the name and address of the insurer of the motor vehicle or trailer or semitrailer unit;

(4) the maximum weight sought for such vehicle or trailer or semitrailer unit, which shall in no event exceed the said gross vehicle weight rating of such motor vehicle or trailer or semitrailer unit;

(5) the period of time for which such permit is sought, which shall not exceed one year from the date on which it is issued by the commissioner of public works, and which permit shall expire on the first day of June in each year.

Within fourteen days after his receipt of such application, the commissioner of public works shall notify the applicant of the approval or disapproval of his application. If the application is approved, the commissioner of public works shall issue to the applicant written evidence of such approval, and the form of such approval shall set forth a description of the motor vehicle or trailer or semitrailer unit and its owner or lessee as provided in (1) through (4) above, the maximum

weight allowed under such permit, and the expiration date of such permit. Such permit may be issued to allow the operation of any motor vehicle or semitrailer unit having three axles which with its load weighs not more than seventy-three thousand pounds, or any motor vehicle or semitrailer unit having four axles which with its load weighs not more than eighty-seven thousand pounds, or any motor vehicle or semitrailer unit having five or more axles which with its load weighs not more than ninety-nine thousand pounds, but not above such limits, nor in any event shall any such permit allow the operation of any motor vehicle or semitrailer unit which with its load exceeds the gross vehicle weight rating as established by the original manufacturer of the chassis; provided, however, that the commissioner of public works may issue one-way or round-trip permits for the carrying of certain irreducible loads, which may exceed the said gross vehicle weight rating, but only under such conditions and limitations as the commissioner of public works may prescribe.

No motor vehicle or trailer or semitrailer unit which is the subject of any such permit issued by the commissioner of public works shall be operated on any public way until the registrar of motor vehicles shall have issued to the owner or lessee thereof the permit sticker as provided in section nineteen D of chapter ninety.

A conviction of a violation of this section or of sections seventeen, nineteen or nineteen A of chapter ninety arising out of the operation of any motor vehicle or trailer or semitrailer unit for which such a permit has been issued shall be reported forthwith by the court or magistrate to the registrar of motor vehicles, who shall, if such conviction is a second or subsequent conviction of such a violation within twelve months, immediately revoke the permit sticker issued to the owner or lessee; and the registrar of motor vehicles shall forthwith report such violation and such revocation to the commissioner of public works, who shall immediately revoke the permit issued for such vehicle to such owner or lessee, and no new permit for such vehicle shall be issued for a period of not less than ninety days from the date of the revocation of the permit. The commissioner of public works may, after a prior hearing, suspend or revoke for cause any permit issued by him under this section, and in the event of such revocation, shall forthwith notify the registrar of motor vehicles, who shall immediately revoke the permit sticker issued under section nineteen D of chapter ninety. Upon the revocation of any such permit or sticker, the owner or lessee of such motor vehicle or trailer or semitrailer unit shall immediately return such permit to the commissioner of public works if it has not been filed with the registrar of motor vehicles under section nineteen D of chapter ninety, and shall immediately remove such permit sticker from any such motor vehicle or trailer or semitrailer unit.

SECTION 4. Said chapter 85 is hereby further amended by striking out section 34, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 34. Except as otherwise provided in the following section, the department, person or local authorities having control of any bridge constructed prior to June first, nineteen hundred and sixty on

any road shall maintain notices not less than one hundred feet from each end of such bridge, legible at a distance of fifty feet, stating the maximum weight of vehicle with load which the bridge will safely carry. The said department, person or local authorities may in addition maintain such notices at all other bridges constructed after June first, nineteen hundred and sixty.

SECTION 5. Said chapter 85 is hereby further amended by striking out section 35, as amended by chapter 91 of the acts of 1955, and inserting in place thereof the following section:—

Section 35. No bridge on a public highway having a span in excess of ten feet, except a bridge constructed under the provisions of chapter one hundred and fifty-nine, shall be constructed or reconstructed by any county or town except in accordance with plans and specifications therefor approved by the department. Said department shall approve or alter to meet its approval all such plans submitted to it and shall determine the maximum load which any such bridge may safely carry, and the department or the local authorities having control of such bridge shall, if such bridge was constructed prior to June first, nineteen hundred and sixty, and may, if such bridge was constructed at a later date, maintain notices not less than one hundred feet from each end thereof and legible at a distance of fifty feet stating the maximum weight of vehicle with load which the bridge will safely carry. Any such bridge which is not posted for the said maximum weight by June first, nineteen hundred and seventy-five, shall immediately thereafter be posted by the department or the local authorities having control of such bridge with signs placed as provided herein restricting travel across such bridge to vehicles weighing three tons or less. Each such bridge so restricted shall be reported forthwith to the department, and the department shall maintain a current list of all such bridges. The owner of a vehicle operated on any bridge posted under this or the preceding section shall be responsible for all damage resulting thereto if the weight of the vehicle and load exceeds the maximum load as posted under this or the preceding section, as the case may be, and the amount of the damage may be recovered in an action at law by the person or authorities charged with the maintenance of the bridge. Any person operating a vehicle the weight of which, with its load, exceeds the maximum weight as posted under this section or section thirty-four shall be punished by a fine of not more than two hundred dollars, unless said vehicle is being operated in accordance with the terms of a permit issued under the provisions of section thirty.

SECTION 6. Section 1 of chapter 90 of the General Laws is hereby amended by inserting after the definition "Garage", as appearing in the Tercentenary Edition, the following definition:—

"Gross vehicle weight rating", the gross vehicle weight rating established by the original manufacturer of the chassis when applied to a motor vehicle, including the gross combination weight rating as established by the original manufacturer of the chassis when applied to a semitrailer unit.

SECTION 7. Section 17 of said chapter 90 is hereby amended by adding the following sentence:— No person shall operate any motor

vehicle, trailer or semitrailer unit while carrying its load under a permit issued under section thirty of chapter eighty-five upon any way at a rate of speed exceeding either forty miles per hour or the rate of speed otherwise duly established for such way, whichever is the lesser.

SECTION 8. Section 19A of said chapter 90 is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 389 of the acts of 1956, and inserting in place thereof the following four paragraphs:—

No motor vehicle or trailer or semitrailer unit shall be operated, nor shall the owner or bailee thereof require or permit such operation, when the gross weight of such motor vehicle or trailer or semitrailer unit exceeds either that provided by this chapter or the gross weight specified in any permit issued by the commissioner of public works under section thirty of chapter eighty-five, whichever is the greater; nor shall any person load or cause to be loaded such vehicle in excess of such weights. If the gross weight of any such motor vehicle or trailer or semitrailer unit does not exceed one hundred and five per cent of the maximum gross weight provided by said permit, such motor vehicle or trailer or semitrailer shall not be deemed to be operating in violation of the provisions of section thirty of chapter eighty-five; but if the gross weight of such motor vehicle or trailer or semitrailer does exceed the said one hundred and five per cent of the maximum gross weight provided by said permit, any penalty provided in this chapter shall be determined on the basis of one hundred per cent of the gross weight of such motor vehicle or trailer or semitrailer unit at the time of such violation.

In the weighing of any motor vehicle or trailer or semitrailer unit under this chapter, portable scales may be used; provided, that such scales have been approved by the director of standards under section twenty-nine or chapter ninety-eight; and provided further, that such scales shall be inspected at least once in each year by the director of standards or his inspectors.

In any prosecution for a violation of this section or of section nineteen or section thirty of chapter eighty-five, a signed certificate on oath of any person appointed under section eighty-seven A of chapter forty-one of the weight of any motor vehicle or trailer or semitrailer shall be admissible in evidence without further proof, and shall constitute prima facie evidence of the weight of the motor vehicle or trailer or semitrailer described in such certificate. The said certificate shall be in such form as the registrar shall prescribe and shall be signed and sworn to by a person appointed under said section eighty-seven A and present at the weighing of such motor vehicle or trailer or semitrailer, and the court shall take judicial notice of the signature of such person and that he is so appointed.

In any claim for bodily injuries or for damage to property arising out of such direction to a scale location or such weighing, any officer or employee of the commonwealth authorized to enforce the provisions of this chapter may file a written request with the attorney general that the attorney general defend him against an action for damages for bodily injuries, including death, or for damage to proper-

ty arising out of such officer's enforcement of this section, and the provisions of section three B of chapter twelve shall apply to such action as if it had arisen out of the operation of a motor vehicle.

SECTION 9. Said chapter 90 is hereby further amended by inserting after section 19C, inserted by chapter 263 of the acts of 1974, the following section:—

Section 19D. The registrar shall issue to the owner or lessee of a motor vehicle or trailer or semitrailer unit for which a permit has been issued under the provisions of section thirty of chapter eighty-five a sticker to be affixed in the uppermost center of the windshield, upon the payment by such owner or lessee of the fee provided in section thirty-three; provided, that such owner or lessee shall have filed with the registrar the written approval by the commissioner of public works of his application for such permit and a certificate of inspection of such motor vehicle or semitrailer executed by the original manufacturer of the chassis or its duly authorized agent. Such certificate of inspection shall be made on forms provided by the registrar and shall include, but not be limited to, the following: *(a)* the make, model and year of the motor vehicle or semitrailer unit; *(b)* the vehicle identification number; *(c)* the name and address of the owner or lessee; *(d)* the name and address of the said manufacturer and the name and address of its duly authorized agent making the inspection; *(e)* the gross vehicle weight rating in pounds, specifying the proper tire size designation in accordance with standards promulgated by the United States Department of Transportation or such agency as may succeed to its powers and responsibilities; *(f)* a statement that no alterations have been made in the motor vehicle or semitrailer unit which would tend to reduce the said gross vehicle weight rating; *(g)* a statement that the tires and wheel rims on the said motor vehicle or semitrailer unit are proper size for the said gross vehicle weight rating; *(h)* a statement that the chassis, axles, tires, rims, brakes, steering components and suspension system are in good repair and proper for the said gross vehicle weight rating. Such certificate of inspection shall remain valid for the duration of the permit. Whoever knowingly makes a false statement in any application for a permit under section thirty of chapter eighty-five or in any certificate of inspection under this section shall be punished by a fine of not less than five hundred dollars or by imprisonment for not less than two weeks nor more than two years, or both.

SECTION 10. Said chapter 90 is hereby amended by striking out section 20, as most recently amended by chapter 182 of the acts of 1967, and inserting in place thereof the following section:—

Section 20. Any person convicted of a violation of any provision of this chapter the punishment for which is not otherwise provided, or of a violation of any rule or regulation of the registrar made under authority of section thirty-one, or of a violation of a special speed regulation lawfully made under authority of section eighteen, shall be punished by a fine of not more than twenty-five dollars for the first offense, not less than twenty-five nor more than fifty dollars for a second offense, and not less than fifty nor more than one hundred dollars for subsequent offenses committed during any twelve-month

period; provided, that any person convicted of operating or permitting the operation of a school bus carrying passengers in excess of the number authorized under section seven B shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both, and that any person convicted of violating any of the provisions of section sixteen shall be punished by a fine of not less than twenty nor more than one hundred dollars, and that any person convicted of operating a motor vehicle or trailer or semitrailer unit in violation of section nineteen shall be punished by a fine of not more than one hundred dollars, and that any person convicted of a violation of section nineteen A or of the terms of any permit issued under said section thirty of chapter eighty-five shall be punished by a fine of not less than thirty dollars for each one thousand pounds of weight or fraction thereof by which the gross weight of such motor vehicle or trailer or semitrailer unit as operated exceeds either that permitted by said section nineteen A or the permit issued for such motor vehicle or trailer or semitrailer unit under section thirty of chapter eighty-five, whichever is the greater; provided, however, that if the total of such excess weight is greater than ten thousand pounds, the fine shall be not less than sixty dollars for each one thousand pounds or fraction thereof over said ten thousand pounds; and upon a second or subsequent such conviction in any twelve-month period, the registrar shall forthwith suspend the certificate of registration of any such motor vehicle or trailer or semitrailer unit so operated, and such suspension shall not be terminated in less than ninety days. A complaint against a person for a violation of section eleven or section sixteen or section seventeen or of a regulation made under section eighteen may be placed on file at the discretion of the court if the violation appears to have been unintentional or if no person or property could have been endangered thereby. Upon a third or subsequent conviction in the same year of a violation of section sixteen or section seventeen or of a regulation made under section eighteen the registrar shall forthwith revoke the license of the person so convicted, and no new license shall be issued to such person for at least thirty days after the date of such conviction, nor thereafter except in the discretion of the registrar.

Any person convicted of a violation of the provisions of section seventeen while operating any motor vehicle, trailer or semitrailer unit under a permit issued under section thirty of chapter eighty-five and while the weight of such motor vehicle, trailer or semitrailer unit exceeds the limits provided in section nineteen A, exclusive of the additional limits provided in such permit, shall be punished by a fine of not more than fifty dollars for the first offense, not less than fifty dollars nor more than seventy-five dollars for a second offense committed in any twelve-month period, and not less than seventy-five nor more than one hundred and fifty dollars for subsequent offenses committed in any twelve-month period, and complaints of such violations, notwithstanding the preceding provisions of this section shall not be placed on file by the court.

SECTION 11. Subdivision (7) of section 33 of said chapter 90 is hereby amended by adding the following paragraph:—

For the issuance of each permit sticker as provided in section nineteen D, twenty dollars for every one thousand pounds or fraction thereof of the weight of such motor vehicle or trailer or semitrailer, including the maximum load to be carried thereon, in excess of the maximum weight for which such motor vehicle or trailer or semitrailer may otherwise be operated under the provisions of section nineteen A; except for permits granted for the carrying of irreducible loads for which the fee shall be fifty dollars for each such permit.

SECTION 12. The provisions of sections four and five of this act shall take effect on July first, nineteen hundred and seventy-five.

Approved August 14, 1974.

Chap. 852. AN ACT PROVIDING FOR THE PRESERVATION AND ENHANCEMENT OF THE ENVIRONMENT IN CONJUNCTION WITH THE SITING AND OPERATION OF FACILITIES FOR THE TRANSMISSION OF NATURAL GAS AND THE MANUFACTURE OR STORAGE OF LIQUEFIED OR SYNTHETIC NATURAL GAS OR PROPANE AND FOR THE PROMOTION OF A RELIABLE, ADEQUATE, ECONOMICAL, AND SAFE SUPPLY OF NATURAL GAS.

Be it enacted, etc., as follows:

SECTION 1. Section 69G of chapter 164 of the General Laws, inserted by section 1 of chapter 1232 of the acts of 1973, is hereby amended by striking out the definitions of "Applicant", "Council", and "Facility" and inserting in place thereof the following definitions:—

"Applicant", a person or persons who submit a long-range plan to the council, or applies to the council for a certificate of environmental impact and public need.

"Council", the Energy Facilities Siting Council established under the provisions of section sixty-nine H.

"Facility", (1) any bulk electric generating unit, including associated buildings and structures, designed for, or capable of, operating at a gross capacity of one hundred megawatts or more; (2) any new electric transmission line having a design rating of sixty-nine kilovolts or more and which is one mile or more in length except reconductoring or rebuilding of existing transmission lines at the same voltage; (3) any ancillary structure which is an integrated part of the operation of any electric generating unit or transmission line which is a facility; (4) any unit, including associated buildings and structures, designed for, or capable of, the manufacture or storage of gas; and (5) any new pipeline for the transmission of gas having a normal operating pressure in excess of one hundred pounds per square inch gauge which is greater than one mile in length except restructuring, rebuilding, or relaying of existing transmission lines of the same capacity.

SECTION 2. Said section 69G of said chapter 164, as so appear-

ing, is hereby further amended by adding the following definitions:—

"Gas", a term which shall include natural gas, propane air, synthetic natural gas, and liquefied natural gas.

"Gas company", (1) a gas company as defined in section one; (2) a corporation organized under the laws of the commonwealth empowered to manufacture or store gas for resale or distribution to a gas company as defined in section one; (3) a foreign corporation empowered under the laws of its state of incorporation to manufacture or store gas for resale or distribution to a gas company as defined in section one, and qualified to do business in the commonwealth; (4) a natural gas pipeline company as defined in section twenty-five B; and (5) a municipal corporation empowered to operate a municipal gas plant under the provisions of section thirty-five or section thirty-six.

"Liquefied natural gas", a natural gas that has been changed into a liquid by cooling the temperature at atmospheric pressure to approximately -260°F.

"Natural gas", a type of gas which originates in the ground and is predominantly methane.

"Propane air", a type of gas produced by those facilities which add commercial grade propane to air for mixture with natural gas.

"Synthetic natural gas", a type of gas which is made by a facility which produces a gaseous fuel from the manufacture, conversion or reforming of liquid or solid hydrocarbons.

SECTION 3. Section 69H of said chapter 164, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

There is hereby established the Energy Facilities Siting Council which shall be responsible for implementing the energy policies contained in sections sixty-nine H to sixty-nine R, inclusive, to provide a necessary energy supply for the commonwealth with a minimum impact on the environment at the lowest possible cost.

SECTION 4. The second paragraph of said section 69H of said chapter 164, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Said council shall be composed of the secretary of consumer affairs, the secretary of communities and development, the secretary of environmental affairs, and the secretary of human services, or their respective designees, and four persons to be appointed by the governor for terms of three years, one of whom shall be experienced in the conservation and protection of the environment, one of whom shall be a professional engineer registered under the provisions of chapter one hundred and twelve, one of whom shall be experienced in matters relating to the electric power industry and who shall vote only on those matters directly related to such industry, and one of whom shall be experienced in matters relating to the gas industry and who shall vote only on those matters directly related to such industry, provided that the council shall not include as a member any person who receives, or has during the previous two years received, a significant portion of his income directly or indirectly from a holder of, or an applicant for, a national pollutant discharge elimination system permit.

SECTION 5. The fifth paragraph of said section 69H of said chapter 164, as so appearing, is hereby amended by striking out clause (4) and inserting in place thereof the following clause:—

(4) To establish a schedule of filing fees as follows: *(a)* not to exceed twenty-five thousand dollars in any instance for applications for certificates of environmental impact and public need, as the council may determine; provided, however, that such filing fee for any municipal corporation empowered to operate a municipal lighting plant under the provisions of section thirty-five or thirty-six shall not exceed the sum of two thousand five hundred dollars; and *(b)* for long-range forecasts or supplements thereto a total maximum amount of four hundred thousand dollars annually from the electric companies with the fee for each applicant being determined by its proportion of the total kilowatt hour sales to ultimate customers in the commonwealth for the prior year, and a total maximum amount of one hundred and twenty-five thousand dollars annually from the gas companies with the fee for each applicant being determined by its pro rata percentage of the firm gas revenues from sales to consumers in the commonwealth for the prior year.

SECTION 6. Section 69I of said chapter 164, as so appearing, is hereby amended by striking out the first, second and third paragraphs and inserting in place thereof the following three paragraphs:—

On or before December thirty-first, nineteen hundred and seventy-five, and every fifth year thereafter, every electric company shall, individually or jointly with others, file with the council a long-range forecast with respect to the electric power needs and requirements of its market area, taking into account wholesale bulk power sales or purchases or other co-operative arrangements with other electric companies, for the ensuing ten-year period. On or before December thirty-first, nineteen hundred and seventy-five, and every fifth year thereafter, every gas company shall individually or jointly with others, file with the council a long-range forecast with respect to the gas needs and requirements of its market area, taking into account wholesale bulk gas sales or purchases or other co-operative arrangements with other gas companies, for the ensuing five-year period. As regional plans covering longer time periods are developed, they shall be filed with the council.

Said forecasts shall include, in such form and detail as the council shall prescribe, the following information:

(1) A description of all then existing agreements with other electric or gas companies for joint planning or joint forecasting of electric power or gas needs and the purchase or sale of electric power or gas or reserve capacity.

(2) A forecast of the electric power or gas needs for its market area, taking into account wholesale bulk power or gas sales or purchases, or other co-operative arrangements with other utilities and energy policies as adopted by the commonwealth.

(3) A description of actions planned to be taken by the company which will affect capacity to meet such needs, including, but not limited to: expansion, reduction, or removal of existing facilities; con-

struction or acquisition of additional facilities; a description of alternatives to planned action such as other methods of generating, manufacturing or storing, other site locations, other sources of electrical power or gas, and no additional electric power or gas; a description of the environmental impact of each proposed facility, provided, however, that the above provisions shall not apply to facilities which have been approved as part of a previous long-range forecast or supplement thereto. The council shall after public notice and a period for comment be empowered to issue and revise its own list of guidelines providing a minimum of data for initial review such as land use impact, water resources impact, air quality impact, solid waste impact, radiation impact and noise impact.

Every electric and gas company, either individually or jointly with others, shall also file annually a supplement thereto revising and updating said long-range forecast for a minimum of one year.

SECTION 7. The first sentence of the fourth paragraph of said section 69I of said chapter 164, as so appearing, is hereby amended by inserting after the word "electric" in line 2, the words:— or gas.

SECTION 8. The first paragraph of section 69J of said chapter 164, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— In addition, a public hearing shall be held in each locality in which a generating plant site or gas facility contained in the long-range forecast or supplement is located, except that a public hearing shall not be required in a locality containing a proposed site if such a hearing has already been held in regard to that particular site in conjunction with a previously filed long-range forecast or supplement.

SECTION 9. Said section 69J of said chapter 164, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The council by a majority vote shall within twelve months from the date of filing approve a long-range forecast if it determines that it meets the following requirements: all information relating to current activities, facilities agreements and energy policies as adopted by the commonwealth is substantially accurate and complete; projections of demand for electric power or gas and of the capacities for existing and proposed facilities are based on substantially accurate historical information and reasonable statistical projection methods; projections relating to service area, facility use and pooling or sharing arrangements are consistent with such forecasts of other companies subject to this chapter as may have already been approved and reasonable projections of activities of other companies in the New England area; and plans for expansion and construction of the applicant's new facilities are consistent with current health, environmental protection, and resource use and development policies as adopted by the commonwealth.

SECTION 10. Section 69K of said chapter 164, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Any electric or gas company which proposes to construct or operate facilities in the commonwealth may petition the council for a certifi-

cate of environmental impact and public need with respect to such facility. The council shall consider such petition providing: the electric or gas company is prevented from building a facility because it cannot meet standards imposed by a state or local agency with commercially available equipment or because the processing or granting by a state or local agency of any approval, consent, permit or certificate has been unduly delayed; or the electric or gas company believes there are inconsistencies among resource use permits issued by such state or local agencies; or the electric or gas company believes that a nonregulatory issue or condition has been raised or imposed by such state or local agencies such as but not limited to aesthetics and recreation; or the facility cannot be constructed due to any disapprovals, conditions or denials by local governments, except with respect to any lands or interest therein, excluding public ways, owned or managed by any state agency or local government.

SECTION 11. Said section 69K of said chapter 164, as so appearing, is hereby further amended by striking out the sixth paragraph and inserting in place therof the following paragraph:—

A certificate may be transferred to any other electric or gas company by the holder thereof, subject to the terms and conditions contained therein.

SECTION 12. Paragraph A of section 69L of said chapter 164, as so appearing, is hereby amended by striking out clause (3) and inserting in place thereof the following clause:—

(3) A copy of the long-range plan approved by the council under the provisions of section sixty-nine J, in proof of the need for the facility to meet the energy requirements of the applicant's market area, taking into account wholesale bulk power or gas sales or purchase or other co-operative arrangements with other utilities and energy policies as adopted by the commonwealth; provided, however, that this requirement may be waived by the council for emergency or unforeseen conditions which jeopardize the health and safety of the public.

SECTION 13. The second paragraph of section 69O of said chapter 164, as so appearing, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:—

(1) the need for the facility to meet the energy requirements of the applicant's market area taking into account wholesale bulk power or gas sales or purchases or other co-operative arrangements with other utilities and energy policies as adopted by the commonwealth.

SECTION 14. Said second paragraph of said section 69O of said chapter 164, as so appearing, is hereby further amended by striking out clause (3) and inserting in place thereof the following clause:—

(3) the extent to which construction and operation of the facility will fail to conform with existing state and local laws, ordinances, by laws, rules and regulations and reasonableness of exemption thereunder, if any, consistent with the implementation of the energy policies contained in this act to provide a necessary power or gas supply for the commonwealth with a minimum impact on the environment at the lowest possible cost; and.

SECTION 15. The third sentence of section 69O of said chapter

164, as so appearing, is hereby amended by striking out, in lines 5 and 6, the words "electric power" and inserting in place thereof the word:— energy.

SECTION 16. Section 69R of said chapter 164, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Any electric or gas company may petition the department for the right to exercise the power of eminent domain with respect to the facility or facilities specified and contained in the proposed long-range electric power or gas forecast submitted in accordance with section sixty-nine I if such electric or gas company is unable to reach agreement with the owners of land for the acquisition of any necessary estate or interest in land. The company shall forward at the time of filing such petition a copy thereof to each city and town affected.

SECTION 17. Said section 69R of said chapter 164, as so appearing, is hereby further amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:—

Following a taking under this section, the electric or gas company may forthwith proceed to utilize such land. If the electric or gas company shall not utilize the land so taken for the purpose or purposes authorized in the department's order within such time as the department shall determine, its rights under such taking shall cease and terminate.

SECTION 18. Said section 69R of said chapter 164, as so appearing, is hereby further amended by striking out the seventh paragraph and inserting in place thereof the following paragraph:—

This section shall apply only to bulk electric generating units and ancillary structures and to facilities for the manufacture or storage of gas as defined in section sixty-nine G and should not be construed as abrogating the department's jurisdiction described in section seventy-two in respect to transmission lines or the department's jurisdiction described in sections seventy-five B through seventy-five G, inclusive, in respect to natural gas transmission lines.

SECTION 19. Section 2 of said chapter 1232 is hereby amended by striking out, in line 1, the words "Electric Power" and inserting in place thereof the word:— Energy—, and by striking out, in line 7, the word "one" and inserting in place thereof the word:— two.

SECTION 20. Section 3 of said chapter 1232 is hereby amended by striking out, in line 1, the words "Electric Power" and inserting in place thereof the word:— Energy.

SECTION 21. Section 6 of said chapter 1232 is hereby amended by adding the following sentence:— This act shall not apply to any matter over which any agency, department, or instrumentality of the federal government has exclusive jurisdiction.

Approved August 14, 1974.

Chap. 853. AN ACT FURTHER REGULATING THE CONSTRUCTION AND OPERATION OF PUBLIC HOUSING IN THE COMMONWEALTH AND TO PROVIDE INCREASED FINANCIAL ASSISTANCE THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 121B of the General Laws is hereby amended by striking out the first paragraph and the first sentence of the second paragraph and inserting in place thereof the following:—

A housing authority shall not undertake a low-rent housing project until it has submitted to the department the plans and description of the project, the estimated cost thereof, the proposed method of financing it, and a detailed estimate of the expenses and revenues thereof and the department has found that the plans and description conform to proper standards of health, sanitation and safety.

In addition, the provisions of subparagraphs (a) and (b) shall apply to all state aided low-income projects:

(a) Projects involving the purchase or acquisition of the right to use completed dwelling units which have been recently constructed, reconstructed or remodeled, whether condominium units, individual buildings part of a larger development, or a portion of the units in a multi-family development, shall be approved by the department only after it makes the following determinations: (i) the number of units involved, 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 a private real estate management organization acceptable to the local housing authority with the approval of the department.

SECTION 2. The second paragraph of subsection (*a*) of the seventh paragraph of section 34 of said chapter 121B, as appearing in section 11 of chapter 1215 of the acts of 1973, is hereby amended by adding the following sentence:— Any excess between the completed cost of a project as determined by the department and the bonds or notes outstanding for such project may be retired, and if so retired, shall not be used in computing the total amount of bonds or notes guaranteed by the commonwealth under this section.

SECTION 3. Subsection *(b)* of said seventh paragraph of said section 34 of said chapter 121B, as so appearing, is hereby amended by striking out the third, fourth and fifth paragraphs.

SECTION 4. Section 41 of said chapter 121B, as most recently amended by section 13 of chapter 1215 of the acts of 1973, is hereby further amended by inserting after the second sentence the following sentence:— Any excess between the completed cost of a project as determined by the department and the bonds or notes outstanding for such project may be retired, and if so retired, shall not be used in computing the total amount of bonds or notes guaranteed by the commonwealth under this section.

SECTION 5. Said section 43 of said chapter 121B is hereby

further amended by inserting after the first paragraph the following paragraph:—

A housing authority which, as a lessee or tenant, enters into a lease or rental agreement with a cooperative corporation or other legal entity which is the owner of a cooperative project may require that any tenant occupying the leased premises with the consent of the authority shall have all the rights of a member of the corporation.

SECTION 6. Chapter 694 of the acts of 1970 is hereby amended by striking out section 1, as most recently amended by section 6A of chapter 884 of the acts of 1973, and inserting in place thereof the following section:—

Section 1. The department of community affairs is hereby authorized to expend a sum not exceeding twenty-five million dollars for the purpose of contracts to be entered into by said department, acting for and on behalf of the commonwealth, with housing authorities established pursuant to section three of chapter one hundred and twenty-one B of the General Laws, or corresponding provisions of earlier laws, for state financial assistance in the form of grants to such authorities for projects undertaken pursuant to clause *(j)* of section twenty-six of said chapter, added by section two of this act, which grants shall be paid by the commonwealth upon approval and certification by said department to the state comptroller; provided, that the amount expended pursuant to this section during any one fiscal year shall not exceed six million two hundred fifty thousand dollars.

SECTION 7. Section 3 of said chapter 694 is hereby amended by striking out the second sentence, as most recently amended by section 6B of said chapter 884, and inserting in place thereof the following sentence:— Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and seventy-seven.

SECTION 8. Said chapter 694 is hereby further amended by striking out section 4, as most recently amended by section 6C of said chapter 884, and inserting in place thereof the following section:—

Section 4. To meet the expenditures necessary in carrying out the provisions of section one or to refinance notes issued as provided in section three, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of twenty-five million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Public Housing Modernization and Renovation Loan, Act of 1970 and shall be on the serial payment plan for such maximum term, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the

several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June the thirtieth, nineteen hundred and ninety-seven.

Approved August 14, 1974.

Chap. 854. AN ACT EXEMPTING CERTAIN EMPLOYEES OF THE CITY OF PEABODY FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Notwithstanding any provisions of section fifteen of chapter thirty-one of the General Laws or any other law or rules pertaining thereto to the contrary, the position of bookkeeping machine operator in the purchasing department while held by Georgia Southwick, the position of bookkeeping machine operator in the data processing department while held by Pauline Hudson, the position of assistant clerk in the assessor's department while held by Mae Asker, the position of junior clerk typist in the police department while held by Dorothy Sullivan, the position of senior clerk typist in the data processing department while held by Geraldine Van Bobo, and the position of senior clerk typist in the police department while held by Ronald Almeida in the city of Peabody shall not be subject to the provisions of said chapter thirty-one whether or not such positions in the city of Peabody would otherwise be subject to said chapter. The aforementioned persons shall receive the prevailing rate of pay for persons employed in similar positions by said city and shall be entitled to the same benefits, including but not limited to workmen's compensation, health insurance, vacations, sick leave, retirement benefits, and unemployment compensation as are other employees in similar positions under the jurisdiction of said city.

Approved August 14, 1974.

Chap. 855. 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, 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 con-

ditions pertaining to appropriations in chapter four hundred and thirty-one of the acts of nineteen hundred and seventy-four for the fiscal year ending June the thirtieth, nineteen hundred and seventy-five, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Legislature.

Item

Special Investigations.

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 **$25,000**

3722-9004 Item 3722-9004 of section two of chapter four hundred and thirty-one of the acts of the current year is hereby amended by adding after the word "program", in line 8, the words "; and, provided further, that at least twenty per cent of these funds are used for purposes of inducing housing rehabilitation in the private sector; and, provided further, that of the additional four million five hundred thousand dollars, two million two hundred and twenty-five thousand dollars shall be used for purposes of subsidizing low-income households occupying units constructed by the Massachusetts Housing Finance Agency **4,500,000**

3722-9201 For an interest subsidy program; provided, that notwithstanding any other provisions of law to the contrary, expenditures made hereunder shall be subject to the approval of the commissioner of community affairs **6,000,000**

3722-9211 For the purpose of establishing a mortgage insurance fund to be administered by the executive director of MHFA or his designee, which funds, to the extent necessary, shall be applied to the payment of claims made by lenders who have made residential mortgage loans as a condition to the receipt of a loan approved by the executive director of the MHFA or his designee and which mortgage loans are in default. Claims shall be made against the mortgage insurance fund in accordance with procedures established by the executive director of the MHFA or his designee. Pursuant to these provisions and to rules and regulations, this fund shall not have at any time a total amount of insurance risk outstanding in excess of thirty times the amount contained in the fund. At such times as premiums and other sources of income to the fund provided adequate reserves against potential losses the executive director of MHFA shall, to the extent deemed prudent, return to the Commonwealth General Fund from the mortgage insurance fund all or a portion of funds received from the Commonwealth for this purpose. **250,000**

3722-9217 For the purpose of establishing a technical assistance fund to be administered by the executive director of the Massachusetts Housing Finance Agency or his designee, which fund shall be used for technical assistance to potential borrowers from mortgage lenders under any program assistance to homeowners and homebuyers as made available under the auspices of the executive director of the Massachusetts Housing Finance Agency or other agency **250,000**

Education.
Board of Trustees of State Colleges.
State College at Salem.

8071-44) Item 8072-49) of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one is hereby amended by adding after the word "renovations", the words "including certain site improvements".

State College at Worcester.

8072-51 Item 8072-51 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 the wording and inserting in place thereof the following wording:

For the preparation of plans for a classroom building including a lecture hall, offices, and art studios, total project cost not to exceed six million dollars.

SECTION 3. Section 1C of chapter 15 of the General Laws is hereby amended by striking out the third sentence, as inserted by section 1 of chapter 779 of the acts of 1973, and inserting in place thereof the following sentence:— He shall receive such salary, not exceeding thirty-eight thousand two hundred and thirty-two dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

SECTION 4. The first paragraph of section 1F of said chapter 15 is hereby amended by striking out the third sentence, as inserted by section 2 of said chapter 779 and inserting in place thereof the following sentence:— He shall receive such salary, not exceeding thirty-eight thousand two hundred and thirty-two dollars, as the board may approve.

SECTION 5. The seventh paragraph of section 1H of said chapter 15, as inserted by chapter 404 of the acts of 1973, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— He shall receive such salary not exceeding thirty-one thousand eight hundred and sixty dollars, as the council may determine, and, subject to appropriation, such other perquisites as the council may approve.

SECTION 6. The fourth sentence of section 1 of chapter 18A of the General Laws is hereby amended by striking out the words "twenty-six thousand nine hundred and thirty-five", inserted by section 23 of chapter 426 of the acts of 1973, and inserting in place thereof the words "twenty-eight thousand six hundred and five".

SECTION 7. Section two of this act shall take effect upon the passage of the act.

SECTION 8. Sections three to six, inclusive, shall take effect as of January first, nineteen hundred and seventy-four.

Approved August 15, 1974.

Chap. 856. AN ACT DIRECTING THE TRANSFER OF CERTAIN ADDITIONAL LAND OF THE COMMONWEALTH TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for the transfer of certain land for highway construction purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 1 of chapter 614 of the acts of 1971 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Said lands to be so transferred and diverted are shown on a map entitled "Commonwealth of Massachusetts Department of Public Works-Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

1. Approximately twenty-one acres contained in three parcels along the line of intersection of Route I-95 with the Georgetown-Rowley State Forest in the town of Boxford, Rowley and Georgetown, as shown on said map, now under the control of the Department of Natural Resources and dedicated to forestry and recreation purposes, to be used for the widening of said Route I-95. As a condition for the conveyance of this parcel of land, the department of public works is hereby authorized and directed to construct an underpass under Route I-95 for the accommodation of equestrians in an area of the Georgetown-Rowley state forest in the town of Rowley.

2. Approximately 11.19 acres along the line of intersection of the easterly sideline of Route I-95 with a certain wildlife game preserve southerly of Scotland Road in the town of Newbury, as shown on said map, now under the control of the Division of Fisheries and Game in the Department of Natural Resources and dedicated to wildlife game management purposes, to be used for the widening of Route I-95.

Approved August 15, 1974.

Chap. 857. AN ACT PERMITTING THE COMMONWEALTH, ITS DEPARTMENTS, AGENCIES AND OTHER POLITICAL SUBDIVISIONS TO MAKE EQUITABLE PRICE ADJUSTMENTS FOR UNUSUAL INCREASES IN THE COSTS OF CONSTRUCTION MATERIALS REQUIRED IN CONTRACTS.

Be it enacted, etc., as follows:

Notwithstanding any other law to the contrary, the common-

wealth, its departments, agencies and other political subdivisions with the approval of the commissioner of administration, and cities and towns and other political subdivisions of the commonwealth with the approval of their respective awarding authorities may, with the concurrence of the attorney general, adjust prices for construction materials and products in existing construction contracts for public works or buildings bid on or before December thirty-first, nineteen hundred and seventy-three; provided, that the cost f.o.b. to the supplier has increased more than twenty-five per cent between the date of publicly opening and reading the bids and the date such materials and products were purchased; and provided further, that the increase in cost was the result of national shortages as a result of the energy crisis, so-called.

The price adjustments made in existing contracts shall be computed to compensate the contractor for the increase in cost in excess of twenty-five per cent of such materials and products between the bid opening date and the date of delivery, with no allowance for overhead or profit.

In arriving at the adjusted price, the determination of the department, the commission, other state agencies, cities, towns and other political subdivisions of the commonwealth shall be final, and shall include, but not be limited to (1) which prices are to be adjusted as a result of the energy crisis, so-called (2) the cost of construction materials and products at the bid-opening date (3) the cost of construction materials and products at the date of purchased (4) the quantity of such construction materials and products involved, (5) the price adjustment due the contractor; provided however, that no price adjustments shall be granted if the total adjustment for the contract is less than ten thousand dollars.

Any claims for adjustment on behalf of subcontractors under the provisions of this act shall be made to the awarding authority by the general contractor. A condition for award of any adjustment under this act shall be that any subcontractors involved shall receive the full adjustment for materials or products supplied by them in contracts where an adjustment is granted; provided, however, that the commonwealth or any city, town or other political subdivision thereof shall not be liable to or deemed to be in privity with any subcontractor except to the extent and in the manner provided in section thirty-nine F of chapter thirty of the General Laws.

For the purposes of this act, all materials and products delivered to the contractor on or after November first, nineteen hundred and seventy-four, shall be deemed to have been delivered on November first, nineteen hundred and seventy-four.

Approved August 15, 1974.

Chap. 858. AN ACT ESTABLISHING THE MASSACHUSETTS INDUSTRIAL DEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

The General Laws are hereby amended by inserting after chapter 40D the following chapter:—

CHAPTER 40 E.

MASSACHUSETTS INDUSTRIAL DEVELOPMENT AUTHORITY.

Section 1. It is hereby declared that there currently exists in certain areas of the commonwealth a critical condition of unemployment and that such condition may well exist, from time to time, in other areas of the commonwealth; that in some areas of the commonwealth such conditions are chronic and of long standing and that, without remedial measures, they may become so in other areas of the commonwealth; that economic insecurity due to unemployment is a serious menace to the health, safety, morals and general welfare of not only the people of the affected areas but of the people of the entire commonwealth; that involuntary unemployment and its resulting burden of indigency falls with crushing force upon the unemployed worker and ultimately upon the commonwealth in the form of public assistance and unemployment compensation; that the absence of employment and business opportunities for the youth of such areas is a threat to the strength and permanence of their faith in our American political and economic institutions and the philosophy of freedom on which those institutions are based; that unemployment and the absence of new economic opportunities in such areas have caused thousands of workers and their families to migrate elsewhere to find work and establish homes, and that this exodus has tended to reduce the tax base of counties, cities, boroughs and other local governmental jurisdictions, and impair their financial ability to support education and other local governmental services; that security against unemployment and the resulting spread of indigency and economic stagnation in the areas affected can best be provided by the promotion, attraction, stimulation, rehabilitation and revitalization of commerce, industry and manufacturing in such areas; that the present and prospective health, safety, morals, right to gainful employment and general welfare of the people of the commonwealth requires as a public purpose the promotion and development within areas of critical unemployment of new and expanded industrial and manufacturing enterprises; that the device under which private community industrial development organizations in Massachusetts acquire or build industrial buildings with funds raised through popular subscription, mortgage borrowing or otherwise, for lease and sale to expanding industries has proven effective in creating new employment and business opportunities locally, is in accord with the American tradition of community initiative and enterprise, and requires and deserves encouragement and support from the commonwealth, as a means toward alleviation of unemployment and chronic economic distress; that community industrial development corporations in Massachusetts have themselves invested substantial funds in successful industrial development projects and experience difficulty in undertaking additional such projects by reason of the partial inadequacy of their own funds or funds potentially available from local subscription sources and by reason of limitations of local financial institutions in providing additional and sufficiently sizeable mortgage loans; that there is a need to stimulate a larger flow of private investment funds from

banks, investment houses, insurance companies and other financial institutions into such community industrial building programs in areas of chronic economic distress; that by increasing the number of community industrial building projects presenting attractive opportunities for private investment in such areas, a larger portion of the private capital available in Massachusetts for investment can be put to use in general economic development of the commonwealth.

It is therefore imperative that for the purpose of alleviating unemployment with its resulting spread of indigency and economic stagnation that promotion and development of industrial and manufacturing enterprises and research and development facilities in those areas in which conditions of critical unemployment currently, or may from time to time exist, is a public purpose.

Section 2. The following words and terms as used in this chapter shall have the following meanings, except where the context clearly indicates otherwise:—

"Cost of establishing an industrial development project", any or all of the following:— the cost of construction, rehabilitation, the cost of all lands and site preparation, property, rights, easements and franchises acquired, which are deemed necessary for such construction, financing charges, interest prior to and during construction, cost of engineering and legal expense, plans, specifications, surveys, estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any industrial development project together with such other expenses as may be necessary or incident to the financing and the construction of the industrial development project and the placing of the same in operation; the cost of all machinery and equipment and its installation and maintenance may be included in the cost of establishing an industrial development project.

"Critical economic area", the area encompassing any municipality or group of municipalities, county, group of counties or region of the commonwealth reasonably defined by the authority wherein critical conditions of unemployment, economic depression, widespread reliance on public assistance and unemployment compensation are found to exist by the authority. Prior to determination and designation of any area of the commonwealth as a critical economic area the authority shall conduct such investigations of the area and of the records and statistical indices of the department of labor and industry, the department of public welfare and the department of commerce and development, and the division of employment security, as well as the declarations and statistics of any federal agencies as shall be necessary to establish the existence of the above conditions in such area and to establish that: *(i)* an average of not less than seven per cent of the labor force of such area has been unemployed for any two years of the preceding five years, hereinafter designated "critical economic area A"; or *(ii)* an average of not less than six per cent of the labor force of such area has been unemployed for a period of not less than twelve months, hereinafter designated "critical economic area B"; immediately prior to the date of such investigations and findings. No area of the commonwealth shall be

designated a critical economic area without such investigations and finding having been first made and certified to in the permanent records of the authority. An area of the commonwealth having once been designated a critical economic area A shall remain so for a period of six months following the month in which it ceases to qualify as a critical economic area as above defined and designated by the authority.

"Industrial development agency", a nonprofit corporation or a foundation or association or a community development corporation organized and existing under the laws of the commonwealth, regardless of the particular name, to whose members or shareholders no profit shall inure and which shall have as a purpose the promotion, encouragement, construction, development and expansion of new or existing industrial development projects in a critical economic area.

"Industrial Development Fund", the account created by section eight of this chapter.

"Industrial development project", any land, site, structure, facility or undertaking comprising or being connected with or being part of *(i)* an industrial enterprise, *(ii)* a manufacturing enterprise, or *(iii)* a research and development enterprise, established or to be established by an industrial development agency in a critical economic area.

"Industrial enterprise", an enterprise other than a mercantile, commercial or retail enterprise, which by virtue of its size requires substantial capital and which by its nature and size has created or will create substantial employment opportunities. The term "industrial enterprise" may include warehouse and terminal facilities, provided they require substantial capital and have or will create substantial employment opportunities.

"Primary employment", a full-time, permanent job whose entry level hourly wage is at least one hundred and fifty per cent of the nonmanufacturing minimum wage as defined in chapter one hundred and forty-nine.

"Responsible buyer", any person, partnership, or corporation deemed by the authority, after investigation, to be financially responsible to assume all obligations prescribed by the authority in the acquisition and operation of an industrial development project.

"Responsible tenant", any person, partnership, or corporation deemed by the authority, after investigation, to be financially responsible to assume all rental and all other obligations prescribed by the authority in the leasing and operation of an industrial development project.

Section 3. There is hereby created a body corporate and politic, constituting a public corporation and government instrumentality, to be known as the Massachusetts Industrial Development Authority, hereinafter referred to as the authority. There shall be a board of directors which shall consist of thirteen members:— The secretary of manpower affairs, the secretary of communities and development, commissioner of commerce and development, the commissioner of labor and industry and the commissioner of banking, or their designees, and their respective successors in office, and eight additional members to be appointed by the governor, one of whom

shall be a representative of the Associated Industries of Massachusetts, one a representative of the State Labor Council AFL-CIO, one a representative of the business of finance, one a representative of the real estate profession, one who is a certified public accountant, one who is a professional engineer, one who is qualified by training and experience in industrial development, and one who is qualified by training and experience in the administration of municipal affairs. The said members of the authority initially appointed by the governor shall continue in office for terms of one to seven years, respectively, from the date of their appointment and until their respective successors shall be duly appointed and qualified, the term of each appointed member to be designated by the governor at the time of his appointment; but their successors shall each be appointed for a term of seven years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Said members of the authority shall be entitled to no compensation for their services as members, but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

Section 4. The authority is hereby authorized to:

(a) make determination and designation of critical economic areas;

(b) cooperate with industrial development agencies in their efforts to promote the expansion of industrial, manufacturing and research and development activity in critical economic areas;

(c) determine, upon proper application of industrial development agencies, whether the declared public purpose of this chapter has been accomplished or will be accomplished by the establishment by such development agencies of an industrial development project in a critical economic area;

(d) make, upon proper application of industrial development agencies, loans to such industrial development agencies of moneys held in the Industrial Development Fund described in section two for industrial development projects in critical economic areas and to provide for the repayment and redeposit of such allocations and loans in the manner hereinafter provided;

(e) sue and be sued, in its own name;

(f) adopt an official seal;

(g) make by-laws for the management and regulation of its affairs;

(h) appoint officers, agents and employees; and to prescribe their duties and to fix compensation, within the limitations provided by law;

(i) make contracts and to execute all instruments necessary or convenient for the carrying on of its business;

(j) accept grants from and to enter into contracts or other transactions with any federal agency;

(k) take title by foreclosure proceeding to any industrial development project where such acquisition is necessary to protect any loan previously made therefor by the authority and to pay all costs arising out of such foreclosure and acquisition from moneys held in the Industrial Development Fund and to sell, transfer and convey any such industrial development project to any responsible buyer; in the

event such sale, transfer and conveyance cannot be effected with reasonable promptness, the authority may, in order to minimize financial losses and sustain employment, lease such industrial development project to a responsible tenant or tenants; the authority shall not lease industrial development projects except under the conditions and for the purposes cited in this section;

(l) purchase first mortgages and to make payments on first mortgages on any industrial development project where such purchase or payment is necessary to protect any loan previously made therefor by the authority, and to sell, transfer, convey and assign any such first mortgage; moneys so used by the authority in the purchase of any first mortgages, or any payments thereon, shall be withdrawn from the Industrial Development Fund, and any moneys derived from the sale of any first mortgages shall be deposited by the authority in the Industrial Development Fund; provided, however, the authority shall have no power at any time to borrow money or in any manner to pledge the credit or taxing power of the commonwealth or any of its municipalities or political subdivisions, nor shall any of its obligations be deemed to be obligations of the commonwealth or any of its political subdivisions;

The authority may adopt such rules and regulations as it deems necessary in transacting its business, and in carrying out its duties.

Section 5. When it has been determined by the authority upon application of an industrial development agency and hearing thereon in the manner hereinafter provided, that the establishment of a particular industrial development project of such industrial development agency in a critical economic area has accomplished or will accomplish the public purposes of this act, the authority may contract to loan such industrial development agency an amount not in excess of the percentage of the cost of such industrial development project, as established or to be established as hereinafter set forth, subject, however, to the following:—

(a) Industrial development projects to be established:

(1) The authority may, in critical economic area A, contract to loan to the industrial development agency an amount not in excess of forty-five per cent of the cost of such industrial development project if it has determined that the industrial development agency holds funds or property in an amount or value equal to not less than five per cent of the cost of establishing the industrial development project, which funds or property are available for and shall be applied to the establishment of such project.

(2) The authority may, in critical economic area B, contract to loan to the industrial development agency an amount not in excess of thirty per cent of the cost of such industrial development project if it has determined that the industrial development agency holds funds or property in an amount or value equal to not less than ten per cent of the cost of establishing the industrial development project, which funds or property are available for and shall be applied to the establishment of such project.

(3) Prior to the making of any loan under this subsection the authority shall have determined that the industrial development

agency has obtained from other independent and responsible sources, such as banks and insurance companies or otherwise, a firm commitment for all other funds, over and above the loan of the authority and such funds or property as the industrial development agency may hold, necessary for payment of all of the cost of establishing the industrial development project, and that the sum of all these funds, together with the machinery and equipment to be provided by the responsible tenant or responsible buyer, is adequate for the completion and operation of the industrial development project.

(b) The authority may, in critical economic area A, contract to loan to an industrial development agency an amount not in excess of forty-five per cent of the cost, and in critical economic area B, may contract to loan to an industrial development agency an amount not in excess of thirty per cent of the cost, of establishing an industrial development project established without prior participation by the authority, if at the time of making such loan the authority has determined:

(1) That in critical economic area A, the industrial development agency has invested in the industrial development project funds or property in an amount or value equal to not less than ten per cent of the cost of such industrial development project and all of the costs of establishing said industrial development project have been paid; and in critical economic area B, the industrial development agency has invested in the industrial development project funds or property in an amount or value equal to not less than twenty per cent of the cost of such industrial development project and all costs of establishing said industrial development project have been paid.

(2) That the industrial development project is leased or sold to a responsible tenant or buyer which has supplied the machinery and equipment necessary for the operation of the industrial development project and is occupying the same for the purposes intended.

(3) That neither the industrial development agency nor the responsible tenant or buyer is in default under any of the agreements entered into by them in respect of the financing and operation of the industrial development project.

(4) That there is sufficient income from the lease or agreement to purchase with the industrial tenant or industrial purchaser sufficient to insure the repayment of the loan of the authority made pursuant to this subsection.

(5) The proceeds of the authority loan to the industrial development agency made pursuant to this subsection shall be used only to pay a part of the cost of establishing an industrial development project in furtherance of the public purposes of this act.

(c) The authority may, in critical economic area A, contract to loan to an industrial development agency in respect of an industrial development project in which the authority heretofore participated an amount which together with the prior loan of the Authority, is not in excess of forty per cent of the cost of such industrial development project, and in critical economic area B, an amount which together

with the prior loan of the authority, is not in excess of thirty per cent of the cost of such industrial development project, determined as of the time of the disbursement of the prior authority loan, if at the time of making such loan under this subsection the authority has determined:

(1) That the industrial development agency has invested in the industrial development project funds or property in an amount or value equal to not less than twenty per cent of the cost of such industrial development project and all of the costs of establishing such industrial development project have been paid.

(2) That the loan to the industrial development agency will not reduce the present investment of the industrial development agency in the industrial development project to an amount which is less than ten per cent of the cost of establishing the industrial development project, such percentage to be determined as of the time of the disbursement of the prior authority loan.

(3) That the responsible tenant or buyer occupying said industrial development project is willing to enter into such agreements, mortgages or other security instruments as the authority may deem necessary to secure such additional loan.

(4) That there is sufficient income from the lease or agreement to purchase with the industrial tenant or industrial purchaser sufficient to insure the repayment of the loan of the authority made pursuant to this subsection.

(5) That neither the industrial development agency nor the responsible tenant or purchaser is in default under any of the agreements entered into by them in respect of the financing and operation of the industrial development project.

(6) That the proceeds of the authority loan to the industrial development agency made pursuant to this subsection shall be used only to pay a part of the cost of establishing a specific industrial development project in furtherance of the public purposes of this chapter.

Any such loan of the authority shall be for such period of time and shall bear interest at such rate as shall be determined by the authority and shall be secured by bond or note of the industrial development agency and by mortgage on the industrial development project for which such loan was made, such mortgage to be second and subordinate only to the mortgage securing the first lien obligation issued to secure the commitment of funds from the aforesaid independent and responsible sources and used in the financing of the industrial development project.

Moneys so loaned by the authority to industrial development agencies shall be withdrawn from the Industrial Development Fund or the treasury of the authority and paid over to the industrial development agency in such manner as shall be provided and prescribed by the rules and regulations of the authority.

All payments of interest on said loans and the principal thereof shall be deposited by the authority in the Industrial Development Fund.

Loans by the authority to an industrial development agency for an industrial development project shall be made only in the manner and to the extent as provided in this section, except, however, in those instances wherein an agency of the federal government participates in the financing of an industrial development project by loan, grant or otherwise of federal funds. When any federal agency does so participate, the authority may adjust the required ratios of financial participation by the industrial development agency, the source of independent funds and the authority in such manner as to insure the maximum benefit available to the industrial development agency, the authority, or both, by the participation of the federal agency.

Where any federal agency participating in the financing of an industrial development project is not permitted to take as security for such participation a mortgage the lien of which is junior to the mortgage of the authority, the authority shall in such instances be authorized to take as security for its loan to the industrial development agency a mortgage junior in lien to that of the federal agency.

In no instance shall less than sixty per cent of the loans herein authorized be provided to industrial development agencies in critical economic area A.

Section 6. Prior to the loaning of any funds to an industrial development agency for an industrial development project in a critical economic area, the authority shall receive from such industrial development agency a loan application in form adopted by the authority which shall contain, without being limited to, the following provisions:

(a) A general description of the industrial development project and a general description of the industrial or manufacturing enterprise or research and development facility for which the industrial development project has been or is to be established;

(b) A legal description of all real estate necessary for the industrial development project;

(c) Such plans and other documents as may be required to show the type, structure and general character of the industrial development project;

(d) A general description of the type, classes and number of employees employed or to be employed in the operation of the industrial development project;

(e) Cost or estimates of cost of establishing the industrial development project;

(f) A general description and statement of value of any property real or personal, of the industrial development agency applied or to be applied to the establishment of the industrial project;

(g) A statement of cash funds previously applied, or then held by the industrial development agency which are available for and are to be applied, to the establishment of the industrial development project;

(h) Evidence of the arrangement made by the industrial development agency for the financing of all costs of the industrial

development project over and above the participation of the industrial development agency;

(i) A general description of the responsible tenant to which the industrial development agency has leased or will lease the industrial development project or of the responsible buyer to which the industrial development agency has sold or will sell the project;

(j) A general description of the form of lease or sales agreement entered into or to be entered into by and between the industrial development agency and its responsible tenant or responsible buyer;

(k) Evidence that the establishment of the industrial development project will not cause the removal of an industrial or manufacturing plant or facility or research and development facility from one area of the commonwealth to another area of the commonwealth;

(l) Evidence that the industrial development project has created or will create substantial primary employment.

The board of the authority shall hold such public hearings and such examinations as to each loan application received as shall be necessary to determine whether the public purposes of this chapter will be accomplished by the granting of loans within such applications requested.

When the board shall have determined said facts favorable as to any application, it is authorized and empowered, having due regard to the promotion of the public purposes herein declared, to grant a loan to an industrial development agency in the manner and to the extent as in this chapter provided.

Section 7. There is hereby created a special account in the treasury of the commonwealth to be known as the Industrial Development Fund to which shall be credited any appropriations made by the legislature to the authority, as well as such other deposits as provided in this section.

As often as may be necessary, the authority shall requisition from the Industrial Development Fund such amounts as may be necessary to provide adequate funds for the payment of the administration of the purpose of this act.

The authority shall also requisition from time to time, from the Industrial Development Fund such amounts as shall be allocated by the authority for loans to industrial development agencies for industrial development projects.

Section 8. The powers of the authority shall be exercised by the board of directors consisting of thirteen members hereinafter referred to as the board. The commissioner of commerce and development and his successor in office shall be the chairman and chief executive officer and the board shall elect a secretary and treasurer from their number. At the first meeting in each year they shall elect from their number a secretary and treasurer.

A majority of the members shall constitute a quorum of the board for the purpose of organizing the authority and conducting the business thereof, and, except in the instance of loan applications, all action may be taken by a vote of a majority of the members present, unless in any case the by-laws shall require a larger number;

approval or rejection of loan applications shall be by a majority vote of the full membership of the board.

The board shall have full authority to manage the properties and business of the authority, and to prescribe, amend and repeal by-laws, rules and regulations governing the manner in which the business of the authority may be conducted, and the powers granted to it may be exercised and embodied.

The department of commerce and development shall provide staff services to the authority for its administration of this chapter, including liaison between the authority and the industrial development agencies and related organizations, and between the authority and other agencies of the commonwealth whose facilities and services may be useful to the authority in its work.

The authority is authorized to make reimbursement to any agency of the commonwealth for such special expenses as may be incurred in the provision of any services or the use of any facilities required by the authority.

In addition, the authority may employ an executive director who shall be experienced in the fields of economic development, finance and business administration, appoint its own legal counsel, and, as required for special studies and surveys, retain such temporary engineering, finance and other consultants and technicians as it may require.

Section 9. The authority shall have power and is hereby authorized from time to time to issue its negotiable bonds and notes in such principal amount as, in the opinion of the authority, shall be necessary to provide sufficient funds for achieving its corporate purposes, including financing the cost of a project, establishment of reserves to secure such bonds and notes, and all other expenditures of the authority incident to and necessary or convenient to carry out its corporate purposes and powers. The authority shall have power, from time to time, to issue renewal notes, to issue bonds to pay notes and whenever it deems refunding expedient to refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and to issue bonds partly to refund bonds then outstanding and partly for any other purpose. The refunding bonds shall be sold and the proceeds applied to the purchase, redemption or payment of the bonds to be refunded.

The notes and bonds shall be authorized by resolution of the members, shall bear such date or dates, and shall mature at such time or times as such resolutions, may provide, except that no bond shall mature more than fifty years from the date of its issue. The bonds may be issued as serial bonds payable in annual installments or as term bonds or as a combination thereof. The notes and bonds shall bear interest at such rate or rates, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, contain such terms and provisions relating to, but not limited to, pledges of the revenues, setting aside of reserves, limitations on additional notes and bonds, and such other matters as may affect the security or protection of the notes and bonds, be executed in such manner, be payable in such medium of payment, at

such place or places and be subject to such terms of redemption as such resolution or resolutions may provide. The notes and bonds of the authority may be sold at public or private sale, at such price or prices as the authority shall determine. The principal of and interest on any bonds issued under the authority of this act *(a)* shall be secured by a pledge of the revenues derived from the sale or lease of the project out of which such bonds shall be made payable, *(b)* may be secured by a mortgage covering all or any part of the project, *(c)* may be secured by a pledge or assignment of the lease of such project, or *(d)* may be secured by a trust agreement or such other security device as provided in section nine, or by any one or more of the foregoing, all as the authority may determine in the resolution authorizing the issue of such bonds or notes.

Neither the members of the authority nor any person executing the notes or bonds shall be liable personally on the notes or bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

The authority, subject to such agreement with noteholders or bondholders as may then exist, shall have power out of any funds available therefor to purchase its notes or bonds, which shall thereupon be cancelled, at a price not exceeding (1) if the notes or bonds are then redeemable, the redemption price then applicable plus accrued interest to the next interest payment date thereupon, or (2) if the notes or bonds are not then redeemable, the redemption price applicable on the first date after such purchase upon which the notes or bonds become subject to redemption plus accrued interest to such date.

Section 10. In the discretion of the authority bonds and notes issued by it shall be secured by a trust agreement by and between the authority and a trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Either the resolution providing for the issuance of bonds and notes or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the custody, safeguarding and application of all monies.

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 and notes or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the authority. Such trust agreement may set forth the rights and remedies of the bondholders and noteholders and of the trustees, and may restrict the individual right of action by bondholders and noteholders. In addition to the foregoing, such trust agreement may contain such other provision as the authority may deem reasonable and proper for the security of the bondholders and noteholders. 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 authority.

Section 11. Bonds and notes issued under the provisions of this

chapter shall not be deemed to constitute a debt of the commonwealth or of any political subdivision thereof or a pledge of the faith credit of the commonwealth or of any such political subdivision, but such bonds and notes shall be payable solely as provided in section eight. All such bonds and notes shall contain on the face thereof a statement to the effect that neither the authority nor the commonwealth nor any political subdivision thereof shall be obligated to pay the same or the interest thereon except as provided in section eight and that neither the faith and credit nor the taxing power of the commonwealth nor any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds.

Section 12. The creation of the authority is in all respects for the benefit of the people of the commonwealth and for the improvement of their health, safety, welfare, comfort and security, and its purposes are public purposes and the authority will be performing an essential governmental function. The commonwealth covenants with the purchasers and all subsequent holders and transferees of the notes and bonds issued by the authority, in consideration of the acceptance of any payment for the notes and bonds, that the notes and bonds of the authority, issued pursuant to this act and the income therefrom shall at all times be free from taxation.

Section 13. 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 seventy-two, savings banks, co-operative 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. Such bonds and notes are hereby made securities which may properly legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purposes for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

Section 14. All moneys of the authority from whatever source derived shall be paid to the treasurer of the authority. Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies, in one or more special accounts, and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States or of the commonwealth, having an aggregate market value, exclusive of accrued interest, at all times at least equal to the balance on deposit in such account. Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the authority. All banks and trust companies in said accounts shall be paid out on the warrant or other order of the treasurer of the authority, or of such other person or persons as the authority may authorize to execute such warrants or orders.

When and as the amounts allocated by the authority as loans to industrial development agencies are repaid to the authority pursuant to the terms of the mortgages and other agreements made and entered into by the authority, such amounts shall be retained by the authority, it being the intent of this chapter that the authority shall operate as a revolving fund whereby all appropriations received and payments made thereto may be applied and reapplied to the purposes of this chapter. Any time that the authority shall determine that funds held by it are in excess of the amount needed by the authority to carry out the purposes of this chapter, the authority shall release such excess and transfer the same to the treasury of the commonwealth general fund.

Section 15. No member of the authority or officer or employee thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the authority for any matter, cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such authority. If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such authority.

Section 16. The authority shall annually submit to the governor, the chairman of the senate ways and means committee, the chairman of the house ways and means committee, the secretary of administration and the comptroller within ninety days after the end of its fiscal year, a complete and detailed report setting forth: *(a)* its operations and accomplishments; *(b)* its receipts and expenditures during such fiscal year in accordance with the categories and classifications established by the authority for its operating and capital outlay purposes; *(c)* its assets and liabilities at the end of its fiscal year, including a schedule of its loans, commitments, insurance in force and the status of reserve, special or other funds, and *(d)* a schedule of its bonds and notes outstanding at the end of its fiscal year, together with a statement of the amounts redeemed and incurred during such fiscal year.

Section 17. The commonwealth does hereby pledge to and agree with the holders of the bonds or notes of the authority that the commonwealth will not limit or alter the rights hereby vested in the authority to acquire, construct, reconstruct, improve, maintain, equip and furnish the project or projects, to establish and collect rentals, fees and other charges and to fulfill the terms of any agreements made with the holders of the bonds or notes nor in any manner impair the rights and remedies of the bondholders or noteholders until the bonds or notes, together with interest thereon, with interest on any unpaid installments of interest and all costs and expenses in connection with any action or proceeding by or on behalf of the bondholders or noteholders are fully met and discharged.

Section 18. Notwithstanding that title to a project may be in the authority, a lessee or purchaser of such project shall be subject to all real and tangible personal property taxes and assessments of the commonwealth, or any subdivision thereof.

Section 19. The books and records of the authority shall be subject to an annual audit by the auditor of the commonwealth.

Section 20. This chapter, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect its purposes.

Section 21. 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.

Approved August 15, 1974.

Chap. 859. AN ACT CREATING A CORRUPT PRACTICES COMMISSION AND STRENGTHENING THE LAWS RELATING TO CAMPAIGN EXPENDITURES AND CONTRIBUTIONS.

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

SECTION 1. Chapter 55 of the General Laws is hereby amended by adding after section thirty-eight the following new sections:—

Section 39. There shall be a corrupt practices commission consisting of five persons appointed by the governor, at least one of whom shall be a member of the bar of the commonwealth and at least one of whom shall be a certified public accountant in the commonwealth. Not more than three members of the commission shall at any one time be members of the same political party. No member shall hold any public office except that of Justice of the Peace or notary public or be a member or employee of any political committee. The attorney general of the commonwealth shall be legal counsel to the commission and represent it in all proceedings and in all forums, except that, with respect to any matter before the commission relating to an alleged violation of law with respect to a candidacy for the office of attorney general, the commission shall appoint a special counsel who shall have all of the powers and duties which the attorney general has in all other cases before the commission. The members of the commission shall serve without compensation, but each member shall be reimbursed for all necessary travel and other expenses incurred by him in the discharge of his official duties. The commission shall appoint an executive director who shall not be subject to chapter thirty-one of the general laws and who shall devote full time during normal business hours to the work of the commission and shall receive such compensation as shall be determined by the commission.The commission shall appoint such staff as it shall deem necessary to perform its duties, which staff shall not be subject to chapter thirty-one. Each member of the commission shall serve for a term of five years. The commission shall elect its own chairman from among its members. The commission shall establish its offices at such premises within the commonwealth as it shall from time to time determine.

Section 40. The corrupt practices commission shall, at the request of any person or on its own motion, investigate any conduct of any person in connection with any campaign for nomination or election for

the offices of governor, lieutenant governor, United States senator, attorney general, secretary, treasurer and receiver general, auditor, governor's councillor, United States congress, state senator, representative to the general court, district attorney, clerk of court, register of probate and insolvency, register of deeds, county commissioner, county treasurer, and sheriff. The authority of the commission shall include, but not be limited to, investigations concerning the lawfulness, validity, completeness and accuracy of all reports required to be filed and the lawfulness and validity of all actions required to be taken by all persons pursuant to all laws of the commonwealth and of the United States relating to political campaign contributions and expenditures and corrupt practices. The commission may request the auditor of the commonwealth and the commissioner of public safety to assist it in its investigations and such officers shall assign such assistants and investigators to said commission as it may request. The commission may require the co-operation of all agencies of state and local governments.

The commission may require by summons the attendance and testimony under oath of witnesses and the production before it of books and papers relating to any matter being investigated by it. Such a summons may be issued by the commission only upon a vote of the commission and shall be served in the same manner as summonses for witnesses in criminal cases issued on behalf of the commonwealth and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under this resolve so far as applicable. Any justice of the supreme judicial court or of the superior court may upon application by the commission compel the attendance of witnesses summoned as aforesaid and the giving of testimony under oath before the commission in furtherance of any investigation under this resolve in the same manner and to the same extent as before said courts.

The commission shall establish rules of procedure governing the conduct of its hearings which shall be promulgated as regulations under sections three, four, five, six A, and six B of chapter thirty A. Witnesses shall testify only at private hearings and the same provisions with reference to secrecy which govern proceedings of a grand jury shall govern all proceedings of the commission. The proceedings of the commission shall not be adjudicatory proceedings under chapter thirty A.

Section 41. If, after investigation, the commission determines that there is probable cause that one or more persons have committed a violation of a law of the commonwealth or of the United States relating to political campaign contributions and expenditures or have committed a corrupt practice, the commission shall direct the attorney general as its counsel to take further action in all appropriate forums for the final determination in those forums as to whether a violation of such law or a corrupt practice has been committed, and, if so, as to what further procedures and sanctions shall, in accordance with law, be taken. As used herein, the expression "further action in all appropriate forums" shall include, but not be limited to one or

more of the following: (1) the presentation of evidence to any grand jury or to the prosecuting officer responsible for presenting evidence to any grand jury having jurisdiction over the subject matter and person involved in the investigation; (2) the commencement of civil proceedings and informations in the Supreme Judicial Court, the Appeals Court, or the Superior Court for appropriate civil action, including forfeiture of office with respect to incumbent officeholders whose qualifications for office are subject to forfeiture by action of the courts of the commonwealth; (3) with respect to members of the General Court, the presentation of a written report to the Speaker of the House or the President of the Senate, with a copy thereof to the appropriate Clerk of the House or Senate, regarding an incumbent member thereof for such action as such respective body shall take; and (4) with respect to members of the United States Congress, the presentation of a written report to the Speaker of the House of Representatives, with a copy to the Clerk of the House, or to the President of the Senate of the United States, with a copy to the Secretary of the Senate, regarding an incumbent member thereof for such action as such respective body shall take.

Section 42. When the commission shall take any action authorized by section forty-one, it shall within three calendar days thereof place in its public records a statement that it has taken such action, which statement shall include only the name of the person as to which the action has been taken; the election relating to which the action has been taken; and a brief statement of the action taken and the forum or forums in which such action has been taken. The commission shall not place in its public record any other information concerning its investigation, but all records of its investigation shall be retained by the commission and be subject to legal process by appropriate forums acting within their respective jurisdiction. If the commission shall determine that there is no probable cause it shall so state in its public record.

SECTION 2. Section 2 of said chapter 55, as amended by chapter 167 of the acts of 1973, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:— Every such receipt, expenditure and disbursement of an amount in excess of twenty-five dollars shall be by check. With respect to receipts, each check shall be upon the personal bank account of the person making payment. With respect to expenditures and disbursements, each check shall be upon the account of the candidate's political committee or upon the candidate's personal bank account. Complete records of all expenditures and disbursements, except for cash expenditures and disbursements to any one person in an amount less than twenty-five dollars, shall be vouched for by a receipted bill or cancelled check stating the particulars of the expense. It shall be the duty of the candidate and the treasurer of the non-elected political committee organized on such candidate's behalf to include in each report required under section seventeen (b) the aggregate amounts (including amounts less than twenty-five dollars) received in cash and by check from each contributor in any one calendar year. Every voucher, receipt or account and all check stubs and copies of all

checks received and bank statements furnished in connection with checks issued shall be preserved for four years after the primary or election to which they relate, unless the corrupt practices commission shall direct that they be preserved for a further period of time. Failure by a candidate to comply with the requirements of this section shall be deemed prima facie evidence of a corrupt practice. Any person who knowingly accepts cash for an expenditure or disbursement of a candidate in excess of twenty-five dollars shall be in violation of this section; and by striking out the third paragraph thereof.

SECTION 3. Section 4 of said chapter 55, as most recently amended by section 1 of chapter 241 of the acts of 1972, is hereby further amended by striking out the second sentence and inserting in place thereof the following:— No candidate shall give his consent to more than one such committee and no more than one such committee shall be formed; and by striking out the second paragraph thereof.

SECTION 4. Section 5 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the first sentence of the second paragraph and by striking out the third paragraph.

SECTION 5. Section 6 of said chapter 55, as most recently amended by chapter 253 of the acts of 1971, is hereby further amended by striking out the third sentence and inserting in place thereof the following:— Any person may make campaign contributions to a candidate or the non-elected political committee organized on behalf of each candidate; provided that the aggregate of all such contributions for the benefit of any one candidate and the non-elected political committee organized on such candidate's behalf shall not exceed in any one calendar year the sum of three thousand dollars; by striking out in the sixth sentence the words "non-elected political committees" and inserting in place thereof the words "non-elected political committee"; by striking out in the eighth sentence thereof the word "fifty" and inserting in place thereof the word "twenty-five"; and by striking out the second paragraph thereof.

SECTION 6. Section 7 of said chapter 55, as amended by chapter 458 of the acts of 1972, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:— Any corporation violating any provision of this section shall be punished by a fine of not more than fifty thousand dollars and any officer, director or agent of the corporation violating any provision thereof or authorizing such violation, or any person who violates or in any way knowingly aids or abets the violation of any provision thereof, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than one year or both.

SECTION 7. Section 8 of said chapter 55, as amended by section 6 of chapter 444 of the acts of 1962, is hereby further amended by striking out the second paragraph.

SECTION 8. Section 9 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the second paragraph.

SECTION 9. Section 10 of said chapter 55, as inserted by section

10 of chapter 537 of the acts of 1946, is hereby amended by striking out the second paragraph.

SECTION 10. Section 11 of said chapter 55, as amended by chapter 644 of the acts of 1954, is hereby further amended by striking out the third paragraph.

SECTION 11. Section 12 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the third paragraph.

SECTION 12. Section 13 of said chapter 55, as amended by chapter 530 of the acts of 1954, is hereby further amended by striking out the third paragraph.

SECTION 13. Section 14 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the second paragraph.

SECTION 14. Section 15 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the second paragraph.

SECTION 15. Section 16 of said chapter 55, as most recently amended by chapter 472 of the acts of 1972, is hereby further amended by striking out in the first sentence of the first paragraph the word "fifty" wherever it appears and inserting in place thereof in each instance the word twenty-five; by striking out in said sentence the words "unless such expenditure or disbursement was made to another political committee", by striking out in sub-paragraph (a) of the second paragraph the word "any" and inserting in place thereof the word:— the; by striking out in sub-paragraph (b) of the second paragraph thereof the words "any political committee", and inserting in place thereof the words:— the political committee; and by striking out the fourth paragraph thereof.

SECTION 16. Section 17 of said chapter 55, as amended by section 8 of chapter 44 of the acts of 1962, is hereby further amended by adding in the first sentence of paragraph (a) after the words "United States representative" the words:— governor's councillor, state senator, representative to the general court, district attorney, clerk of court, register of probate and insolvency, register of deeds, county commissioner, county treasurer, and sheriff; by striking out in the first sentence of paragraph (a) the words "every non-elected political committee" and inserting in place thereof the words:— the non-elected political committee; by striking out in the first sentence of paragraph (c) the word "fifty" and inserting in place thereof the word:— twenty-five; by striking out in the second sentence of said paragraph (c) the word "fifty" and inserting in place thereof the word:— twenty-five; by adding at the end of paragraph (e) the following:— A copy of all such accounts, statements, summaries and lists shall be retained by such bank and shall be open to public inspection during its regular business hours; and by striking out the seventh paragraph thereof.

SECTION 17. Section 17A of said chapter 55, as inserted by section 1 of chapter 810 of the acts of 1972, is hereby amended by inserting after the word "magazine" in the first sentence thereof the words:— advertising agency, public relations, printing, opinion poll-

ing, computer, telephone, telegraph; by inserting after the line "representative to the General Court $5000" in the second sentence thereof the words:— district attorney, clerk of court, register of probate and insolvency, register of deeds, county commissioner, county treasurer, and sheriff $.07 for each resident of the respective electoral district as enumerated in the last census, state or federal, whichever shall be the more recent; and by inserting after the line "representative to the General Court $5000" in the third sentence thereof the words:— district attorney, clerk of court, register of probate and insolvency, register of deeds, county commissioner, county treasurer, and sheriff $.07 for each resident of the respective electoral district as enumerated in the last census, state or federal, whichever shall be the more recent.

SECTION 18. Said chapter 55 is hereby further amended by inserting after section 17A the following new section:—

Section 17B. All persons, firms and corporations establishing an account receivable or receiving payment for television or radio time or for newspaper, billboard, magazine, advertising agency, public relations, printing, opinion polling, computer, telephone or telegraph expenses, from any candidate or political committee, or from any person on behalf of a candidate, shall, by the fifth and the twentieth of each month, transmit a report of such accounts receivable or payments made to the secretary of the commonwealth on a form furnished by the secretary, who shall file all documents received pursuant to this section in his office and such documents shall be preserved for four years after the primary or election to which they relate, unless the corrupt practices commission shall direct that they be preserved for a further period of time and shall be open to public inspection.

SECTION 19. Said chapter 55 is hereby further amended by inserting after section 17B, inserted by Section 18 of this act, the following new section:—

Section 17C. Within seven days after the public declaration by a candidate of his candidacy for any office subject to the provisions of sections sixteen through twenty-four of this chapter, or within seven days after the filing by such person of nomination papers for such office, whichever shall first occur, such person shall file with the secretary of the commonwealth a full statement of all receipts and campaign expenses from the date of the last election for such office to the date of such declaration or filing. All such statements shall be retained in the manner provided for statements filed under section seventeen B. Expenses contained in statements filed under this section shall be considered campaign expenses within the meaning of section seventeen A and shall be included in the determination of the maximum campaign expenses under that section; provided that expenses incurred in a campaign for another office, and so designated in the statement filed shall not be so included.

SECTION 20. Section 18 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the second paragraph.

SECTION 21. Section 19 of said chapter 55, as amended by sec-

tion 9 of chapter 444 of the acts of 1962, is hereby further amended by striking out the second paragraph.

SECTION 22. Section 21 of said chapter 55, as amended by section 11 of chapter 444 of the acts of 1962 is hereby further amended by adding at the end of the first sentence the words "and except that the secretary of state shall retain all such statements filed in his office for such further time as the corrupt practices commission shall direct."

SECTION 23. Section 24 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the said section and inserting in place thereof the following section:—

Upon failure to file a statement within ten days after receiving notice under section twenty-three, or if any statement filed after receiving such notice discloses any violation of any provision of this chapter, the state secretary, with respect to statements filed or to be filed in his office, shall notify the attorney general and the corrupt practices commission and shall furnish the attorney general and the commission with all copies of papers relating thereto. With respect to all statements filed or to be filed in the office of a city or town clerk, the city or town clerk shall notify the attorney general of any failure to file or any violations disclosed upon such statements, and shall furnish the attorney general with copies of all papers relating thereto, and the attorney general, within two months thereafter, shall examine every such case, and, if satisfied, there is cause, he shall, in the name of the commonwealth institute appropriate civil proceedings or refer the case to the proper district attorney for such action as may be appropriate in the criminal courts.

SECTION 24. Section 25 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1966, is hereby amended by striking out the second sentence and inserting in place thereof the following:— Such petition shall be filed within four years after such election.

SECTION 25. Section 27 of said chapter 55, as amended by section 13 of chapter 444 of the acts of 1962, is hereby further amended by adding after the third paragraph the following paragraph:— Expending as a candidate for elective office any sum for campaign expenses in excess of the maximum sum set forth for the office in section seventeen A, as computed together with the sums reported or required to be reported pursuant to section seventeen C.

SECTION 26. Section 28 of said chapter 55, as inserted by section 10 of chapter 537 of the acts of 1946, is hereby amended by inserting after the word "If" in the first sentence the words "the attorney general or" and by inserting after the word "thereto" in such sentence the words "the attorney general or,".

SECTION 27. Said chapter 55 is hereby further amended by adding after section 42, inserted by section 1 of this act, the following new section:—

Section 43. Violation by any person other than a corporation of any provision of sections two, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, seventeen A,

seventeen B, seventeen C, eighteen, nineteen, twenty-one, twenty-three, twenty-four, and twenty-seven, of this chapter shall be punished by imprisonment for not more than one year or by a fine of not more than ten thousand dollars, or both. Violation of any such provision by a corporation shall be punished by a fine of not more than fifty thousand dollars, and any officer, director, or agent of a corporation violating any such provision or authorizing such violation or any person who violates or in any way aids or abets the violation of any such provision by a corporation, shall be punished by imprisonment for not more than one year or by a fine of not more than ten thousand dollars, or both.

SECTION 28. Notwithstanding any other provision of this act, all provisions of chapter 55 of the General Laws establishing criminal penalties for violations of sections of said chapter 55 shall continue to apply to violations occurring prior to the effective date of this act. Notwithstanding any other provision of this act, the provisions of section 17C of said chapter 55, inserted by section 19 of this act, shall not apply to receipts and campaign expenses prior to the effective date of this act.

SECTION 29. Notwithstanding any other provision of this act, the members of the corrupt practices commission first appointed shall continue in office for terms expiring on January thirty-first in the years nineteen hundred seventy-six, nineteen hundred seventy-seven, nineteen hundred seventy-eight, nineteen hundred seventy-nine, and nineteen hundred eighty, respectively, the term of each such member to be designated by the Governor. As the term of a member expires, his successor shall be appointed for a term of five years, except that any person appointed to fill a vacancy shall serve only for the unexpired term.

SECTION 30. 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.

OFFICE OF THE SECRETARY, Boston, December 5, 1974.

I hereby certify that the foregoing law entitled "AN ACT CREATING A CORRUPT PRACTICES COMMISSION AND STRENGTHENING THE LAWS RELATING TO CAMPAIGN EXPENDITURES AND CONTRIBUTIONS." was approved by the People at the State Election held on November 5, 1974, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, as amended by Article LXXIV of said Amendments.

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

RESOLVES

Chap. 1. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE LABOR LAWS OF THE COMMONWEALTH.

Resolved, That the special commission, established by chapter twenty-three 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-three, is hereby revived and continued until the first Wednesday of June in the current year.

Approved March 7, 1974.

Chap. 2. RESOLVE REVIVING AND CONTINUING CERTAIN SPECIAL COMMISSIONS.

Resolved, That the special commissions, established by chapters one hundred and sixty-two and one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven, chapter ninety-seven of the resolves of nineteen hundred and sixty-eight, chapters fifty-seven, seventy-seven and ninety-seven of the resolves of nineteen hundred and sixty-nine, chapters nineteen, and fifty-seven of the resolves of nineteen hundred and seventy, chapters forty-four, seventy-two, seventy-three, and seventy-eight of the resolves of nineteen hundred and seventy-one, chapters six, forty, forty-three, fifty-seven, seventy-three, and eighty-six of the resolves of nineteen hundred and seventy-two, and chapters eight, twelve, eighteen, nineteen, twenty-eight, sixty-three, sixty-five, sixty-nine, seventy, seventy-one, eighty-two, one hundred and five, one hundred and sixteen, one hundred and twenty-two, one hundred and twenty-six, one hundred and thirty, one hundred and thirty-six, one hundred and forty-one, and one hundred and fifty-seven of the resolves of nineteen hundred and seventy-three are hereby revived and continued; provided, however, that each special commission hereby revived and continued which was established prior to January first, nineteen hundred and seventy-three, shall file a status report by the last Wednesday in April, nineteen hundred and seventy-four. Such report shall include information as to the activities of such commission. Such report shall be filed with the clerk of the house of representatives and shall be available for public inspection.

Approved March 21, 1974.

Chap. 3. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE DISSEMINATION OF CRIMINAL RECORDS.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 843, relative to authorizing the criminal history systems board to disseminate certain record information by administrative regulation; 1616, relative to the dissemination of criminal records; 1617, relative to defining the criminal offender record information law; 2968, relative to the accessibility of certain criminal offender records and; 3748, relative to providing for the public inspection of records of delinquency cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 19, 1974.

Chap. 4. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND MATERIALS BY COUNTIES, TOWNS AND DISTRICTS.

Resolved, That the special commission established by chapter eighty-eight of the resolves of nineteen hundred and sixty-five and most recently revived and continued by chapter twenty of the resolves of nineteen hundred and seventy-three is hereby further revived and continued. Said commission shall report not later than March thirty-first, nineteen hundred and seventy-five.

Approved April 23, 1974.

Chap. 5. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO SIMPLIFYING LIMITATIONS OF ACTIONS FOR RECOVERY OF LAND AND FACILITATING THE CONVEYANCE OF LAND.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 1252, relative to simplifying limitations of actions for recovery of land and 1253, relative to facilitating conveyance of land, 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 May 8, 1974.

Chap. 6. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE OPERATION OF AND CONDITIONS AT BELCHERTOWN STATE SCHOOL AND MONSON STATE HOSPITAL.

Resolved, That the special commission, established by chapter nineteen of the resolves of nineteen hundred and seventy and most recently revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the operation of and the conditions at residential facilities for mentally retarded persons within the commonwealth.

Approved May 13, 1974.

Chap. 7. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CREATING A UNIFIED TRIAL COURT.

Resolved, That the judicial council be requested to investigate the feasibility and advisability of creating a unified court at the trial level to assume the functions of the superior, probate, land, housing, district, municipal and juvenile courts of the commonwealth, with particular reference to establishing uniform or specialized rules of procedure for criminal and civil proceedings, to establishing a single class of judges at the trial level, to establishing a central administrative and budgetary structure, and to full or partial assumption of costs by 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 16, 1974.

Chap. 8. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE PROTECTION OF CHILDREN IN DIVORCE ACTIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document 534, relative to the protection of children in divorce actions; and of current house document numbered 3362, relative to the appointment of children's counsel in divorce actions, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 29, 1974.

Chap. 9. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE DISCLAIMER OF CERTAIN INTERESTS IN PROPERTY.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 542, providing for the disclaimer of certain interests in property; and of current house document numbered 1443, providing for the disclaimer of certain interests in property, 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 29, 1974.

Chap. 10. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AMENDING THE POWER OF LEGISLATIVE COMMITTEES TO GRANT WITNESS IMMUNITY AND OTHER RELATED MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 1976, relative to amending the power of legislative committees to grant witness immunity; and 3762, relative to permitting the assertion of certain constitutional rights before committees of the general 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 29, 1974.

Chap. 11. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE JUDICIAL COUNCIL RELATIVE TO THE VALIDITY OF CONTRACTS ENTERED INTO BY HUSBANDS AND WIVES DURING OR IN CONTEMPLATION OF MARRIAGE AND THE FEASIBILITY OF RELIEVING A HUSBAND FOR DEBTS INCURRED BY HIS WIFE IN THE CONDUCT OF HER OWN BUSINESS.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 2200, relative to the establishment of valid contracts between husband and wife concerning the rights and obligations of the spouses; and 5224, relieving a husband of liability for debts incurred by his wife in the conduct of her own business, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 29, 1974.

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ESTATE PLAN OF A WARD BY A CONSERVATOR OR GUARDIAN.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 552, relative to the estate plan of a ward by a conservator or guardian, 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 29, 1974.

Chap. 13. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION OF THE PHYSICAL RELATIONSHIPS BETWEEN GROUND AND SURFACE WATERS AND THE INTERRELATED EFFECTS OF MAN'S ACTIVITIES ON GROUND AND SURFACE WATERS OF THE COMMONWEALTH.

Resolved, That the water resources commission is hereby authorized and directed to continue its investigation and study authorized by chapter one hundred and eleven of the resolves of nineteen hundred and seventy-three. Said commission shall file its final report not later than July first, nineteen hundred and seventy-four.

Approved May 30, 1974.

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO SKATING RINKS AND TENNIS FACILITIES IN THE COMMONWEALTH AND THE USE THEREOF.

Resolved, That the department of natural resources is hereby authorized and directed to compile a list of all skating rinks and tennis courts which are open to the public or to which the public is invited, their location and cost, and shall include the cost ratio between the cost of construction of private facilities and public facilities. Said department shall also investigate and study the possibility and feasibility of the commonwealth renting or leasing such private facilities to serve the recreational needs of the community as an alternative to constructing public facilities therefor. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday in December, nineteen hundred and seventy-four.

Approved June 4, 1974.

Chap. 15. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ABOLISHING THE DOCTRINE OF SOVEREIGN IMMUNITY AND OTHER RELATED MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 283, abolishing the doctrine of sovereign immunity; 2396, abolishing the defense of municipal immunity; 2964, establishing limited liability of the commonwealth and its political subdivisions in actions of tort; 5076, establishing limited liability of the commonwealth and its political subdivisions in actions of tort; 5087, establishing limited liability of the commonwealth and its political subdivisions in actions of tort; and 5090, establishing a tort claims procedure for the commonwealth of Massachusetts, its officers and employees, 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 4, 1974.

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING CERTAIN RIGHTS FOR UNWED FATHERS AND PROVIDING FOR THE ASSERTION OF PATERNAL RESPONSIBILITY.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 190, relative to establishing certain rights for unwed fathers; and of current house document numbered 4495, providing for the assertion of paternal responsibility, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 5, 1974.

Chap. 17. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ADMISSIBILITY OF LIE DETECTOR TESTS AS EVIDENCE IN THE COURTS OF THE COMMONWEALTH.

Resolved, That the judicial council be requested to investigate the subject matter of the investigation and study proposed by current house document numbered 3127, relative to the admissibility of lie detector tests as evidence in the courts of the commonwealth, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 5, 1974.

Chap. 18. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING A LIMITATION OF FOUR YEARS FOR THE ACCRUAL OF ACTIONS FOR DEFICIENCY, NEGLECT, ERROR OR OMISSION IN IMPROVEMENTS TO REAL PROPERTY AND OTHER PROJECTS UTILIZING SERVICES OF CONTRACTORS, SUBCONTRACTORS, MATERIAL SUPPLIERS, ARCHITECTS, ENGINEERS AND LAND SURVEYORS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3360, providing a limitation of four years for the accrual of actions for deficiency, neglect, error or omission in improvements to real property and other projects utilizing services of contractors, subcontractors, material suppliers, architects, engineers and land surveyors, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 5, 1974.

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT AN EXECUTOR OR ADMINISTRATOR SHALL BE HELD TO ANSWER TO AN ACTION BY A CREDITOR OF THE DECEASED COMMENCED ONE MONTH AFTER THE DATE SAID EXECUTOR OR ADMINISTRATOR HAS FILED HIS OFFICIAL BOND.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1440, relative to providing that an executor or administrator shall be held to answer to an action by a creditor of the deceased commenced one month after the date said executor or administrator has filed his official bond, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 5, 1974.

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REPEALING CERTAIN PROCEDURES IN EMINENT DOMAIN TAKINGS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1816, repealing certain procedures in eminent domain takings, and to include its con-

clusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 5, 1974.

Chap. 21. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING WITHIN THE PROBATE COURTS A PROBATE DIVISION AND A FAMILY DIVISION.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1612, relative to establishing within the probate courts a probate division and a family division, 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 7, 1974.

Chap. 22. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT ANY CIVIL ACTION ENTERED IN ANY DISTRICT COURT MAY BE TRIED BY A JURY OF SIX.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 447, providing that any civil action entered in any district court may be tried by a jury of six; and 2193, providing that any civil action entered in any district court may be tried by a jury of six, 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 7, 1974.

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE DREDGING OF DORCHESTER BAY.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 584, providing for the dredging of Dorchester Bay. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-four.

Approved June 11, 1974.

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADVANCEMENT OF ALL ASPECTS OF GERONTOLOGY.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the advancement of all aspects of gerontology in the commonwealth.

Approved June 11, 1974.

Chap. 25. RESOLVE INCREASING THE MEMBERSHIP AND SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FEASIBILITY OF RECODIFYING THE LAW PERTAINING TO THE CONTROL OF DOGS AND CATS AND OTHER MATTERS RELATIVE THERETO.

Resolved, That the special commission, established by chapter one hundred and forty-one of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 850, relative to altering the disposition of the unexpended balance of the dog fund; and of current house documents numbered 1187, providing for protection and local control of dogs and cats; 1568, relative to giving cities and towns control of fees collected from the licensing of dogs; 3688, relative to the manner of the lawful destruction of certain canines; 3890, prohibiting the county commissioners of Middlesex county from appointing dog officers; 4237, further regulating fees of dog officers; and 4238, providing for the disposition of the balance of the dog fund. The membership of said commission is hereby increased by two members of the house of representatives and by two persons to be appointed by the governor, one of whom shall be a dog officer and one of whom shall be a veterinarian.

Approved June 11, 1974.

Chap. 26. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE 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 the special commission established by chapter eighty-six of the resolves of nineteen hundred and seventy-two, and

most recently revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 496, relative to facilitating voting by handicapped persons.

Approved June 11, 1974.

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASSACHUSETTS COMMISSION FOR THE BLIND RELATIVE TO THE FEASIBILITY OF ESTABLISHING MORE VENDING STANDS TO BE OPERATED BY BLIND PERSONS IN PUBLIC BUILDINGS OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

Resolved, That the Massachusetts commission for the blind is hereby authorized and directed to make an investigation and study relative to the feasibility of establishing more vending stands to be operated by blind persons in public buildings of the commonwealth and its political subdivisions. 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-four.

Approved June 11, 1974.

Chap. 28. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FEASIBILITY OF RECODIFYING THE LAW PERTAINING TO THE CONTROL OF DOGS AND CATS AND OTHER MATTERS RELATIVE THERETO.

Resolved, That the special commission, established by chapter one hundred and forty-one of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 219, relative to giving cities and towns control of fees collected from the licensing of dogs; and 4507, providing for reimbursement of veterinarians treating certain injured dogs.

Approved June 11, 1974.

Chap. 29. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE FEASIBILITY OF CONSTRUCTING PEDESTRIAN OVERPASSES OVER THE BOSTON AND MAINE RAILROAD TRACKS IN THE CITY OF CAMBRIDGE AND IN THE TOWN OF BELMONT.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the feasibility of constructing a pedestrian overpass over the tracks of the Boston and Maine Railroad at Sherman street in the city of Cambridge and a pedestrian overpass over the tracks of said Railroad in the town of Belmont connecting the residential area of Channing road at the end of Alexander avenue to the grounds of the Belmont high school. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in December, nineteen hundred and seventy-four.

Approved June 11, 1974.

Chap. 30. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CONSTRUCTION OF CERTAIN BRIDGES AND ROADS IN THE CITY OF BOSTON AND CERTAIN OTHER HIGHWAY MATTERS.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 4194, directing the department of public works to reconstruct certain bridges and roads in the city of Boston and to make a highway and transit study; and 4195, relative to construction of a bridge and approaches over certain railroad tracks in the Hyde Park district of the city of Boston and to make a comprehensive highway and transit study in a certain area of said city. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-four.

Approved June 12, 1974.

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING AND BUILDING AN ARCHIVES CENTER.

Resolved, That a special commission, to consist of three members of the senate, seven members of the house of representatives, the state secretary 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 establishing and building an archives center for use as a repository for articles of historical significance, permanent public records, and duplicate microfilms for the commonwealth, the counties, and all cities and towns.

Approved June 13, 1974.

Chap. 32. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE DIFFERENT KINDS OF INFORMATION CONCERNING INDIVIDUALS BEING STORED IN COMPUTER BANKS, ITS POSSIBLE INFRINGEMENT ON THE RIGHTS OF PRIVACY OF THE INDIVIDUAL, AND SUCH OTHER MATTERS RELATIVE THERETO.

Resolved, That the special commission, established by chapter one hundred and thirty-six of the resolves of nineteen hundred and seventy-three, and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall in the course of its investigation and study, consider the subject matter of current house document numbered 5536, appendix B, providing for the removal of identifying information from certain childhood and medical records.

Approved June 13, 1974.

Chap. 33. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE OPERATION OF THE CAMPAIGN CONTRIBUTIONS LAW AND THE POSSIBLE LIMITING OF CAMPAIGN EXPENDITURES AND OF PROVIDING FOR THE DISSEMINATION OF INFORMATION AT PUBLIC EXPENSE CONCERNING CANDIDATES FOR PUBLIC OFFICE.

Resolved, That the special commission, established by chapter seventy of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current senate document number 1578, relative to political party structure and public campaign funding.

Approved June 13, 1974.

Chap. 34. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO PUBLIC SAFETY AND PROTECTION PROVIDED BY THE PRESENT METHOD USED IN LOCKING TRAILERS TO MOTOR VEHICLES WHEN SUCH TRAILERS ARE BEING HAULED BY SUCH MOTOR VEHICLES.

Resolved, That the special commission established by chapter one hundred and fifteen of the resolves of nineteen hundred and seventy-three is hereby revived and continued.

Approved June 18, 1974.

Chap. 35. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EFFECT OF PRESENT GROWTH PATTERNS ON THE QUALITY OF LIFE IN THE COMMONWEALTH.

Resolved, That the special commission, established by chapter ninety-eight of the resolves of nineteen hundred and seventy-three, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 3641, relating to certain medical treatment.

Approved June 18, 1974.

Chap. 36. 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 two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 1004, providing that classifications of risks and premium charges for motor vehicle liability insurance be uniform throughout the commonwealth; and of current house documents numbered 1792, establishing an unearned premium reserve for liability insurance companies; 1793, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the commonwealth; 2586, allowing recovery for damages for pain and suffering; 2587, allowing recovery for damages for pain and suffering if expenses for treatment are in excess of two hundred dollars; 2588,

repealing the "no fault" automobile insurance law; 2589, relative to preserving the right of privacy; 2590, relative to removing exemptions for liability in tort for damages for causing bodily injury; 2591, repealing the "no fault" automobile insurance law; 2592, allowing recovery for damages for pain and suffering in certain injury cases; 2946, providing for reduced motor vehicle insurance rates for the city of Revere; 2949, providing that classification of risks and premium charges for motor vehicle liability insurance be uniform throughout the commonwealth; 3121, providing for certain reductions in motor vehicle insurance rates for elderly persons; 3340, repealing the personal injury portion of the "no fault" automobile insurance law; 4283, removing the exemption for tort liability for bodily injury for motor vehicle insurance personal injury protection coverages; 4284, repealing the no-fault bodily injury insurance law; 4487, repealing the no-fault bodily injury insurance law; 4704, reducing the amount of medical expenses necessary to recover damages for pain and suffering for motor vehicle insurance tort actions; and 4705, allowing recovery for damages for pain and suffering in motor vehicle insurance tort claims.

Approved June 18, 1874.

Chap. 37. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE MANUFACTURE, SALE AND USE OF FLAMMABLE CLOTHING, ESPECIALLY IN THE AREA OF SLEEPWEAR AS IT RELATES TO THE ELDERLY.

Resolved, That a special commission to consist of three members of the senate, five members of the house of representatives, and the secretary of elder affairs or his designee, be appointed to make an investigation and study relative to the manufacture, sale and use of flammable clothing, especially in the area of sleepwear as it relates to the elderly.

Said commission shall, in the course of its investigation and study, consider all the laws and regulations of the commonwealth in relation to flammable materials. Said commission shall also study all similar federal laws and regulations.

Said commission shall consider reports of the United States Department of Health, Education and Welfare, wherein it is estimated that from three to five thousand deaths occur yearly from flammable wearing apparel and that from one hundred and fifty thousand to two hundred and fifty thousand injuries occur each year from said material.

Said commission shall investigate and study the facilities available for treatment of persons who suffer from burns obtained from flammable clothing.

Said commission shall report the results of its investigation and study, and recommendations, if any, by filing the same with the clerk of the senate on or before the fourth Wednesday of April, nineteen hundred and seventy-five.

Approved June 19, 1974.

Chap. 38. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF PROTECTING EMPLOYEES WHO ARE OUT OF WORK DURING A LABOR DISPUTE.

Resolved, That a special commission to consist of three members of the senate, five members of the house of representatives and eight persons to be appointed by the governor, four of whom shall be selected from a list submitted by Associated Industries of Massachusetts, and four of whom shall be selected from lists submitted by the Massachusetts State Labor Council, AFL-CIO, the United Electrical, Radio and Machine Workers of America, the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and the United Automobile, Aerospace and Agricultural Implement Workers of America International Union is hereby established for the purpose of making an investigation and study of the feasibility of protecting employees who are out of work during a labor dispute.

Approved June 19, 1974.

Chap. 39. 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 two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 5198, Resolutions memorializing the Congress of the United States to help preserve the marine and fisheries resources of our country by enacting legislation extending the marine jurisdictional boundaries of the United States seaward to a two hundred mile limit.

Approved June 21, 1974.

Chap. 40. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE OPERATION OF THE CAMPAIGN CONTRIBUTIONS LAW AND THE POSSIBILITY OF LIMITING CAMPAIGN EXPENDITURES AND OF PROVIDING FOR THE DISSEMINATION OF INFORMATION AT PUBLIC EXPENSE CONCERNING CANDIDATES FOR PUBLIC OFFICE.

Resolved, That the special commission, established by chapter seventy of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and

study, consider the subject matter of current senate document numbered 911, providing for public campaign financing in primary and state elections for certain state offices; and of current house documents numbered 246, providing adequate financing for the conduct of the post-primary campaigns of candidates for state-wide elective offices in the commonwealth; 248, providing adequate financing for the conduct of the post-primary campaigns of candidates for state-wide elective offices in the commonwealth; 3066, providing adequate financing for the conduct of the post-primary campaigns of candidates for the offices of governor and lieutenant-governor of the commonwealth; 3902, providing for public campaign financing in primary and state elections for certain state offices; 4269, providing adequate financing for the conduct of the post-primary campaigns of candidates for state-wide elective offices in the commonwealth; 5040, ascertaining the will of the people on public financing of political campaigns; and 5048, providing for public campaign financing in primary and state elections for certain state offices.

Approved June 21, 1974.

Chap. 41. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE MANAGEMENT, OPERATION AND ACCESSIBILITY OF PUBLIC BEACHES ALONG THE SEA COAST AND OTHER RELATED MATTERS.

Resolved, That the special commission established by chapter forty of the resolves of nineteen hundred and seventy-two, and most recently revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall in the course of its investigation and study, consider the subject matter of current house documents numbered 3955, relative to making accessible to the handicapped all state beaches; and 4917, providing for the recreational uses of the great ponds by the towns in which the great ponds are situated.

Approved June 21, 1974.

Chap. 42. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ENFORCEABILITY OF THE PROVISIONS OF LAW RESTRICTING THE WEIGHTS OF VEHICLES UPON PUBLIC WAYS.

Resolved, That the special commission, established by chapter eight of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and

study, consider the subject matter of the investigation and study proposed by current senate document numbered 1178, relative to the accident frequency and fatalities surrounding accidents involving trucks, semitrailers and trailers; and of current house documents numbered 138, establishing the distance a vehicle may be detoured to a scale for weighing; 157, requiring the operation of a vehicle to and upon the scale on a highway where such scale is installed; 515, authorizing and directing the registrar of motor vehicles to construct and maintain weighing stations; 516, relative to the weighing of certain motor vehicles; 1283, relative to weighers and measurers of motor vehicles; 1988, relative to violations of the law applicable to overloading of certain vehicles; 3782, requiring the state and all political subdivisions thereof to maintain all records of truck overloading for public inspection; 3964, exempting certain truck-drivers from the consequences of violations of the laws pertaining to overweight vehicles and vehicles with faulty equipment; and 5119, relative to weight restrictions on certain commercial motor vehicles.

Approved June 21, 1974.

Chap. 43. RESOLVE PROVIDING FOR A STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF INCLUDING A PROVISION FOR BICYCLE PATHS IN THE DESIGN OF FEDERALLY AIDED AND STATE AIDED ROADS.

Resolved, That a special commission to consist of two members of the senate, four members of the house of representatives and four persons to be appointed by the governor is hereby established for the purpose of making an investigation and study of the feasibility of including a provision for bicycle paths in the design of federally aided and state aided roads.

Approved June 24, 1974.

Chap. 44. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE REGISTRATION OF PERSONS TO PRACTICE ACUPUNCTURE.

Resolved, That the special commission established by chapter one hundred and twenty-two of the resolves of nineteen hundred and seventy-three, and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1108, providing for the registration of persons to practice acupuncture.

Approved June 24, 1974.

Chap. 45. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE 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 two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current senate document numbered 1150, relative to the preparation of a master plan for Boston harbor.

Approved June 24, 1974.

Chap. 46. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE OPERATION OF AND CONDITIONS AT BELCHERTOWN STATE SCHOOL AND MONSON STATE HOSPITAL.

Resolved, That the special commission, established by chapter nineteen of the resolves of nineteen hundred and seventy and most recently revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, review the department of mental health's development and implementation of standards for facilities for retarded persons which are operated by or under contract with, or licensed or otherwise regulated by said department; review said department's development of standards for the remuneration of retarded residents for work performed by them, and determine whether such standards meet the conditions of regulations established under the Fair Labor Standards Act of 1938, as amended; review said department's implementation of chapter one thousand and sixty of the acts of nineteen hundred and seventy-three; investigate the conditions for the physically handicapped at the Walter E. Fernald state school and the department of mental health's development of alternative community programs for such physically handicapped persons; review said department's development and implementation of upgraded dietary standards for residential facilities for the retarded; and consider the advisability of creating a separate department for retarded persons.

Approved June 24, 1974.

Chap. 47. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PENALTY FOR DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

Resolved, That the special commission, established by chapter one hundred and thirty of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of

nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 588, relative to alleviating hardship imposed by loss of drivers' licenses in certain cases; and of current house documents numbered 513, defining the words "driver improvement course"; 1060, directing the registry of motor vehicles to establish an alcohol education program; 1992, relating to the registrar of motor vehicles and suspension of licenses; 2996, relative to license suspensions for certain motor vehicle violations; 3386, permitting the registrar of motor vehicles to restore a license to certain persons who have been convicted of the crime of operating a motor vehicle under the influence of intoxicating liquor; 3779, permitting the registrar of motor vehicles to restore a license to certain persons who have been convicted of the crime of operating a motor vehicle under the influence of intoxicating liquor; 3966, providing for the modification of license revocation for certain convictions of operating under the influence of intoxicating liquor; 4124, relative to the authority of the registrar of motor vehicles to revoke a license or right to operate of a person convicted of operating under the influence of intoxicating liquor; 4739, providing for the modification of license revocation for a first conviction of operating under the influence of intoxicating liquor; 4923, establishing an alcoholic treatment program in the department of public health; 4927, providing for special disposition of certain convictions of the crime of operating under the influence of intoxicating liquor; 5120, authorizing the registrar of motor vehicles to issue a limited license to certain persons whose licenses have been revoked because of conviction of the crime of operating under the influence of intoxicating liquor; and 5121, providing for the modification of license revocation for a first conviction of operating under the influence of intoxicating liquor.

Approved June 25, 1974.

Chap. 48. RESOLVE REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO MAKE AN INVESTIGATION AND STUDY OF COMMON CONSUMER CONTRACTS.

Resolved, That the department of the attorney general is hereby requested to make an investigation and study of the provisions and language of commonly used consumer contracts, and the understanding thereof by the average high school graduate in the commonwealth, including contracts for loans and credit, leases, deeds, and documents and forms issued by both public and private sources. Said department is hereby further requested to 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-four.

Approved June 26, 1974.

Chap. 49. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SETTING UP A PUBLIC EMPLOYMENT PROGRAM FOR UNEMPLOYED PERSONS.

Resolved, That a special commission, to consist of two members of the senate, two members of the house of representatives, the secretary of manpower affairs or her designee and three members to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to setting up a public employment program for unemployed persons.

Approved June 28, 1974.

Chap. 50. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE IMPLEMENTATION AND EFFECTS OF ENVIRONMENTAL IMPACT LAWS IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of two members of the senate, four members of the house of representatives, the secretary of environmental affairs or his designee and six persons to be appointed by the governor, of whom three shall be representative of environmental interests, two shall be representative of business interests and one shall be representative of labor interests, is hereby established for the purpose of making an investigation and study of the implementation and effects of the provisions of sections sixty-one and sixty-two of chapter thirty of the General Laws and regulations promulgated pursuant thereto. Said commission shall, in the course of its investigation and study, consider the costs and benefits which result from reviewing projects which are essentially private but which involve the issuance of a lease, permit, license, certificate or any entitlement for use from an agency; the capabilities of the various state agencies to carry out their responsibilities under the statute; and the regulations and administrative system adopted by the various state agencies to carry out the purposes of the statute.

Approved June 28, 1974.

Chap. 51. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CURRENT FINANCIAL MANAGEMENT PRACTICES OF THE COMMONWEALTH.

Resolved, That a special commission to consist of three members of the senate, five members of the house of representatives, the state treasurer or his designee, the secretary of administration or his designee, the commissioner of corporations and taxation or his designee, the comptroller of the commonwealth or his designee and five persons to be appointed by the governor, each of whom shall be qualified by training and experience in the fields of fiscal manage-

ment and banking practices is hereby established to make an investigation and study of current financial management practices of the commonwealth, including, but not limited to, banking, investment, cash flow, and other money management practices currently utilized by the commonwealth; financial and investment management policy and procedures governing the administration of the various agencies' checking and saving accounts; the cash management system employed by the commonwealth by which agencies are advanced monies to meet upcoming expenditures; the advisability of a pooling of all available state monies not required to meet current operating expenditures so as to increase the funds available for investment; the advisability of a centralized payroll for all state employees; and the advisability of providing to the municipalities of the commonwealth a means for pooling their available monies in a common investment fund so as to maximize the yield on investments.

No member shall, during his tenure on the commission, benefit either directly or indirectly from any transaction related to the investment or deposit of state monies. The state treasurer or his designee shall serve as chairman of said commission.

Said commission shall, by January fifteenth, nineteen hundred and seventy-five, file a report with the clerk of the senate and the governor as to its recommendations relative to changes which should be made in the investment and fiscal management policies currently being utilized by the commonwealth; provided, however, that no such report shall be issued prior to November fifteenth, nineteen hundred and seventy-four. Said commission shall propose such legislation as may be necessary to carry out its recommendations.

Approved June 28, 1974.

Chap. 52. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE EFFECT OF THE PRISONER FURLOUGH PROGRAM ON THE CITIZENS OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the effect of the prisoner furlough program on the citizens of the commonwealth.

Approved July 3, 1974.

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 two of the resolves of nineteen hundred and seventy-four, shall in the course of its investigation and study consider the subject matter of current senate documents numbered 171, prohibiting the subrogation of personal injury protection insurance claims; 527, protecting persons from the loss of benefits under wage continuation programs in cases involving motor vehicle accidents; and 986, providing for the mandatory offering of motor vehicle insurance coverage for persons who are injured by others who have insufficient insurance to compensate for such injuries; and current house documents numbered 1016, providing for a mandatory offer by certain insurance companies of a single policy of insurance providing motor vehicle insurance and fire and homeowners insurance, so called; 1210, further regulating classifications of risks for property damage coverage to motor vehicles; 2746, providing for rebates and lower premium payments for persons whose automobiles are equipped with anti-theft devices; and 4701, providing for penalties for failing to make prompt payments of claims under the personal injury protection insurance law.

Approved July 3, 1974.

Chap. 54. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CONSTRUCTION OF A CERTAIN WALKWAY IN THE CITY OF REVERE.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the construction of a certain walkway over Squire road in the city of Revere in the immediate vicinity of the Northgate Shopping Center. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and seventy-four.

Approved July 3, 1974.

Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REGULATING THE RIGHT OF A SECURED PARTY TO TAKE POSSESSION OF CONSUMER GOODS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 195, relative to regulating the right of a secured party to the possession of consumer goods, and to include in 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 3, 1974.

Chap. 56. 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 most recently revived and continued by chapter two of the resolves of nineteen hundred and seventy four, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 576, providing for an investigation and study by a special commission on the construction of facilities to derive, refine, ship, and receive oil and oil products in the commonwealth of Massachusetts; 1143, establishing an oil pollution control fund; and of current house documents numbered 299, prohibiting the construction of oil anchorage depots in Boston harbor except with the consent of the general court; 2622, establishing the coastal protection fund; 2985, to establish the Massachusetts coastal protection fund; and 4316, providing royalties to the commonwealth from drillers of subterranean fossil fuel.

Approved July 3, 1974.

Chap. 57. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING THE IMMEDIATE CREMATION AND BURIAL OF CERTAIN DECEASED PERSONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4559, authorizing the immediate cremation and burial of certain deceased persons, 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 3, 1974.

Chap. 58. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURTHER REGULATING THE CONDUCT OF CERTAIN MUNICIPAL EMPLOYEES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 6117, relative to further regulating the conduct of certain municipal employees, 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 3, 1974.

Chap. 59. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CRIME OF SHOPLIFTING.

Resolved, That a special commission, to consist of two members of the senate, four members of the house of representatives, the commissioner of the department of correction or his designee, the commissioner of the department of mental health or his designee, the commissioner of the department of youth services or his designee, the director of the office for children or his designee, the commissioner of the department of commerce and development or his designee, and four persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the crime of shoplifting, its prevention, the rehabilitation of persons who have engaged therein, and the sentences imposed on those found guilty of such crime.

Approved July 8, 1974.

Chap. 60. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CONSTRUCTION OF A CERTAIN PEDESTRIAN OVERPASS IN THE CITY OF SPRINGFIELD.

Resolved, That the department of public works is hereby authorized to make an investigation and study of the feasibility of constructing a pedestrian overpass over state highway route 21 at its intersection with United States highway route 20 in the city of Springfield to alleviate the pedestrian crossing hazard which resulted from reconstruction of said intersection. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

Approved July 8, 1974.

Chap. 61. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXEMPTING CERTAIN PERSONS FROM CIVIL LIABILITY AS A RESULT OF RENDERING CERTAIN EMERGENCY CARE.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 1075, exempting certain persons from civil liability as a result of rendering certain emergency care; and current house documents numbered 452, relative to protecting a police officer from civil suit situations where he in good faith renders emergency care and treatment; and 4494, relative to liability for the delivery of emergency medical examination and treatment, and to include in 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 8, 1974.

Chap. 62. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO AUTHORIZING SAID COMMISSION TO CONSTRUCT, MAINTAIN AND OPERATE A DAM ACROSS THE NEPONSET RIVER.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study relative to authorizing said commission to construct, maintain and operate a dam across the Neponset river. For the purposes of this resolve said commission may expend the sum of three hundred thousand dollars. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-four.

Approved July 8, 1974.

Chap. 63. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PRESCRIPTION OF CONTROLLED SUBSTANCES IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of five members of the senate, seven members of the house of representatives, and five persons to be appointed by the governor, two of whom shall be medical doctors and one of whom shall be a pharmacist, is hereby established for the purpose of making an investigation and study of the prescription of controlled substances in the commonwealth including the nature of the therapeutic uses, known risks and side

effects and contraindications of such substances. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the senate on or before the last Wednesday in January, nineteen hundred and seventy-six.

Approved July 9, 1974.

Chap. 64. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PENALTY FOR DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

Resolved, That the special commission, established by chapter one hundred and thirty of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 545, relative to the penalties for operating a motor vehicle under the influence of intoxicating liquor or narcotic drugs; 547, requiring that prison sentences be imposed upon persons convicted of operating motor vehicles while under the influence of narcotic drugs or intoxicating liquor and specifying the manner in which said sentence shall be served; and 1076, providing for a penalty for violation committed by a motor vehicle driver education school; and of current house documents numbered 660, providing a penalty for operating a motor vehicle while drinking any alcoholic beverages; 1602, relative to the offense of the operation of a motor vehicle so that the lives and safety of the public are endangered; 3942, relative to the disposition of fines for motor vehicle offenses; and 5084, requiring parking violations notices to be legibly written.

Approved July 9, 1974.

Chap. 65. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND MATERIALS BY COUNTIES, TOWNS AND DISTRICTS.

Resolved, That the special commission established by chapter eighty-eight of the resolves of nineteen hundred and sixty-five, and most recently revived and continued by chapter four of the resolves of nineteen hundred and seventy-four, shall in the course of its investigation and study consider the subject matter of the current senate documents numbered 1309, requiring separate bids and sepa-

rate contracts for plumbing, heating and electrical work on public building projects; 1310, enabling awarding authorities to secure the lowest price in awarding contracts after competitive bids; 1311, relating to consolidation of arbitration proceedings on public and private construction projects; 1312, providing for decisions of the secretary of the executive office of transportation and construction on claims of contractors and subcontractors and to provide for the appointment of a hearing examiner to hear such appeals; 1313, eliminating retentions on public contracts; and 1314, relative to insuring that competitive bids provide the lowest prices to awarding authorities and to improve the flow of funds to contractors and subcontractors engaged in public and private construction.

Approved July 9, 1974.

Chap. 66. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EFFECT OF PRESENT GROWTH PATTERNS ON THE QUALITY OF LIFE IN THE COMMONWEALTH.

Resolved, That the special commission, established by chapter ninety-eight of the resolves of nineteen hundred and seventy-three, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 1156, establishing an open land reservation program for Massachusetts; and 1157, relative to the management, use, protection and development of coastal zone resources; and current house documents numbered 1047, relative to protecting water and land in certain areas of the commonwealth; 1621, providing for comprehensive land planning; 3149, providing protection from environmental damage from land development; 3374, directing the secretary of environmental affairs to prepare a comprehensive land use plan for the commonwealth; 4736, relative to regulating developments of regional impact; 5337, establishing the division of development investigation in the department of community affairs; and 5338, establishing a state land use agency and office of development assistance, and related matters.

Approved July 9, 1974.

Chap. 67. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EFFECT OF PRESENT GROWTH PATTERNS ON THE QUALITY OF LIFE IN THE COMMONWEALTH.

Resolved, That the special commission, established by chapter

ninety-eight of the resolves of nineteen hundred and seventy-three, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 2511, relative to the current status and procedures of statewide land use planning as it relates to zoning and subdivision control; and current house document numbered 4406, relative to regulating the density of Massachusetts housing finance authority dwelling units in towns.

Approved July 9, 1974.

Chap. 68. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EFFECT OF PRESENT GROWTH PATTERNS ON THE QUALITY OF LIFE IN THE COMMONWEALTH.

Resolved, That the special commission, established by chapter ninety-eight of the resolves of nineteen hundred and seventy-three shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 572, establishing regional solid waste disposal districts; 573, establishing a regional solid waste disposal assistance commission for the commonwealth; 574, relative to requiring regional planning agencies established under chapter forty B of the General Laws and other special laws to designate solid waste disposal services areas; 1136, providing for assistance to municipalities in disposing of brush and other waste materials; and 1153, relative to solid waste disposal contracts with municipalities and of current house documents numbered 296, providing that certain solid waste disposal facilities shall be public utilities; 1461, establishing the Northern Middlesex area commission as a regional refuse disposal planning board; 1620, relative to the financing of certain pollution control facilities; 1623, authorizing the department of public works to give financial assistance to municipalities forming regional refuse disposal districts; 1817, authorizing cities and towns to lease private and public land for the operation of a solid waste disposal area by private interests; 1819, directing the department of public utilities to establish certain rates for the Refuse Energy Systems Company in Saugus; 2778, authorizing the commonwealth to guarantee bonds issued to construct solid waste disposal facilities; 3142, reimbursing cities and towns and regional refuse disposal districts for one-half the cost of constructing incinerators; 3953, relative to amending the authority of the bureau of solid waste disposal in the department of public works, and 5112, authorizing and directing the department of public utilities to review rates charged by certain private waste disposal companies.

Approved July 10, 1974.

Chap. 69. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE DEERFIELD RIVER BASIN AREA.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the Deerfield River basin area relative to the ecological effect of heat on the river. Said department may employ such engineers and other technical personnel as may be necessary and may enter into agreements with educational institutions, scientific organizations and industrial or engineering firms. Said department may also require the cooperation of agencies of state and local governments and may request the cooperation of any private organizations which may be necessary to effectuate the purposes of this resolve. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of 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-four.

Approved July 15, 1974.

Chap. 70. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE 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 two of the resolves of nineteen hundred and seventy-four shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 6102, relative to defining the Boston harbor coordinates; and 6103, providing for the extension of the northern water boundary of Boston harbor.

Approved July 17, 1974.

Chap. 71. 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 VEHCILES 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 two of the resolves of nineteen hundred and seventy-four, shall in the course of its investigation and study consider the subject matter of current house documents numbered 1413, providing for competitive rates for motor vehicle insurance; and 5072, clarifying the law requiring free and open competition among automobile insurers.

Approved July 17, 1974.

Chap. 72. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING A MASSACHUSETTS NATIONAL GUARD TRAINING CENTER, AND OTHER RELATED MATTERS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the adjutant general of Massachusetts or his designee, the state judge advocate or his designee and three persons appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the feasibility of establishing a Massachusetts National Guard Training Center to be located within the commonwealth; of the possibility of holding an annual summer encampment of the national guard, army and air, of the commonwealth, within the commonwealth; of authorizing members of the national guard, army and air, of the commonwealth, to become members of the Massachusetts State Employee's Credit Union; and of updating chapter thirty-three of the General Laws, and recommending a method for the continuous review and updating of the laws relative to the national guard, army and air, of the commonwealth.

Said commission may report from time to time to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and shall file its final report with the clerk of the senate on or before the last Wednesday in December, nineteen hundred and seventy-five.

Approved July 18, 1974.

Chap. 73. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO INCREASING THE MEMBERSHIP OF THE NORWOOD AIRPORT COMMISSION.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, and four persons to be appointed by the governor, one of whom shall be a member of the Norwood airport commission, one of whom shall be a resident of the town of Canton, one of whom shall be a resident of the town of Sharon, and one of whom shall be a resident of the town of

Westwood, is hereby established for the purpose of making an investigation and study relative to increasing the membership of the Norwood airport commission.

Approved July 24, 1974.

Chap. 74. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO REORGANIZING AND RESTRUCTURING THE STAFF OF SAID DEPARTMENT.

Resolved, That the department of public utilities is hereby authorized and directed to prepare a recommended table of organization for said department, to reflect an upgrading of professional staffing within the department, including job descriptions and salary schedules for such staff, sufficient to permit said department to adequately and effectively regulate public utilities within the commonwealth. Said department shall report to the general court the results of its investigation and study and its recommendations if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the third Wednesday of January, nineteen hundred and seventy-five.

Approved July 25, 1974.

Chap. 75. RESOLVE IN FAVOR OF THOMAS F. GRIFFIN.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Thomas F. Griffin of Fall River, the sum of two hundred and eighty-four dollars and ninety-six cents in payment for services rendered by him as a permanent laborer assigned to maintainence section 15, North Attleboro, department of public works, payment for which is legally unenforceable.

Approved July 26, 1974.

Chap. 76. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF EXTENDING THE PERIOD RELATING TO THE REPLACEMENT OF GAS METERS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the chairman of the public utilities commission or his designee and eight persons to be appointed by the governor, of whom one shall be a representative of the International Brotherhood of Electrical Workers, AFL-CIO, one of whom shall be a representative of the Utility

Workers Union of America, AFL-CIO, one of whom shall be a representative of the United Steel Workers, AFL-CIO, one of whom shall be a representative of the Brotherhood of Utility Workers of New England, Inc., and four of whom shall be representatives of the gas industry, is hereby established for the purpose of making an investigation and study relative to the feasibility of extending the period for mandatory replacement of gas meters from seven to ten years. Said commission shall, in the course of its investigation and study, consider the advent of natural gas, changes in meter design and the life expectancy of gas meters.

Approved July 26, 1974.

Chap. 77. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PROCEDURES EMPLOYED BY VOCATIONAL SCHOOLS AND REGIONAL VOCATIONAL SCHOOLS IN THE COMMONWEALTH.

Resolved, That a special commission to consist of four members of the senate, six members of the house of representatives, the president of the Massachusetts Association of Vocational Administrators, the president of the Massachusetts Vocational Association, the superintendent-director of the Greater Lawrence Regional Vocational high school, the superintendent-director of the Blue Hills Regional Vocational high school, the superintendent-director of the South Middlesex Regional Vocational Technical high school, the superintendent-director of the Greater New Bedford Regional Vocational Technical High School District and four persons to be appointed by the governor, one of whom shall be a director of a vocational school in the city of Lynn; one of whom shall be a director or a superintendent-director of a regional school in the First Essex senatorial district and two of whom shall be officers or administrators of a comprehensive or academic high school; is hereby established for the purpose of making an investigation and study of the admission procedures employed by vocational schools and regional vocational schools in the commonwealth.

Said commission shall, in the course of its investigation and study, place particular emphasis on chapters two hundred and fifteen and seven hundred and sixty-six of the acts of nineteen hundred and seventy-two and chapter six hundred and twenty-two of the acts of nineteen hundred and seventy-one, as these acts relate to admissions procedures in vocational and regional vocational schools.

Approved July 26, 1974.

Chap. 78. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A MASSACHUSETTS STUDENT LOAN PROGRAM.

Resolved, That a special commission, to consist of two members of the senate, four members of the house of representatives, and three persons to be named by the governor, one of whom shall be a member of Massachusetts Student Lobby, and one of whom shall be a representative from the banking industry, is hereby established for the purpose of making an investigation and study of house bills numbered 2155, establishing the Massachusetts student loan office; 2354, establishing the Massachusetts student loan board with authority to make loans to certain students; and 5786, establishing the Massachusetts student loan office; and related matters concerning a Massachusetts student loan program and similar loan programs established in the states of Texas and Minnesota. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with the drafts of such legislation as may be necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives not later than the first Wednesday of March, nineteen hundred and seventy-five.

Approved July 31, 1974.

Chap. 79. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO INCREASED RAIL SERVICE TO CAPE COD.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the secretary of transportation and construction, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to increased rail service to Cape Cod.

Approved August 1, 1974.

Chap. 80. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE OPERATION OF THE CAMPAIGN CONTRIBUTIONS LAW AND THE POSSIBLE LIMITING OF CAMPAIGN EXPENDITURES AND OF PROVIDING FOR THE DISSEMINATION OF INFORMATION AT PUBLIC EXPENSE CONCERNING CANDIDATES FOR PUBLIC OFFICE.

Resolved, That the membership of the special commission estab-

lished by chapter seventy of the resolves of nineteen hundred and seventy-three and revived and continued by chapter two of the resolves of nineteen hundred and seventy-four is hereby increased by four members of the senate and eleven members of the house of representatives.

Approved August 2, 1974.

Chap. 81. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE RECODIFICATION OF THE GENERAL LAWS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the counsel to the senate and the counsel to the house of representatives, the chief justice of the supreme judicial court, the chief justice of the superior court, the chief justice of the district courts, the librarian of the social law library, and three persons to be appointed by the governor, one of whom shall be appointed from a list submitted by the president of the Boston Bar Association and one from a list submitted by the president of the Massachusetts Bar Association, and one of whom shall be a member of the faculty of a law school located in the commonwealth, is hereby established for the purpose of making an investigation and study relative to the possibility of accomplishing the recodification of the General Laws, to be known as the Bicentennial Code and to be published concurrently with the celebration of the national bicentennial or as soon thereafter as may be practicable. Said commission shall file its final report on or before the first Wednesday in June, nineteen hundred and seventy-five.

Approved August 5, 1974.

Chap. 82. RESOLVE AUTHORIZING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO IMPROVING THE RECREATIONAL FACILITIES AND EXPANDING THE RECREATION, TRAVEL, VACATION AND TOURIST INDUSTRY OF THE COMMONWEALTH TO TRAVEL WITHOUT THE COMMONWEALTH.

Resolved, That the special commission, established by chapter fifty-seven of the resolves of nineteen hundred and seventy-two and most recently revived and continued by chapter two of the resolves of nineteen hundred and seventy-four, may travel without the commonwealth.

Approved August 5, 1974.

Chap. 83. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO EXISTING AND POTENTIAL WATER SUPPLIES AVAILABLE TO MEET THE NEEDS OF THE TOWN OF AMHERST, THE TOWN OF HADLEY AND THE UNIVERSITY OF MASSACHUSETTS AT AMHERST.

Resolved, That the water resources commission is hereby authorized and directed to make an investigation and study of the existing and potential water supplies available to meet the needs of the town of Amherst, the town of Hadley and the University of Massachusetts at Amherst. The commission shall retain such technical consultants and engineers as may be necessary to analyze and assess all available information regarding said water supplies as well as projections and trends in water supply needs and requirements for such area using whatever funds may be appropriated or available to said commission for the purpose of said investigation and study or whatever funds may in the aggregate be made available by any parties interested in the result of said investigation and study either through appropriation or grant. For the purpose of said investigation and study existing and potential water supplies both within and outside the boundaries of the town of Amherst and the town of Hadley shall be considered by said commission. Said commission shall also consider a separate source of water for the University of Massachusetts at Amherst. All government bodies are hereby directed to make information relevant to this study available to the commission or its consultants upon request.

Said commission shall file its final report, including analysis of the said existing and potential water supplies, recommendations as to the future provision of adequate water supply for the Amherst-Hadley area and the University of Massachusetts at Amherst and any legislation needed to effect such recommendations with the clerk of the senate on or before the last Wednesday in March, nineteen hundred and seventy-five.

Approved August 6, 1974.

Chap. 84. RESOLVE IN FAVOR OF RICHARD WITHSTANDLEY AND THOMAS MULHERN.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there shall be allowed and paid out of the state treasury to Richard Withstandley the sum of three hundred and sixty-four dollars, and to Thomas Mulhern the sum of one thousand and nine dollars and fifty-two cents, for services rendered by both as public defenders.

Approved August 9, 1974.

Chap. 85. RESOLVE IN FAVOR OF LOUIS GORODINSKY.

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 Louis Gorodinsky of Fall River, the sum of one thousand five hundred and thirty-six dollars and six cents in full settlement of any and all claims of said Louis Gorodinsky as reimbursement for expenses incurred by him for the determination and correction of underground water problems caused by failure of the department of public works to connect a certain pipe while constructing drainage on interstate highway route 195. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Louis Gorodinsky that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the maximum amount payable hereunder.

Approved August 9, 1974.

Chap. 86. RESOLVE IN FAVOR OF KATHERINE DEVINE.

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 Katherine Devine of Walpole, who was injured while a volunteer in the Clara Barton program of the youth service board, the sum of ten thousand dollars.

Approved August 9, 1974.

Chap. 87. RESOLVE IN FAVOR OF CHRISTINE H. CONNELL.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Christine H. Connell, head administrative clerk of the commercial motor vehicle division of the department of public utilities, the sum of two thousand four hundred and sixty-seven dollars and ten cents in payment of compensation due her for services rendered in such position from September twenty-second, nineteen hundred and sixty-nine to June twenty-fifth, nineteen hundred and seventy-two, inclusive.

Approved August 9, 1974.

Chap. 88. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO HUMAN CLINICAL INVESTIGATION AND EXPERIMENTAL THERAPY AND SUCH OTHER MATTERS RELATIVE THERETO.

Resolved, That a special commission, to consist of four members of

the senate, seven members of the house of representatives, the commissioner of public health or his designee, and ten persons to be appointed by the governor, seven of whom shall be doctors, is hereby established for the purpose of making an investigation and study relative to human clinical investigation and experimental therapy and such other matters 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 such recommendations into effect, by filing the same with the clerk of the house of representatives on or before April first, nineteen hundred and seventy-five.

Approved August 9, 1974.

Chap. 89. RESOLVE IN FAVOR OF HAARMANN STEEL COMPANY.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Haarmann Steel Company, a corporation organized under the laws of the commonwealth, the sum of sixteen thousand four hundred and thirty-two dollars, in payment for labor and materials furnished as a subcontractor in the construction of a skating rink for the department of public works, payment for which is legally unenforceable.

Approved August 9, 1974.

Chap. 90. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PRICING AND MARKETING PROCEDURES OF GROCERY STORE CHAINS IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the pricing and marketing procedures of grocery store chains in the commonwealth as required by the federal trade commission and the possible violation of consumer protection laws. Said commission shall, in the course of its investigation and study, consider possible remedies to relieve the burden of the high cost of food for the consumers of the commonwealth.

Approved August 13, 1974.

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 1974 passed 858 Acts and 90 Resolves of which 694 Acts and 80 Resolves received executive approval at prorogation and 12 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 19 Acts with his objections thereto in writing. Upon said 7 Acts his objections were sustained and upon 12 Acts his objections were not sustained.

Seven (7) Acts entitled, respectively, "An Act relating to police officers in the employ of a city or town or of the Commonwealth."; "An Act establishing a special fund in the State Treasury with certain funds received from the federal government for the installation of emergency communication equipment on limited access highways."; "An Act relative to the selection of civil service employees for appointment or promotion."; "An Act requiring pharmacists to maintain a patient profile record system."; "An Act providing that persons convicted of murder in the first degree shall suffer the punishment of death."; "An Act placing the issue of public school pupil reassignment on the ballot of the special election to be held in the City of Boston in June of this year." and "An Act providing a temporary exemption from the renewal fee charged to liquor licensees whose premises have been destroyed by insurrection or riot." 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.

Twelve (12) Acts entitled, respectively, "An Act increasing the number of assistant clerks in certain district courts and the Boston Juvenile Court." (Chapter 148); "An Act providing that future members of the police force of the Town of Ayer shall be exempt from the civil service law and rules." (Chapter 301); "An Act permitting the burning of fuel with sulphur content of two and two tenths per cent for residual fuel oil utilization facilities in the Berkshire air pollution control district." (Chapter 353); "An Act relative to the designation of managerial employees under the law regulating collective bargaining by public employees." (Chapter 354); "An Act providing that Carmen Simonelli shall be eligible for appointment as a permanent police officer in the Town of Adams under the civil service law." (Chapter 408); "An Act establishing a Division of Communicable and Venereal Diseases in the Department of Public Health." (Chapter 409); "An Act providing for the appointment of an additional messenger for the Probate Court for Norfolk County." (Chapter 446);

"An Act providing that members of the Police Department of the Town of Nantucket be exempted from the civil service law and rules and further regulating the appointment of members of the Police Department of the Town of Nantucket." (Chapter 518); "An Act authorizing the City of Lawrence to expend certain sums for the Bessie M. Burke Memorial Hospital and to continue to operate said hospital." (Chapter 583); "An Act increasing the amount of money which the County Commissioners of Essex County may borrow for constructing and equipping a Court House in the City of Peabody for the District Court of Peabody." (Chapter 651); "An Act relative to the registration of certain vehicles." (Chapter 652) and "An Act to protect unborn children and maternal health within present constitutional limits." (Chapter 706) 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-two (22) Acts, Chapter 53, 76, 135, 169, 183, 213, 241, 316, 430, 477, 486, 530, 537, 554, 609, 611, 636, 670, 720, 776, 786 and 828 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.

Thirty (30) 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 Saturday, August 3, 1974, at 2:10 A.M., the session having occupied 214 days.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-four

PROPOSAL FOR AN INITIATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR THE EXPENDITURE OF MONEY FROM THE HIGHWAY FUND FOR MASS TRANSPORTATION PURPOSES.

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 LXXVIII of the Amendments to the Constitution is hereby annulled and the following is adopted in place thereof:—

Art. LXXVIII. No revenue from fees, duties, excises or license taxes relating to registration, operation or use of vehicle on public highways, or to fuels used for propelling such vehicles, shall be expended for other than cost of administration of laws providing for such revenue, making of refunds and adjustments in relation thereto, payment of highway obligations, or cost of construction, reconstruction, maintenance and repair of public highways and bridges, and mass transportation lines and of the enforcement of state traffic laws, and for other mass transportation purposes; and such revenue shall be expended by the commonwealth or its counties, cities and towns for said highway and mass transportation purposes only and in such manner as the general court may direct; provided, that this amendment shall not apply to revenue from any excise tax imposed in lieu of local property taxes for the privilege of registering such vehicles.

IN JOINT SESSION, May 17, 1972.

The foregoing initiative 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 8,1974.

The foregoing initiative 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.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

AMENDMENT OF THE CONSTITUTION

1974

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and seventy-one, and by the Legislature of the political year one thousand nine hundred and seventy-three, agreeably to the provisions of the Constitution, and approved by the People on the fifth day of November in the year one thousand nine hundred and seventy-four.

ONE HUNDRED AND FIRST ARTICLE OF AMENDMENT.

ARTICLE CI. *Section 1.* In the year nineteen hundred and seventy-five and every tenth year thereafter a census of the inhabitants of each city and town shall be taken. Said census shall specify the number of inhabitants residing in each precinct of each town and in each precinct and ward of each city. Said census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of said census; provided that such districts as established based on the census in the year nineteen hundred and seventy-one shall terminate on the first Wednesday in January in the year nineteen hundred and seventy-nine.

The House of Representatives shall consist of one hundred and sixty members. The General Court shall, at its first regular session after the year in which said census was taken, divide the Commonwealth into one hundred and sixty representative districts of contiguous territory so that each representative will represent an equal number of inhabitants, as nearly as may be; and such districts shall be formed, as nearly as may be, without uniting two counties or parts of two or more counties, two towns or parts of two or more towns, two cities or parts of two or more cities, or a city and a town, or parts of cities and towns, into one district. Such districts shall also be so formed that no town containing less than twenty-five hundred inhabitants according to said census shall be divided. The General Court may by law limit the time within which judicial proceedings may be instituted calling in question any such division. Every representative, for one year at least immediately preceding his election, shall have been an inhabitant of the district for which he is chosen and shall cease to represent such district when he shall cease

to be an inhabitant of the Commonwealth. The manner of calling and conducting the elections for the choice of representatives, and of ascertaining their election, shall be prescribed by law.

Section 2. Each such census of inhabitants required in section one shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of such census; provided that such districts as established based on the census in the year nineteen hundred and seventy-one shall terminate on the first Wednesday in January in the year nineteen hundred and seventy-nine. The Senate shall consist of forty members. The General Court shall, at its first regular session after the year in which said census is taken, divide the Commonwealth into forty districts of contiguous territory, each district to contain, as nearly as may be, an equal number of inhabitants according to said census; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. The General Court may by law limit the time within which judicial proceedings may be instituted calling in question such division. Each district shall elect one senator, who shall have been an inhabitant of this Commonwealth five years at least immediately preceding his election and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the Commonwealth. The manner of calling and conducting the elections for the choice of senators and councillors, and of ascertaining their election, shall be prescribed by law.

Section 3. Original jurisdiction is hereby vested in the supreme judicial court upon the petition of any voter of the Commonwealth, filed with the clerk of the supreme judicial court for the Commonwealth, for judicial relief relative to the establishment of House of Representatives, councillor and senatorial districts.

Section 4. Article XCII of the Amendments to the Constitution is hereby annulled.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

Boston, December 5, 1974.

I Hereby Certify that the foregoing is the One Hundred and First Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the fifth day of November, in the year one thousand nine hundred and seventy-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

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

AMENDMENT OF THE CONSTITUTION

1974

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and seventy-one, and by the Legislature of the political year one thousand nine hundred and seventy-three, agreeably to the provisions of the Constitution, and approved by the People on the fifth day of November in the year one thousand nine hundred and seventy-four.

ONE HUNDRED AND SECOND ARTICLE OF AMENDMENT.

ART. CII. Article LII of the Articles of Amendment to the Constitution is hereby annulled and the following is adopted in place thereof:—

Article LII. The General Court, by concurrent vote of the two houses, may take a recess or recesses amounting to not more than thirty days.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

Boston, December 5, 1974.

I Hereby Certify that the foregoing is the One Hundred and Second Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the fifth day of November, in the year one thousand nine hundred and seventy-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

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

AMENDMENT OF THE CONSTITUTION

1974

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and seventy-two, and by the Legislature of the political year one thousand nine hundred and seventy-three, agreeably to the provisions of the Constitution, and approved by the People on the fifth day of November in the year one thousand nine hundred and seventy-four.

ONE HUNDRED AND THIRD ARTICLE OF AMENDMENT.

ART. CIII. Article XLVI of the Articles of Amendment to the Constitution of the Commonwealth is hereby amended by striking out section 2 and inserting in place thereof the following section:—

Section 2. No grant, appropriation or use of public money or property or loan of credit shall be made or authorized by the Commonwealth or any political subdivision thereof for the purpose of founding, maintaining or aiding any infirmary, hospital, institution, primary or secondary school, or charitable or religious undertaking which is not publicly owned and under the exclusive control, order and supervision of public officers or public agents authorized by the Commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries in any city or town and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society. Nothing herein contained shall be construed to prevent the Commonwealth from making grants-in-aid to private higher educational institutions or to students or parents or guardians of students attending such institutions.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

Boston, December 5, 1974.

I Hereby Certify that the foregoing is the One Hundred and Third Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the fifth day of November, in the year one thousand nine hundred and seventy-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

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

AMENDMENT OF THE CONSTITUTION

1974

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and seventy-two, and by the Legislature of the political year one thousand nine hundred and seventy-four, agreeably to the provisions of the Constitution, and approved by the People on the fifth day of November in the year one thousand nine hundred and seventy-four.

ONE HUNDRED AND FOURTH ARTICLE OF AMENDMENT.

ART. CIV. Article LXXVIII of the Amendments to the Constitution is hereby annulled and the following is adopted in place thereof:—

Art. LXXVIII. No revenue from fees, duties, excises or license taxes relating to registration, operation or use of vehicle on public highways, or to fuels used for propelling such vehicles, shall be expended for other than cost of administration of laws providing for such revenue, making of refunds and adjustments in relation thereto, payment of highway obligations, or cost of construction, reconstruction, maintenance and repair of public highways and bridges, and mass transportation lines and of the enforcement of state traffic laws, and for other mass transportation purposes; and such revenue shall be expended by the commonwealth or its counties, cities and towns for said highway and mass transportation purposes only and in such manner as the general court may direct; provided, that this amendment shall not apply to revenue from any excise tax imposed in lieu of local property taxes for the privilege of registering such vehicles.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

Boston, December 5, 1974.

I Hereby Certify that the foregoing is the One Hundred and Fourth Article of Amendment of the Constitution of this Commonwealth, as

approved by the People at the State Election held on the fifth day of November, in the year one thousand nine hundred and seventy-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

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

APPENDIX

The following table and index have been prepared by JAMES R. MCINTYRE, ESQ., counsel to the Senate and JOHN F. DONOVAN, 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-FOUR.*†

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.

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).

SECT. 12 added, 1974, 121 (designating the lady bug as the state insect or insect emblem).

SECT. 13 added, 1974, 164 (designating the cod as the state fish or fish 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.)

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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. 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. 8A added, 1973, 896 (relative to the filing of petitions with general court by cities and towns under the home rule amendment).

SECT. 9 revised, 1937, 236 § 1; 1941, 307 § 1; amended, 1941, 600 § 1; revised, 1945, 38 § 1. (See 1941, 307 § 2; 1941, 600 § 2.)

SECT. 9 stricken out and sections 9 and 9A (relative to payment of allowances for travel and other expenses to members of the general court) inserted, 1945, 248 § 1. (See 1945, 248 §§ 4, 5.)

SECT. 9, first two sentences amended, 1948, 655 § 1; revised, 1949, 784 § 1; two sentences inserted after second sentence, 1949, 801 § 1; third sentence amended, 1950, 247 § 1; first four sentences revised, 1951, 803 § 1; last sentence revised, 1953, 171; section revised, 1956, 742 § 1; first four sentences revised, 1960, 783 § 1; act of 1960 submitted upon referendum after passage and repealed by the people at state election on November 6, 1962. This action revived section as most recently amended by the 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.

SECTS. 17-19 stricken out and four sections inserted, 1974, 333.

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; two paragraphs added, 1973, 759.

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. 38B added, 1974, 844 § 1 (providing for public hearings on certain appropriation requests).

SECT. 39 revised, 1973, 981 § 2. (See 1973, 981 § 14.)

SECT. 40 revised, 1973, 981 § 3. (See 1973, 981 § 14.)

SECT. 41 revised, 1973, 981 § 4. (See 1973, 981 § 14.)

SECT. 42 revised, 1973, 981 § 5. (See 1973, 981 § 14.)

SECT. 43 revised, 1973, 981 § 6. (See 1973, 981 § 14.)

SECT. 44 revised, 1973, 981 § 7. (See 1973, 981 § 14.)

SECT. 45 revised, 1973, 981 § 8. (See 1973, 981 § 14.)

SECT. 46 amended, 1939, 508 § 4; revised, 1973, 981 § 9. (See 1973, 981 § 14.)

SECT. 47 amended, 1939, 508 § 5; revised, 1973, 981 § 10. (See 1973, 981 § 14.)

SECT. 48 revised, 1973, 981 § 11. (See 1973, 981 § 14.)

SECT. 49 amended, 1939, 508 § 6; revised, 1973, 981 § 12. (See 1973, 981 § 14.)

SECT. 50 revised, 1974, 382.

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; revised, 1973, 93; paragraph inserted after third paragraph, 1973, 907.

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; amended, 1974, 205 § 1, 493 § 1; clause Twenty-sixth revised, 1958, 626 § 1; 1962, 427 § 1; amended, 1969, 831 § 2; revised, 1973, 1050 § 1; clause Forty-second stricken out, 1953, 319 § 2; clause Forty-third added, 1954, 627 § 1; first paragraph amended, 1960, 299; revised, 1960, 544 § 1; second paragraph revised, 1965, 875 § 1; fifth paragraph amended, 1957, 164 § 1; sixth and seventh paragraphs revised, 1955, 403 § 1; paragraph inserted after seventh paragraph, 1965, 875 § 2; 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; clauses Forty-eighth to Fifty-first added, 1973, 925 § 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; 1973, 925 § 84, 1050 § 7; 1974, 205 § 3.)

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 bipartisan 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, 266 § 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. 10, last sentence stricken out. 1973, 1230 § 1.

SECT. 12A revised, 1954, 661 § 1; amended, 1970, 215 § 3; 1974, 205 § 2. (See 1954, 661 § 2; 1970, 215 § 4; 1974, 205 § 3.)

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); revised, 1973, 147.

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).

SECT. 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. 15Y added, 1973, 152 (relative to the annual observance of Jaycee Week and Jaycee Day).

SECT. 15Z added, 1974, 112 (relative to the annual observance of Bataan-Corregidor Day).

SECT. 15AA added, 1974, 158 (relative to the annual observance of Secretaries Week and Secretaries Day).

SECT. 15BB added, 1974, 603 (relative to the annual observance of Massachusetts National Guard 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, 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, 662 § 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; 1973, 1021 § 1, 1168 § 1; 1974, 833 § 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; 1973, 1168 § 40.)

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, 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, 166 § 3; 1972, 300 § 3; 1973, 426 § 3; 1974, 422 § 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; 1973, 426 § 50; 1974, 422 § 54.)

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 request 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. 38 revised, 1973, 1043 § 1.

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, 1932, 305 § 2; revised, 1946, 496; first two sentences revised, 1953, 604 § 7; first four sentences stricken out and three sentences inserted, 1967, 230.

SECT. 43-45 added, 1933, 120 § 2 (relative to the alcoholic beverages control commission).

SECT. 43 amended, 1933, 375 § 1; sixth sentence revised, 1950, 785; 1963, 801 § 4; 1969, 766 § 2; amended, 1971, 116 § 4; 1972, 300 § 4; 1973, 426 § 4; 1974, 422 § 4. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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, 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; 1973, 426 § 5; 1974, 422 § 5; last paragraph revised, 1941, 596 § 3; section revised, 1974, 507 § 1. (See

1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECTS. 49-52 added, under caption, 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; 1973, 426 § 6; 1974, 422 § 6. (See 1950, 479 §§ 6, 7; 1963, 719 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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. 58A-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; section repealed, 1974, 806 § 2. (See 1974, 806 § 41.)

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; section and caption preceding section repealed, 1973, 1168 § 2. (See 1954, 537 § 3; 1973, 1168 § 40.)

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; 1973, 426 § 7; 1974, 422 § 7; third sentence revised, 1963, 801 § 10. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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. 78A added, 1973, 889 (relative to the furnishing of extended

sheltered employment to certain handicapped persons by the Massachusetts Rehabilitation Commission).

SECT. 79, paragraphs (*e*) and (*f*) stricken out and paragraphs (*e*), (*f*) and (*g*) inserted, 1965, 854.

SECTS. 84A-84H added, 1974, 805 § 1 (establishing an office of deafness in the Massachusetts Rehabilitation Commission).

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. 105 amended, 1974, 835 § 1. (See 1974, 835 § 185.)

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); fifth sentence revised, 1974, 254. (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; section revised, 1973, 1228 § 1; 1974, 241 § 1; amended, 1974, 835 § 2. (See 1974, 835 § 185.)

SECT. 118, sentence added, 1974, 581 § 1.

SECTS. 120-123 added, under caption, 1964, 622 § 2 (establishing the commonwealth service corps).

SECT. 120, third sentence revised, 1967, 844 § 5; section and caption preceding section repealed, 1973, 1168 § 3. (See 1973, 1168 § 40.)

SECT. 121, second paragraph amended, 1973, 774 § 3; 1974, 422 § 8. (See 1973, 774 § 7; 1974, 422 § 54.)

SECT. 122, first sentence amended, 1969, 838 § 3; section repealed, 1973, 1168 § 4. (See 1969, 838 § 74; 1973, 1168 § 40.)

SECT. 123, repealed, 1973, 1168 § 4. (See 1973, 1168 § 40.)

SECT. 124 added, under caption, 1965, 83 § 2 (establishing the World War II Memorial Commission); first paragraph, first sentence revised, 1973, 684 § 1; second paragraph revised, 1967, 492; 1973, 684 § 2; stricken out and two paragraphs inserted, 1974, 388; section repealed, 1974, 806 § 3. (See 1974, 806 § 41.)

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; 1973, 1168 § 5. (See 1967, 55 § 2; 1973, 1168 § 40.)

SECTS. 129-150 added, under caption, 1966, 535 § 2 (establishing the Massachusetts commission for the blind). (See 1966, 535 §§ 15-18.)

SECT. 129, first paragraph amended, 1973, 1210 § 1; second paragraph, second sentence revised, 1969, 766 § 8; amended, 1971, 116 § 8; 1972, 300 § 8; 1973, 426 § 8; 1974, 422 § 9. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50, 1210 § 39; 1974, 422 § 54.)

SECT. 130, second paragraph, second sentence revised, 1973, 1210 § 2; third paragraph revised, 1971, 698 § 3; stricken out, 1973, 1210 § 3; last paragraph revised, 1971, 775; amended, 1973, 1210 § 4. (See 1971, 698 § 4; 1973, 1210 § 39.)

SECT. 131 stricken out and sections 131-131J inserted, 1973, 1210 § 5. (See 1973, 1210 § 39.)

SECT. 135, third sentence stricken out; 1973, 1210 § 6. (See 1973, 1210 § 39.)

SECT. 137 revised, 1973, 1210 § 7. (See 1973, 1210 § 39.)

SECT. 150 repealed, 1973, 1210 § 8. (See 1973, 1210 § 39.)

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); repealed, 1974, 806 § 4. (See 1974, 806 § 41.)

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); section and caption preceding section stricken out and sections 156-156B added, 1973, 1021 § 2 (establishing the committee on criminal justice).

SECT. 156, third paragraph amended, 1974, 581 § 2.

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; 1973, 426 § 9. (See 1972, 300 § 44; 1973, 426 § 50.)

SECT. 162 added, under caption, 1971, 1 § 1 (establishing an advisory board on legislative compensation); section and caption preceding section revised, 1973, 1172.

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. 165 amended, 1974, 835 § 3. (See 1974, 835 § 185.)

SECT. 166 added, 1972, 776 § 1 (establishing a health facilities appeal board within the executive office of human services). (See 1972, 776 § 6.)

SECT. 166A added, 1973, 1210 § 9 (establishing a commission on supplemental security income within the executive office of human services). (See 1973, 1210 § 39.)

SECT. 166B added, 1974, 763 (establishing an advisory committee on chaplains in state institutions).

SECTS. 167-178 added, 1972, 805 § 1 (providing for the establishment and administration of a criminal offender record information system).

SECT. 168, paragraph added, 1973, 961 § 1.

SECT. 169, paragraph added, 1973, 961 § 2.

SECT. 170, paragraph added, 1973, 961 § 3.

SECTS. 179-180 added, 1973, 989 § 1 (establishing a board of underwater archaeological resources).

SECTS. 181-182 added, 1974, 833 § 2 (establishing a nutrition board in the executive office of human services).

Chapter 6A. — Executive Offices.

New chapter inserted, 1969, 704 § 3. (See 1969, 704 § 60.)

SECT. 2 amended, 1970, 862 § 2; 1973, 1168 § 6. (See 1970, 862 § 6; 1973, 1168 § 40.)

SECT. 8 amended, 1970, 862 § 3; 1971, 204; 1973, 1021 § 3, 1168 § 7. (See 1970, 862 § 6; 1973, 1168 § 40.)

SECT. 9, first paragraph amended, 1974, 806 § 5. (See 1974, 806 § 41.)

SECTS. 9A-9B added, 1973, 1224 § 1 (providing for the payment of certain expenses of the attorney general and the department of public utilities).

SECT. 9A, first sentence revised, 1974, 691.

SECT. 15 repealed, 1974, 806 § 6. (See 1974, 806 § 41.)

SECT. 16 amended, 1972, 776 § 2, 785 § 2; 1973, 1210 § 10, 1229 § 1; 1974, 806 § 7, 833 § 3. (See 1972, 776 § 6; 1973, 1210 § 39, 1229 § 13; 1974, 806 § 41.)

SECT. 16A added, under caption, 1970, 862 § 4 (establishing an executive office of elder affairs); section and caption preceding section repealed, 1973, 1168 § 8. (See 1970, 862 § 6; 1973, 1168 § 40.)

SECT. 17A added, 1974, 692 (establishing a service unit within the executive office of manpower affairs).

SECT. 18 amended, 1972, 802 § 2; 1974, 806 § 8. (See 1972, 802 § 76; 1974, 806 § 41.)

SECT. 19 amended, 1973, 1141 § 2; 1974, 806 § 9. (See 1974, 806 § 41.)

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.

SECTS. 31-36 added, 1973, 1229 § 2 (reorganizing the rate setting commission).

Chapter 7. — Executive Office for Administration and Finance (former title, Commission on Administration and Finance).

Title changed, 1962, 757 § 2.

SECT. 1 amended, 1962, 757 § 3.

SECT. 2 revised, 1948, 610 § 1; 1962, 757 § 4. (See 1948, 610 §§ 6, 7; 1962, 757 § 75.)

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, 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 paragraph, first sentence revised, 1963, 801 § 12; amended, 1967, 844 § 6; revised, 1969, 766 § 10; amended, 1971, 116

§ 10; 1972, 300 § 9; 1973, 426 § 10; revised, 1973, 1131; 1974, 422 § 10; paragraph revised, 1974, 835 § 4; paragraph inserted after first paragraph, 1972, 644; third sentence revised, 1973, 720 § 1; third paragraph, first sentence revised, 1969, 704 § 5; amended, 1974, 835 § 5. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54, 835 § 185.)

SECT. 4B amended, 1968, 492 § 1; revised, 1974, 835 § 6. (See 1974, 835 § 185.)

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. 4G, first paragraph revised, 1972, 805 § 2; amended, 1974, 835 § 7. (See 1974, 835 § 185.)

SECT. 4H added, 1973, 1229 § 3 (establishing a division of hearings officers within the executive office for administration and finance). (See 1973, 1229 § 13.)

SECTS. 4I-4K added, 1974, 835 § 8 (establishing a division of personnel administration in the executive office for administration and finance). (See 1974, 835 § 185.)

SECTS. 5A and 5B added, 1953, 612 § 4 (establishing a division of building construction); repealed, 1962, 757 § 4. (See 1953, 612 §§ 10-13; 1962, 757 § 75.)

SECT. 6 revised, 1948, 610 § 3; 1950, 824; amended 1951, 558; revised, 1962, 757 § 4; repealed, 1969, 704 § 9. (See 1948, 610 §§ 6, 7; 1962, 757 § 75; 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. 6F added, 1974, 500 § 1 (providing for a coordinator of flexible hours within the bureau of personnel).

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 adminis-

tration 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; 1974, 835 § 9. (See 1974, 835 § 185.)

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; section stricken out and sections 22A-22B inserted, 1973, 720 § 2.

SECT. 22A amended, 1974, 114 § 1.

SECT. 22B amended, 1974, 114 § 2.

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; 1973, 1078 § 2B; third paragraph amended, 1955, 643 § 7; 1962, 757 § 22; fourth paragraph amended, 1962, 757 § 22; section amended, 1974, 835 § 10. (See 1974, 835 § 185.) (See 1955, 643 § 12; 1973, 1078 § 8.)

SECT. 28A added, 1954, 680 § 3 (relative to the development of training programs for certain state employees by the division of personnel and standardization); first paragraph amended, 1974, 835 § 11; paragraph added, 1964, 581 § 1; amended, 1974, 835 § 12; paragraph added, 1972, 593; amended, 1974, 835 § 13. (See 1974, 835 § 185.)

SECT. 29 amended, 1945, 580 § 4. (See 1945, 580 § 9.)

SECT. 30 amended, 1952, 144; 1962, 757 § 23; revised, 1974, 835 § 14. (See 1974, 835 § 185.)

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 in-

serted, 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. 30K-30P repealed, 1973, 1229 § 4. (See 1973, 1229 § 13.)

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).

SECT. 38 added, 1974, 697 (establishing the commission of Indian affairs).

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. 17B added, 1973, 990 (providing for the exhibition of selected writings of John Adams).

SECT. 18 amended, 1932, 188 § 2; 1933, 199 § 2, 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. 2A added, 1973, 711 § 1 (establishing an archives advisory commission in the department of the state secretary).

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 Report 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; fourth sentence revised, 1973, 989 § 2; first five sentences revised, 1973, 1155 § 1; fifth sentence revised, 1974, 283.

SECTS. 26A and 26B added, 1973, 1155 § 2 (relative to the duties of the state archeologist).

SECT. 27 revised, 1965, 707; paragraph added, 1973, 1155 § 3.

SECTS. 27A-27B added, 1971, 517 § 2 (relative to the powers and duties of the Massachusetts Historical Commission).

SECT. 27C added, 1973, 1155 § 4 (regulating the preservation of historical and archeological resources).

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; revised, 1973, 879.

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. 24, first paragraph amended, 1974, 156.

SECT. 26 amended, 1972, 192; 1973, 1002 § 1.

SECT. 27 amended, 1972, 280, 474; 1973, 302, 1002 § 2.

SECT. 28 amended, 1973, 1002 § 3.

SECT. 30A added, 1973, 63. (further regulating the state lottery).

SECT. 33 amended, 1973, 1002 § 4.

SECT. 35, second paragraph revised, 1974, 492 § 1. (See 1974, 492 § 24.)

SECTS. 37-41 added, 1973, 729 § 1 (further regulating beano and other lotteries).

SECT. 37, first paragraph amended, 1973, 1002 § 5; third paragraph amended, 1974, 492 § 2. (See 1974, 492 § 24.)

SECT. 38 amended, 1973, 944 § 1, 1002 § 6, 1165 §1; fifth paragraph revised, 1974, 244 § 1. (See 1973, 1165 § 5.)

SECT. 39 amended, 1973, 1165 § 2, 3; third paragraph amended, 1974, 492 § 3. (See 1973, 1165 § 5; 1974, 492 § 24.)

SECT. 39A added, 1973, 1002 § 7.

SECT. 41 repealed, 1973, 1165 § 4. (See 1973; 1165 § 5.)

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; second sentence revised, 1973, 548.
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 fiirst 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. 8K added, 1974, 562 § 1 (relative to gifts made with a public charitable intention). (See 1974, 562 § 3.)

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); third paragraph amended, 1973, 162; fourth paragraph amended, 1973, 989 § 3; paragraph added, 1973, 283.

SECT. 11E added, 1973, 1224 § 2 (authorizing the attorney general to intervene in administrative and judicial proceedings involving consumer actions relating to public utilities).

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, 1969, 769 § 1, 1972, 696 § 1; amended, 1972, 744 § 2. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 684 § 2; 1963, 743 § 4; 1969, 769 § 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 § 2; 1971, 1117 § 2; 1972, 696 § 2; amended, 1972, 744 § 4; revised, 1974, 809 § 1. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 686 § 3; 1963, 743 § 4; 1969, 769 § 4; 1972, 744 § 5; 1974, 809 § 2.)

SECT. 18 amended, 1948, 423 § 5. (See 1948, 423 § 7.)

SECT. 20 revised, 1957, 694 § 1; 1969, 145; 1973, 1006.

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. 20C added, 1973, 831 (authorizing district attorneys to appoint additional special district attorneys under federally funded programs).

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; fifth sentence revised, 1969, 766 § 11; amended, 1971, 116 § 11; revised, 1971, 1102 § 2; amended, 1972, 300 § 10; 1973, 426 § 11; 1974, 422 § 11; 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; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 2A added, 1939, 238 § 3 (relative to the appointment and compensation of civil service commissioners); fourth sentence revised, 1941, 457; 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; 1973, 426 § 12; 1974, 422 § 12. (See 1939, 238 §§ 52-55; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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.

SECTS. 2-7 repealed, 1974, 835 § 15. (See 1974, 835 § 185.)

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 revised, 1969, 766 § 13; amended, 1971, 116 § 13; first sentence stricken out and two sentences inserted, 1969, 704 § 18; 1972, 300 § 12; second sentence revised, 1973, 426 § 13; 1974, 422 § 13; second sentence

(as appearing in 1952, 627 § 1) revised, 1967, 844 § 7. (See 1948, 601 § 2; 1952, 627 § 2; 1955, 730 § 43; 1969, 704 § 60; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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 caption, 1937, 425 § 1; caption 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 caption before section 13 stricken out and new sections 13-15D added under caption, 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; 1973, 707.

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; amended, 1973, 1124.

SECT. 26 amended, 1950, 192; revised, 1958, 533 § 1; 1971, 1099 § 8; sentence added, 1974, 810 § 1.

SECT. 27 revised, 1958, 533 § 2; amended, 1974, 810 § 2.

SECT. 28 amended, 1948, 647; revised, 1963, 801 § 22; amended, 1974, 810 § 3.

SECT. 29 and its caption stricken out and new section inserted, under the caption, 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; first sentence amended, 1974, 835 § 16; 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; 1974, 835 § 185.)

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, 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; paragraph added, 1974, 560. (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; 1973, 426 §§ 14, 14A; 1974, 422 §§ 14, 15. (See 1938, 337 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECTS. 42-44 added, under caption, 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; 1973, 426 § 15; 1974, 422 § 16. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECTS. 44A-44D added, under caption, 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, 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, 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; 1973, 1168 § 9. (See 1973, 1168 § 40.)

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; 1973, 426 § 16; 1974, 422 § 17. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 1175 § 1.

SECT. 1B amended, 1969, 396 § 3; 684 § 1; 1973, 1175 § 2.

SECT. 1C amended, 1973, 779 § 1; 1974, 855 § 3. (See 1974, 855 § 8.)

SECT. 1D, paragraph inserted after the ninth paragraph, 1973, 820; 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; paragraph added, 1974, 255. (See 1965, 572 §§ 37-39, 41, 43-46, 53.)

SECT. 1E amended, 1966, 251 § 1; revised, 1971, 1009 § 1; amended, 1972, 227; fifth paragraph amended, 1974, 107.

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; first paragraph amended, 1973, 779 § 2, 847 § 1; 1974, 855 § 4; second paragraph revised, 1971, 964; 1973, 847 § 2; third paragraph amended, 1973, 847 § 3; sixth paragraph, clause (8) added, 1971, 842 § 2. (See 1974, 855 § 8.)

SECT. 1G, first paragraph revised, 1969, 837 § 2; two paragraphs added after fifth paragraph, 1967, 808 § 1; seventh paragraph, sentence added at end, 1969, 52; paragraph inserted after seventh paragraph, 1974, 613; 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; amended, 1974, 855 § 5; paragraph added, 1973, 404. (See 1974, 855 § 8.)

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; section revised, 1974, 636 § 1.

SECT. 1J, first paragraph revised, 1974, 636 § 2.

SECT. 1K amended, 1974, 636 § 3.

SECT. 1L added, 1970, 753 § 1 (relative to school lunch programs for elderly persons); revised, 1973, 1168 § 10. (See 1973, 1168 § 40.)

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; section revised, 1973, 1176. (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; 1973, 1175 § 3.

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; 1973, 1175 § 4. (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. 19B added, 1974, 577 (indemnifying trustees of public institutions of higher education).

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; section revised, 1973, 1175 § 5; 1974, 520 § 1.

SECTS. 25 and 26 added, 1957, 690 § 1 (providing for enlargement of the commonwealth scholarship program). (See 1957, 690 § 2.)

SECT. 25 amended, 1960, 403 § 19; second sentence revised, 1964, 561 § 5; section repealed, 1965, 572 § 8.

SECT. 26 repealed, 1965, 572 § 8.

SECT. 27 added, 1958, 605 § 1 (establishing a Massachusetts board of regional community colleges and providing for the establishment of such colleges); first sentence amended, 1960, 403 § 20; revised, 1964, 561 § 6; paragraph added at end, 1962, 559; sentence added at end, 1963, 414.

SECT. 28 added, 1963, 293 (authorizing the board of regional community colleges to establish activity fees in said colleges); amended, 1967, 59 § 1.

SECTS. 27 and 28 stricken out and sections 27-39 inserted, under caption, 1964, 737 § 1. (See 1964, 737 § 2.)

SECT. 27 amended, 1965, 572 § 6; first sentence revised, 1968, 113; two sentences added at end, 1969, 269; section revised, 1969, 846 § 6.

SECT. 27A added, 1969, 846 § 7 (providing for a student advisory commission to the board of trustees of regional community colleges).

SECT. 27B added, 1971, 891 (establishing a faculty advisory body to the board of regional community colleges).

SECT. 28 revised, 1965, 572 § 7; first paragraph amended, 1969, 837 § 3; sentence added at end, 1970, 689; second paragraph amended, 1967, 59 § 1; fifth and sixth sentences stricken out, 1969, 866.

SECT. 28A added, 1973, 1089 § 1 (authorizing banks to establish a branch on state college grounds).

SECT. 35 revised, 1968, 739 § 6.

SECT. 39, two sentences added, 1973, 1189 § 1.

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).

SECTS. 46-48 added, 1973, 847 § 4 (establishing an advisory commission for the division of educational personnel).

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; 1973, 426 § 17; 1974, 422 § 18. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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. 4A, second and third paragraphs revised, 1974, 629 § 1; section amended, 1974, 835 § 17. (See 1974, 835 § 185.)

SECT. 4B revised, 1974, 629 § 2.

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. 6, third sentence revised, 1973, 999 § 1; paragraph added, 1973, 999 § 2.

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; 1973, 426 § 18; 1974, 422 § 19. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 426 § 19, 768 § 2; 1974, 422 § 20; second paragraph amended, 1974, 835 § 18; third paragraph revised, 1971, 103 § 2. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50, 768 § 3; 1974, 422 § 54, 835 § 185.)

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.

SECT. 19 amended, 1973, 1217 § 1.

SECT. 20, five sentences added, 1973, 1217 § 2.

SECT. 21, five sentences added, 1973, 1217 § 3.

SECTS. 22-23 revised, 1973, 1217 § 4.

SECT. 24, first two sentences revised, 1973, 1217 § 5.

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; 1973, 426 § 20; 1974, 422 § 21. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 1168 § 11. (See 1939, 233 §§ 2, 3; 1972, 776 § 6; 1973, 1168 § 40.)

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; amended, 1974, 409 § 1; paragraph inserted after first paragraph, 1974, 409 § 2; 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); amended, 1974, 835 § 19. (See 1974, 835 § 185.)

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; subsection (C) added, 1973, 1168 § 12. (See 1973, 1168 § 40.)

SECT. 3, fourth sentence revised, 1969, 766 § 23; section revised, 1969, 885 § 2; fourth sentence amended, 1971, 116 § 21; 1972, 300 § 20; 1973, 426 § 21; 1974, 422 § 22. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 4, fourth sentence revised, 1969, 766 § 24; section revised, 1969, 885 § 3; first paragraph, third sentence amended, 1971, 116 § 22; 1972, 300 § 21; 1973, 426 § 22; revised, 1974, 422 § 23; second paragraph, second sentence revised, 1973, 426 § 22A; 1974, 422 § 24; third paragraph, second sentence revised, 1973, 426 § 22B; 1974, 422 § 25; fourth paragraph, second sentence revised, 1973, 426 § 22C; 1974, 422 § 26; fifth paragraph, second sentence revised, 1973, 426 § 22D; 1974, 422 § 27; sixth paragraph, second sentence revised, 1973, 426 § 22E; 1974, 422 § 28; section revised, 1974, 752 § 1. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 5, second paragraph amended, 1974, 752 § 2; third paragraph amended, 1974, 752 § 3; fourth paragraph revised, 1969, 885 § 4; amended, 1974, 752 § 4; fifth paragraph amended, 1974, 752 § 5; sixth paragraph amended, 1974, 835 § 20. (See 1974, 835 § 185.)

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. 5B revised, 1973, 475.

SECT. 5C revised, 1970, 701 § 1. (See 1970, 701 § 3.)

SECT. 6 revised, 1969, 885 § 7; amended, 1973, 1210 § 11; third paragraph amended, 1974, 752 § 6; fourth paragraph amended, 1974, 752 § 6A. (See 1973, 1210 § 39.)

SECT. 7 revised, 1969, 855 § 8; amended, 1973, 1210 § 12; first sentence revised, 1974, 752 § 7. (See 1973, 1210 § 39.)

SECT. 8 revised, 1968, 149; amended, 1974, 752 § 8.

SECT. 9, paragraph added, 1974, 752 § 9; section amended, 1974, 835 § 21. (See 1974, 835 § 185.)

SECT. 10, two sentences inserted after the second sentence, 1969, 885 § 9; third sentence revised, 1973, 1168 § 13. (See 1973, 1168 § 40.)

SECT. 12, sentence added at the end, 1969, 885 § 10.

SECT. 14, second sentence revised, 1973, 1210 § 13. (See 1973, 1210 § 39.)

SECT. 15 amended, 1973, 1210 § 14. (See 1973, 1210 § 39.)

SECT. 16 revised, 1969, 885 § 11; first paragraph stricken out and four paragraphs inserted, 1974, 752 § 10.

SECT. 17 added, 1968, 541 (providing for regulation by Comptroller of funds advanced to Department of Public Welfare); repealed, 1969, 885 § 13.

SECTS. 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).

SECT. 22 amended, 1973, 1210 § 15; revised, 1974, 752 § 11. (See 1973, 1210 § 39.)

SECTS. 23-25 repealed, 1974, 752 § 12.

SECT. 27A inserted, 1974, 407 (relative to the distribution of certain financial aid to welfare recipients).

SECT. 28 added, 1973, 1168 § 14 (establishing a board of accreditation of homemaker services). (See 1973, 1168 § 40.)

Chapter 18A. — Department of Youth Services.

New chapter inserted, 1969, 838 § 1. (See 1969, 838 § 74.)

SECT. 1, fourth sentence amended, 1972, 300 § 19A; 1973, 426 § 23; 1974, 855 § 6. (See 1972, 300 § 44; 1973, 426 § 50; 1974, 855 § 8.)

SECT. 5, second paragraph revised, 1971, 173.

SECT. 7, first paragraph amended, 1974, 835 § 22. (See 1974, 835 § 185.)

SECT. 9 amended, 1970, 490; 1973, 242.

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, 1970, 888 § 1; third paragraph amended, 1971, 1076 § 2; sixth paragraph revised, 1971, 817. (See 1970, 888 § 31.)

SECT. 2, second paragraph revised, 1973, 90; third paragraph amended, 1971, 859; fifth paragraph revised, 1971, 193; sixth paragraph revised, 1969, 766 § 25; amended, 1971, 116 § 23; 1972, 300 § 21A; 1973, 426 § 24; 1974, 422 § 29. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 2A added, 1973, 1068 § 1 (providing for an evaluation of each residential facility for the mentally retarded operated by the department).

SECT. 4 amended, 1967, 875 § 1; fifth sentence revised, 1968, 689 § 1; fourth and fifth sentences stricken out and one sentence inserted, 1974, 798 § 1.

SECT. 5 amended, 1967, 875 § 2; fourth sentence revised, 1968, 689 § 2; 1974, 798 § 2.

SECT. 6 amended, 1967, 875 § 3; revised, 1974, 783.

SECT. 6A added, 1974, 783 (providing for an assistant commissioner for planning in the department of mental health).

SECT. 6B added, 1974, 783 (providing for an assistant commissioner for legal medicine in the department of mental health).

SECT. 8 amended, 1967, 875 § 4; fourth sentence revised, 1968, 689 § 3; 1974, 798 § 3.

SECT. 8A added, 1969, 889 § 2 (establishing the position of assistant commissioner of drug rehabilitation); fourth sentence revised, 1974, 798 § 4.

SECT. 10, first paragraph amended, 1974, 835 § 23; third paragraph revised, 1969, 28; amended, 1974, 835 § 24. (See 1974, 835 § 185.)

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. 14A amended, 1973, 1210 § 16. (See 1973, 1210 § 39.)

SECT. 14E added, 1972, 417 (requiring the weighing of farm produce received by any facility of the department of mental health.)

SECT. 14F added, 1973, 532 (requiring certain officers of certain state facilities to report any felonies committed on the premises to the district attorney of the district in which the facility is located).

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; amended, 1974, 835 § 25; sixth sentence stricken out and two sentences inserted, 1971, 838; sixth sentence amended, 1974, 835 § 26; seventh sentence amended, 1974, 835 § 26A. (See 1970, 888 § 31; 1974, 835 § 185.)

SECT. 19, first paragraph amended, 1967, 875 § 5; fifth sentence stricken out and two sentences inserted, 1968, 689 § 4; sixth sentence revised, 1974, 798 § 5; second paragraph amended, 1967, 875 § 6; fourth sentence stricken out and two sentences inserted, 1968, 689 § 5; fifth sentence revised, 1974, 798 § 6; fourth paragraph amended, 1967, 875 § 7; revised, 1968; 689 § 6; 1974, 798 § 7.

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. 27, fourth paragraph amended, 1973, 1194.

SECT. 29, paragraph (*g*) added, 1972, 785 § 3. (See 1972, 785 § 20.)

Chapter 19A. — Department of Elder Affairs.

New chapter inserted, 1973, 1168 § 15. (See 1973, 1168 § 40.)

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; 1973, 426 § 25; 1974, 422 § 30. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 5 revised, 1963, 801 § 42; 1969, 766 § 27; amended, 1971, 116 § 25; revised, 1971, 988; amended. 1972, 300 § 23; 1973, 426 § 26; 1974, 422 § 31. (See 1969, 766 § 48; 1971, 116 § 45; 1971, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 6, first sentence revised, 1965, 678 § 1; 1967, 347 § 1; 1974, 654 § 1.

SECT. 6A added, 1972, 91 (establishing an intern scholarship program in the department of agriculture).

SECTS. 7-9 added, under caption, 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, 801 § 2; revised, 1971, 987 § 1; clause (*c*) stricken out and clauses (*e*) and (*d*) inserted; 1971, 801 § 3; clause (*e*) revised, 1973, 1000 § 1; clause (*c*) added, 1973, 1000 § 2.

(For prior temporary legislation see 1934, 376; 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1, 631 § 1.)

SECTS. 13-19 added, 1974, 654 § 2 (establishing a division of agricultural land use within the department of agriculture).

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; 1973, 426 § 27; 1974, 422 § 32. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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.)

SECT. 7 revised, 1974, 806 § 26. (See 1974, 806 § 41.)

SECT. 7A repealed, 1974, 806 § 10. (See 1974, 806 § 41.)

SECT. 7F, first and second sentences revised, 1974, 806 § 27. (See 1974, 806 § 41.)

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, 646 § 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; revised, 1974, 806 § 28. (See 1974, 806 § 41.)

SECT. 17A added, 1966, 621 § 2 (authorizing the department to pro-

vide 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); paragraph inserted after first paragraph, 1973, 984 § 1.

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; 1973, 546 § 1; second paragraph, sentence added at end, 1969, 745 § 1; paragraph revised, 1970, 28.

SECT. 26A added, 1973, 546 § 2 (further regulating the administration of the Massachusetts Clean Waters Act).

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; section revised, 1973, 546 § 3.

SECT. 28, subsection (*a*) revised, 1967, 873 § 3; 1973, 1074 § 1; subsection (*b*) amended, 1973, 1074 § 2; subsection (*c*) amended, 1973, 1074 § 3.

SECT. 29 revised, 1970, 150; second paragraph revised, 1972, 601 § 1; amended, 1973, 1074 § 4; paragraph inserted after second paragraph, 1973, 1074 § 5.

SECT. 30A added, 1967, 873 § 5 (authorizing governmental units to construct and operate water pollution abatement facilities); amended, 1973, 546 § 4.

SECT. 32 amended, 1967, 873 § 6; 1973, 546 § 5; paragraph added, 1972, 601 § 3.

SECT. 33 revised, 1967, 873 § 7; 1973, 546 § 6.

SECT. 33A added, 1973, 744 (further providing for the financing of pollution control facilities in certain towns).

SECTS. 33B-33D added, 1973, 1074 § 6 (providing for the formation of water pollution abatement districts).

SECT. 36 amended, 1973, 1074 § 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. 40 revised, 1973, 546 § 7.

SECT. 42, first sentence amended, 1970, 704 § 2; sentence added, 1967, 873 § 11; section revised, 1973, 546 § 8.

SECT. 43, first sentence amended, 1970, 704 § 3; section revised, 1973, 546 § 9.

SECTS. 44-46 stricken out and new sections 44-46 inserted, 1970, 704 § 4.

SECT. 44 revised, 1973, 546 § 10; paragraph (1) amended, 1974, 26.

SECT. 45 revised, 1973, 546 § 11.

SECT. 46 revised, 1973, 546 § 12.

SECT. 46A added, 1973, 546 § 13 (further regulating the administration of the Massachusetts Clean Waters Act).

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); revised, 1973, 437.

SECT. 50B added, 1970, 827 § 2 (further regulating vessels carrying cargoes of any bulk petroleum products). (See 1970, 827 § 4.)

SECT. 52A added, 1973, 1162 (providing for the installation and maintenance of waste oil retention facilities).

SECT. 53 revised, 1974, 182.

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 21A. — Executive Office of Environmental Affairs.

New chapter inserted, 1974, 806 § 1. (See 1974, 806 § 41.)

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; 1973, 426 § 28; 1974, 422 § 33. (See 1948, 517 § 2; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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); revised, 1974, 639 § 1.

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; second paragraph amended, 1974, 541 § 1. (See 1948, 634 § 3; 1972, 802 § 77; 1974, 541 § 24.)

SECT. 5 revised, 1953, 644; 1956, 713.

SECT. 6, first paragraph, third and fourth sentences revised, 1958,

486 § 2; sentence added, 1974, 639 § 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; 1973, 925 § 2; paragraph added, 1947, 407; amended, 1957, 343; revised, 1971, 521; amended, 1974, 639 § 3; paragraph added, 1949, 502. (See 1939, 503 § 5; 1973, 925 § 84.)

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; first paragraph amended, 1974, 639 § 4. (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; section revised, 1973, 793 § 1.

SECT. 9P revised, 1973, 793 § 2; 1974, 639 § 5.

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; section revised, 1974, 528 § 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; 1973, 426 § 29; revised, 1973, 768 § 1; section revised, 1973, 1192 § 1; second sentence revised, 1974, 422 § 34; section revised, 1974, 609 § 1. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50, 768 § 1; 1974, 422 § 54.)

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. 7 revised, 1973, 1192 § 2.

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; 1973, 426 § 30; 1974, 422, § 35; revised, 1974, 609 § 2. (See 1941, 685 § 6, 709 §§ 1-3; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 426 § 31; 1974, 422 § 36. (See 1941, 611 §§ 2, 3, 685 § 6; 1951, 763 § 22; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 426 § 32; 1974, 422 § 37; stricken out and two sentences inserted, 1974, 609 § 3; second sentence amended, 1950, 691 § 2. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 9R amended, 1965, 763 § 3; 1973, 1078 § 2A. (See 1973, 1078 § 8.)

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; 1973, 426 § 33, 1193, § 1; 1974, 422 § 38; third paragraph revised, 1971, 907. (See 1955, 730 § 43; 1961, 611 § 9; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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); first sentence amended, 1974, 609 § 4.

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, first paragraph, second sentence revised, 1967, 844 § 18; fourth sentence revised, 1969, 766 § 35; amended, 1971, 116 § 33; 1972,

300 § 31; 1973, 426 § 34; 1974, 422 § 39. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 2, clause (*a*) added, 1965, 790 § 1; paragraphs (*a*), (*b*) and (*c*) stricken out and paragraph (*b*) inserted, 1968, 761 § 2.

SECT. 3 amended, 1968, 761 § 3; first sentence revised, 1973, 1178 § 1.

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).

SECT. 14 added, 1973, 1038 § 1 (authorizing financial assistance to certain public and private agencies which promote tourism).

SECTS. 15-23 added, 1973, 1178 § 2 (establishing a division of small business assistance).

SECTS. 24-28 added, 1974, 826 (establishing an office of international trade in the department of commerce and development).

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; 1973, 426 § 35; 1974, 422 § 40. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 3, second paragraph, clause (*i*) amended, 1974, 689 § 2; 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.

SECT. 10 amended, 1973, 1168 § 16; 1974, 689 § 3. (See 1973, 1168 § 40.)

SECT. 10A added, 1973, 1215 § 2 (authorizing advances to housing authorities for certain development costs).

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).

SECT. 16, eighth paragraph amended, 1974, 541 § 2.

SECT. 17, clause (*a*) amended, 1973, 1233 § 1; clause (*c*) amended, 1973, 1233 § 2; clause (*f*) amended, 1974, 541 § 3.

SECT. 18, clause (*a*) amended, 1973, 1233 § 3; clause (*b*) amended, 1973, 1233 § 4; clause (*c*) amended, 1973, 1233 § 5.

SECT. 20 revised, 1974, 541 § 4.

SECT. 21, second paragraph amended, 1974, 541 § 5.

SECT. 24 added, 1973, 1179 (authorizing the department to contract with community action agencies for certain services).

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; 1973, 426 § 36; 1974, 422 § 41. (See 1953, 296 § 2; 1955, 730 § 43; 1959, 606 § 3; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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, 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 commer-

cial 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).

SECT. 17 revised, 1973, 1224 § 3.

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; 1973, 426 § 37; 1974, 422 § 42. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 426 § 38; 1974, 422 § 43. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 426 § 39, 703; 1974, 422 § 44; fourth sentence revised,, 1967, 844 § 21. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; first sentence amended, 1973, 426 § 40; 1974, 422 § 45; second paragraph revised, 1957, 482 § 3. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 2A added, 1965, l, 286 (establishing certain educational qualifications for applicants for certain positions in the department); amended, 1974, 835 § 27. (See 1974, 835 § 185.)

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; 1973, 426 § 41; 1974, 422 § 46. (See 1960, 765 §§ 8, 9; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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; 1973, 426 § 42; 1974, 422 § 47. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

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).

SECT. 4B amended, 1974, 835 § 28. (See 1974, 835 § 185.)

SECTS. 5 and 6 repealed, 1941, 466 § 6.

Chapter 28A. — Office for Children.

New chapter inserted, 1972, 785 § 1. (See 1972, 785 § 20.)

SECT. 9, definition of "Temporary shelter facility" added, 1974, 682 § 1.

SECT. 10, paragraphs (*a*), (*b*) and (*c*) revised, 1974, 682 § 2.

SECT. 11 revised, 1974, 682 § 3.

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; 1974, 835 § 29. (See 1941, 509 § 9; 1969, 704 § 60; 1974, 835 § 185.)

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; 1973, 1230 § 2. (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; stricken out and two sentences inserted, 1973, 1230 § 3; section revised, 1974, 844 § 2. (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; 1973, 1230 § 4; 1974, 844 § 3. (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. 5B added, 1974, 844 § 3A (providing for the preparation and transmittal of estimates of state revenue by the commissioner of administration).

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; third sentence revised, 1973, 1230 § 5; fifth sentence revised, 1945, 548 § 2; section revised, 1974, 844 § 4. (See 1937, 426 § 2; 1941, 656 § 17; 1945, 548 § 3.)

SECT. 6A added, 1974, 844 § 4 (further regulating requests and recommendations for appropriations).

SECT. 7 revised, 1963, 473 § 3; second paragraph, first sentence revised, 1969, 704 § 32. (See 1969, 704 § 60.)

SECT. 7A added, 1974, 844 § 5 (requiring that certain estimates, requests and recommendations be itemized and classified).

SECT. 8 revised, 1947, 312; stricken out, 1953, 612 § 7.

SECT. 8A added, 1939, 427 (relative to competitive bidding on state contracts); revised, 1941, 547 § 1; first sentence amended, 1962, 757 § 45; 1951, 401; revised, 1969, 704 § 33. (See 1969, 704 § 60.)

SECT. 8B added, 1962, 754 (further regulating bidding procedures and the awarding of certain contracts by the department of public works); seventh paragraph amended, 1966, 113; section revised, 1966, 481; seventh paragraph amended, 1967, 54.

SECT. 8C added, 1973, 1013 (prohibiting nonemergency works on certain highways during peak traffic hours).

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.)

SECTS. 27A-27B added, 1973, 1230 § 6 (further regulating expenditures of certain funds for certain equipment).

SECT. 29 amended, 1939, 502 § 14; 1943, 345; revised, 1947, 636 § 3; 1950, 46; amended, 1962, 757 § 49; revised, 1969, 704 § 35; 1973, 1230 § 7. (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); revised, 1973, 1230 § 8; amended, 1974, 835 § 30. (See 1974, 835 § 185.)

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; third paragraph amended, 1974, 835 § 31; paragraph added, 1974, 829 § 1. (See 1946, 580 § 3; 1947, 527; 1948, 501; 1959, 473 §§ 4, 5; 1960, 618 § 2; 1974, 835 § 185.)

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; section revised, 1974, 835 § 32. (See 1974, 835 § 185.)

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; paragraph added, 1973, 304. (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).

SECT. 65 added, 1973 , 1230 § 9 (relative to the powers of the secretaries of certain executive offices).

SECT. 66 added, 1974, 717 (establishing a criminal penalty for violation of or for causing another to violate the finance laws of the commonwealth).

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; 1974, 835 § 33. (See 1969, 704 § 60; 1974, 835 § 185.)

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; 1974, 835 § 34; second sentence revised, 1973, 1230 § 10. (See 1969, 704 § 60; 1974, 835 § 185.)

SECT. 7A amended, 1974, 835 § 34A. (See 1974, 835 § 185.)

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. 9F added, 1973, 131 (providing that certain state employees elected to public office shall be granted a leave of absence).

SECT. 11 revised, 1961, 18 § 1.

SECT. 13 revised, 1951, 409; 1964, 231 § 2; amended, 1972, 684 § 1. (See 1972, 684 § 136.)

SECT. 22A added, 1973, 1230 § 11 (requiring certain officers in charge of certain public units to submit annual reports).

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; first paragraph revised, 1974, 835 § 35. (See 1974, 835 § 185.)

SECT. 24C added, 1973, 1230 § 12 (regulating payments for overtime work by commonwealth employees).

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. 25B added, 1973, 1230 § 13 (further regulating out-of-state travel at public expense).

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; stricken out and sections 36-36A inserted, 1973, 1230 § 14 (relative to motor vehicles owned by the commonwealth).

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; section revised, 1974, 835 § 36. (See 1974, 835 § 185.)

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.)

SECTS. 39O-39P added, 1973, 1164 (expediting the payments to general and subcontractors).

SECT. 40 revised, 1973, 1103 § 1.

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; section revised, 1973, 1050 § 1A, 1218. (See 1973, 1050 § 7.)

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; introductory paragraph and paragraphs (1) to (7A) stricken out and introductory paragraph and paragraphs (1) to (7) inserted, 1974, 835 § 37; 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; 1974, 835 § 185.)

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; 1973, 426 § 1; 1974, 422 § 1; paragraph inserted after salary schedule, 1971, 66 § 1; sentence added, 1973, 428 § 1; paragraph amended, 1974, 835 § 38; 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; revised, 1974, 835 § 39; 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; revised, 1974, 835 § 40; paragraph (5) revised, 1954, 680 § 11; 1956, 729 § 9; amended, 1962, 757 § 67; revised, 1974, 835 § 41; paragraph (5A) added, 1956, 729 § 9; revised, 1973, 1230 § 15; 1974, 835 § 42; paragraph (6) amended, 1949, 406 § 1; revised, 1954, 680 § 12; amended, 1956, 729 § 10; revised, 1974, 835 § 43; 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; 1973, 426 § 49, 428 § 19; 1974, 422 § 53, 835 § 185.)

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; repealed, 1974, 835 § 44. (See 1941, 656 § 17; 1945, 279; 1948, 311 §§ 4, 5; 1949, 406 § 3; 1955, 643 § 12; 1974, 835 § 185.)

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; section revised, 1974, 835 § 45. (See 1962, 757 § 75; 1974, 835 § 185.)

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; section amended, 1974, 835 § 46. (See 1974, 835 § 185.)

SECT. 55, first sentence revised, 1963, 801 § 7C.

SECTS. 54-56 repealed, 1974, 835 § 47. (See 1974, 835 § 185.)

SECT. 57 amended, 1962, 757 § 70; 1974, 835 § 48. (See 1974, 835 § 185.)

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); amended, 1974, 835 § 49. (See 1974, 835 § 185.)

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.)

SECT. 61, second paragraph amended, 1973, 989 § 4.

SECT. 62, two paragraphs inserted after first paragraph, 1974, 257 § 1; paragraph added, 1974, 257 § 2. (See 1974, 257 § 4.)

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; revised, 1974, 835 § 50; paragraph (5) revised, 1969, 808 § 2; amended, 1970, 712 § 2; 1974, 361 § 1. (See 1969, 808 §12; 838 § 74; 1970, 712 § 12; 1974, 835 § 185.)

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; paragraph (3) amended, 1974, 361 § 2. (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; third paragraph revised, 1974, 66; 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. 7 revised, 1973, 1114 § 1; 1974, 361 § 3. (See 1973, 1114 § 351.)

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); first sentence revised, 1973, 1114 § 2. (See 1973, 1114 § 351.)

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.

SECTS. 14-15 revised, 1973, 1114 § 3. (See 1973, 1114 § 351.)

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; definition of "Administrator" inserted, 1974, 835 § 51; definitions of "appointing authority" or "appointing of-

ficer" 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 "Director" stricken out, 1974, 835 § 52; definition of "Division" revised, 1969, 704 § 38; 1974, 835 § 53; 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, 1967, 780 § 4, revised, 1969, 298 § 1; definition of "Unauthorized absence" added, 1971, 179 § 1. (See 1939, 238 §§ 25-55; 1969, 704 § 60; 1974, 835 § 185.)

SECT. 2 revised, 1939, 238 § 10; 1945, 725 § 1; introductory paragraph revised, 1974, 835 § 54; paragraph (*a*) amended, 1974, 835 § 55; paragraph (*b*) amended, 1962, 270; 1964, 720 § 3; second and third sentences stricken out and one sentence inserted, 1969, 15 § 1; paragraph revised, 1973, 320 § 1; amended, 1974, 835 § 56; paragraph (*c*) amended, 1974, 835 § 57. (See 1969, 15 § 2; 1974, 835 § 185.) 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; introductory paragraph revised, 1974, 835 § 58; 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; amended, 1974, 835 § 59; paragraph (*d*) amended, 1954, 680 § 17; revised, 1967, 780 § 5; last sentence stricken out and three sentences inserted, 1968, 469; paragraph amended, 1974, 835 § 60; paragraph (*e*) revised, 1965, 53; 1971, 221; 1974, 835 § 61; paragraph (*f*) amended, 1970, 4; 1972, 612 § 1; 1974, 835 § 62; paragraph (*g*) revised, 1971, 220; paragraph (*i*) amended, 1961, 287; paragraph (*k*) amended, 1965, 9; revised, 1969, 5; 1973, 490; amended, 1974, 835 § 63; paragraph (*l*) revised, 1973, 320 § 2; amended, 1974, 835 § 64; paragraphs (*m*), (*n*) and (*o*) added, 1967, 780 § 6; paragraph (*n*) revised, 1971, 289; amended, 1972, 612 § 2; revised, 1974, 835 § 65; paragraph (*p*) added, 1974, 484 § 1. (See 1939, 238 §§ 52-55; 1953, 286 § 2; 1974, 835 § 185.)

SECT. 2B added, 1974, 835 § 66 (providing for the appointment of certain examiners). (See 1974, 835 § 185.)

SECT. 2C added, 1974, 835 § 66 (regulating the eligibility of certain office holders for appointment in the division of personnel administration). (See 1974, 835 § 185.)

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; 1973, 351 § 1; first paragraph revised, 1974, 762; amended, 1974, 835 § 67; third paragraph revised, 1973, 351 § 2. (See 1973, 351 § 4; 1974, 835 § 185.)

SECT. 6, first sentence revised, 1949, 430; 1966, 18; 1970, 154; amended, 1974, 835 § 67A; sentence added, 1932, 260; amended, 1939, 238 § 15; revised, 1974, 835 § 68. (See 1974, 835 § 185.)

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; first and second paragraphs amended, 1974, 835 § 69; paragraph inserted after second paragraph, 1969, 484; amended, 1970, 155 § 1; 1972, 297; 1974, 835 § 70; fourth paragraph revised, 1970, 155 § 2; amended, 1974, 835 § 71. (See 1974, 835 § 185.)

SECT. 6B added, 1967, 780 § 10 (providing for unassembled examinations for certain positions); revised, 1969, 298 § 2; first paragraph amended, 1972, 389; first and second paragraphs amended, 1974, 835 § 72; paragraph inserted after second paragraph, 1970, 468 § 1; revised, 1973, 320 § 3. (See 1974, 835 § 185.)

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; section revised, 1974, 835 § 73. (See 1974, 835 § 185.)

SECT. 8A added, 1967, 110 § 1 (authorizing director to hold open competitive examinations whenever he determines public convenience requires); first paragraph amended, 1974, 835 § 74; second paragraph, second sentence revised, 1969 § 501; last sentence stricken out, 1969, 117; second sentence amended, 1970, 468 § 2; revised, 1973, 320 § 4. (See 1974, 835 § 185.)

SECT. 8B added, 1967, 780 § 12 (authorizing the director to waive residence requirements in certain cases); revised, 1970, 6; 1971, 197 § 1; amended, 1974, 835 § 75. (See 1974, 835 § 185.)

SECT. 8C added, 1968, 655 (providing for competitive examinations for management interns); second paragraph, sentence added, 1970, 468 § 3; revised, 1973, 320 § 5; section amended, 1974, 835 § 76. (See 1974, 835 § 185.)

SECT. 8D added, 1970, 7 (exempting certain students employed by cities or towns from civil service law); amended, 1974, 835 § 77. (See 1974, 835 § 185.)

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; sentence added, 1973, 320 § 6; four paragraphs added, 1967, 562; second paragraph revised, 1968, 756 § 2; fourth paragraph revised, 1968, 756 § 3; section revised, 1974, 835 § 78. (See 1974, 835 § 185.)

SECT. 10A added, 1972, 619 (authorizing the appointment of paraplegics to certain positions in police and fire departments); amended, 1974, 835 § 79. (See 1974, 835 § 185.)

SECT. 11 amended, 1959, 27; revised, 1971, 237 § 1.

SECT. 11A added, 1973, 164 (imposing penalties for altering or substituting civil service examination papers).

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; amended, 1951, 27; section revised, 1955, 571; first paragraph, two sentences inserted after first sentence, 1965, 445; fourth sentence revised, 1973, 320 § 7; seventh sentence stricken out and two sentences inserted, 1972, 406 § 1; paragraph amended, 1974, 835 § 80; second paragraph amended, 1974, 304; revised, 1974, 835 § 81; paragraph added, 1964, 241; amended, 1966, 70; 1974, 835 § 82; paragraph added, 1969, 25; amended, 1974, 835 § 83. (See 1948, 121 § 2; 1954, 627 §§ 65, 67; 1972, 406 § 2; 1974, 835 § 185.)

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; section revised, 1973, 320 § 8; amended, 1974, 835 § 84. (See 1974, 835 § 185.)

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; amended, 1974, 835 § 85; sentence added, 1952, 214; revised, 1971, 796; 1972, 382; 1973, 201. (See 1974, 835 § 185.)

SECT. 13A amended, 1939, 238 § 19; revised, 1945, 725 § 3; amended, 1968, 20; 1974, 835 § 86. (See 1974, 835 § 185.)

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; second sentence revised, 1973, 1230 § 16; third sentence revised, 1969, 9 § 1; 1971, 232 § 1; paragraph inserted after first paragraph, 1970, 281 § 1; stricken out, 1973, 1230 § 17; second paragraph amended, 1969, 9 § 2; revised, 1971, 232 § 2; amended, 1973, 1230 § 18; fifth paragraph amended, 1967, 57 § 1; sixth paragraph revised, 1968, 636; 1971, 214; amended, 1973, 1230 § 19; 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; 1973, 1230 § 20; last paragraph stricken out, 1968, 652 § 4; seventeenth paragraph amended, 1970, 50; paragraph added at end, 1968, 652 § 8; section revised, 1974, 835 § 87. (See 1955, 643 § 12; 1962, 743 §§ 4, 5, 7; 1970, 281 § 3; 1974, 835 § 185.)

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; section revised, 1974, 835 § 88. (See 1974, 835 § 185.)

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; first paragraph amended, 1974, 835 § 88A; second paragraph revised, 1965, 341; amended, 1972, 282; last paragraph revised, 1968, 652 § 6. (See 1974, 835 § 185.)

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); amended, 1974, 835 § 88B. (See 1974, 835 § 185.)

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; paragraph added, 1973, 1230 § 21; section revised, 1974, 835 § 89. (See 1974, 835 § 185.)

SECT. 15G added, 1967, 780 § 15 (relative to appointment from lists of three eligible persons willing to serve); amended, 1968, 652 § 10; 1971, 195; revised, 1974, 835 § 89. (See 1974, 835 § 185.)

SECT. 16A added, 1939, 506 § 3 (relative to transfers under the civil service laws); revised, 1945, 703 § 6; 1958, 55; first paragraph amended, 1962, 743 § 3; section revised, 1964, 720 § 2; second paragraph amended, 1966, 20; 1967, 74 § 3; sixth paragraph revised, 1967, 780 § 16; seventh paragraph amended, 1967, 57 § 2; section revised, 1968, 637 § 2; first paragraph amended, 1971, 439 § 1; second paragraph revised, 1971, 439 § 2; paragraph inserted, 1973, 1230 § 22; third paragraph stricken out, 1971, 439 § 3; section revised, 1974, 835 § 90. (See 1962, 743 §§ 6, 7; 1974, 835 § 185.)

SECT. 16B added, 1971, 185 (providing for transfer of civil service employees from the official service to the labor service); first paragraph amended, 1974, 835 § 91; paragraph added, 1973, 1230 § 23; amended, 1974, 835 § 92. (See 1974, 835 § 185.)

SECT. 17 amended, 1934, 94; revised, 1939, 76; amended, 1939, 238 § 22; 1963, 25; revised, 1974, 835 § 93. (See 1974, 835 § 185.)

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; amended, 1974, 484 § 2; 835 § 94. (See 1974, 835 § 185.)

SECT. 18A added, 1941, 627 § 4 (positions in the labor service of the department of public works to be classified by districts); sentence added 1945, 389; amended, 1974, 835 § 95. (See 1974, 835 § 185.)

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; amended, 1974, 835 § 96. (See 1974, 835 § 185.)

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; amended, 1974, 835 § 97. (See 1966, 75 § 2; 1974, 835 § 185.)

SECT. 19C added, 1968, 263 (prohibiting residency requirements for appointment of firemen in certain cities and towns); amended, 1971, 184; 1974, 835 § 98. (See 1974, 835 § 185.)

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; amended, 1974, 835 § 99. (See 1947, 354 § 2; 1974, 835 § 185.)

SECT. 20A amended, 1939, 238 § 26; revised, 1941, 39; 1952, 167 § 1; 1953, 255 § 1; amended, 1954, 136 § 1; 1974, 835 § 100. (See 1952, 167 § 3; 1953, 255 § 2; 1974, 835 § 185.)

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; amended, 1974, 835 § 101; fourth sentence amended, 1974, 835 § 102. (See 1952, 167 § 3; 1974, 835 § 185.)

SECT. 20D added, 1945, 703 § 2 (relative to the serving of probationary periods in offices and positions subject to civil service); first paragraph, first sentence revised, 1961, 255; amended, 1968, 93; 1970, 8; revised, 1971, 182 § 1; paragraph amended, 1974, 835 § 103; second paragraph revised, 1968, 506; amended, 1974, 835 § 104; four paragraphs added, 1971, 182 § 2; third paragraph amended, 1974, 835 § 105. (See 1974, 835 § 185.)

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; 1974, 835 § 106. (See 1950, 289 § 2; 1954, 627 §§ 65, 67; 1974, 835 § 185.)

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; amended, 1974, 835 § 107; paragraph added, 1946, 345; amended, 1974, 835 § 107A. (See 1954, 627 §§ 65, 67; 1974, 835 § 185.)

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; repealed, 1973, 351 § 3.

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; revised, 1974, 835 § 108. (See 1954, 627 §§ 65, 67; 1956, 430 § 2; 1958, 69 § 2; 1974, 835 § 185.)

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; amended, 1974, 835 § 109. (See 1954, 627 §§ 65, 67; 1956, 430 § 2; 1958, 69 § 2; 1974, 835 § 185.)

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; revised, 1956, 247; section amended, 1974, 835 § 110. (See 1974, 835 § 185.)

SECT. 25 amended, 1939, 238 § 32; 1946, 145; revised, 1948, 407; 1969, 502; amended, 1973, 1230 § 24; 1974, 835 § 111. (See 1974, 835 § 185.)

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; section revised, 1973, 320 § 9; amended, 1974, 835 § 112. (See 1974, 835 § 185.)

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; second and third paragraphs revised, 1974, 835 § 113. (See 1974, 835 § 185.)

SECT. 31A added, 1939, 422 § 2 (relative to the making of reports by department heads pertaining to civil service employees); amended, 1974, 835 § 114. (See 1974, 835 § 185.)

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; 1974, 835 § 115. (See 1941, 165 § 2; 1974, 835 § 185.)

SECT. 32 amended, 1939, 238 § 36; revised, 1939, 420 § 1; first sentence revised, 1967, 780 § 17; amended, 1974, 835 § 116; sentence added at end, 1969, 24. (See 1974, 835 § 185.)

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; amended, 1974, 835 § 117. (See 1974, 835 § 185.)

SECT. 34 amended, 1939, 238 § 38; revised, 1939, 420 § 4; amended, 1974, 835 § 118. (See 1974, 835 § 185.)

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; amended, 1974, 835 § 119. (See 1974, 835 § 185.)

SECT. 39 amended, 1939, 238 § 42; 1974, 835 § 120. (See 1974, 835 § 185.)

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; 1974, 579; amended, 1974, 835 § 121. (See 1974, 835 § 185.)

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; fourth sentence revised, 1974, 835 § 122; eighth sentence stricken out, 1965, 33 § 1; eighth sentence revised, 1970, 72 § 4: ninth sentence revised, 1974, 835 § 123; paragraph (*f*) amended, 1963, 801 § 72; fourth sentence stricken out, 1969, 766 § 43A; paragraph revised, 1974, 835 § 124; paragraph (*g*) added, 1956, 629 § 2; revised, 1959, 569 § 3; seventh sentence stricken out, 1965, 33 § 2; paragraph revised, 1965, 281; amended, 1974, 835 § 125; 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; 1974, 835 § 185.)

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; repealed, 1973, 171.

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; revised, 1974, 835 § 126; last two sentences stricken out and one sentence inserted, 1969, 3 § 3; fifth and sixth sentences revised, 1974, 835 § 127. (See 1974, 835 § 185.)

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; third, fourth and fifth sentences revised, 1974, 835 § 128; paragraph added 1936, 297; amended, 1939, 238 § 47; 1941, 136; stricken out, 1969, 45 § 6; paragraph added, 1965, 703 § 1; paragraph inserted, 1974, 676 § 1; paragraph added, 1969, 3 § 5; amended, 1974, 835 § 129. (See 1965, 703 § 2; 1974, 835 § 185.)

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; revised, 1974, 835 § 130. (See 1974, 835 § 185.)

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of reemployment lists of persons separated from the official or labor service otherwise than by resignation of discharge); amended, 1946, 60; revised, 1947, 12; first two sentences revised, 1960, 231 § 1; first sentence revised, 1967, 88; paragraph added, 1951, 420; section revised, 1974, 835 § 130. (See 1960, 231 § 2; 1974, 835 § 185.)

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); amended, 1974, 835 § 131. (See 1974, 835 § 185.)

SECT. 47 revised, 1945, 701 § 2; caption preceeding 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; first and second paragraphs revised, 1974, 835 § 132; third paragraph amended, 1971, 152; 1974, 835 § 133; paragraph added, 1950, 376 § 1; 1970, 49. (See 1950, 376 § 2; 1974, 835 § 185.)

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, 1947, 239; section amended, 1974, 835 § 134. (See 1974, 835 § 185.)

SECT. 48A added, 1967, 857 (relative to residency requirements for appointment of police officers); amended, 1968, 746; 1969, 16; 1972, 226; revised, 1974, 650; amended, 1974, 835 § 135. (See 1974, 835 § 185.)

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); repealed, 1974, 18 § 1. (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; amended, 1974, 835 § 136. (See 1974, 835 § 185.)

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; 1971, 1012 § 1; 1972, 436 § 1; 1973, 324, 767 § 1, 1003 § 1, 1211 § 1; 1974, 475 § 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; 1973, 1003 § 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; revised, 1973, 633 § 1, 767 § 2, 1003 § 3; definition of "Regular compensation" revised, 1948, 606; amended, 1967, 769 § 3; 1952, 515 § 2; 1952, 423 § 1; 1957, 516 § 2; 1963, 466 § 5; 1969, 84; 1971, 287; 1973, 279; definition of "System" revised, 1967, 597 § 5; 1971, 1012 § 4; 1973, 1003 § 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; 1973, 767 § 6, 1211 § 9; 1974, 475 § 2.)

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; revised, 1973, 633 § 2, 767 § 3, 1003 § 5; paragraph added, 1964, 532 § 2. (See 1973, 767 § 6.)

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; clause (*viii*) added, 1973, 1003 § 6; clause (*vix*) added, 1973, 1211 § 2; 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; amended, 1973, 725, 987 § 1, 1083 § 1; revised, 1222 § 1; 1974, 626 § 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; amended, 1973, 609, 947, 987 § 2, 1083 § 2; revised, 1222 § 2; 1974, 626 § 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 §82; 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; 1974, 626 § 3.)

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; paragraph (*p*) added, 1973, 760; 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; amended, 1973, 1183; paragraphs (*k*) and (*l*) added, 1973, 1003 § 7; 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; amended, 1973, 543; 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; 1974, 459 § 1; paragraph (*b*) amended, 1958, 321 § 14; 1962, 81; 1967, 826 § 14; revised, 1968, 208; amended, 1973, 155; subdivision (3), paragraph (*a*) amended, 1958, 321 § 15; 1967, 826 § 15; paragraph (*b*) amended, 1958, 321 § 16; 1967, 826 § 16; subdivision (4), paragraph (*b*) sentence added, 1967, 597 § 9; revised, 1973, 1003 § 8; subdivision (5) added, 1949, 618 § 5. (See 1948, 446 § 5; 1974, 459 § 4.)

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; 1974, 459 § 2. (See 1974, 459 § 4.)

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; revised, 1973, 1041, paragraph (*b½*) added, 1973, 928 § 1. (See 1949, 491 § 2; 1951, 784 § 3; 1957, 661 § 4; 1962, 516 §§ 2, 3; 1973, 928 § 2.)

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; 1973, 1003 § 9. (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; 1973, 1003 § 10.

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; subdivi-

sion (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; fourth sentence revised, 1973, 1128 § 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); paragraph added, 1973, 1128 § 2.

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 (*e*) amended, 1973, 94; paragraph (*f*) added, 1960, 240; amended, 1966, 266 § 2; subdivision (4¼) added, 1973, 1003 § 11; subdivision (4½) added, 1967, 597 § 14; subdivision (4¼) 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; sentence inserted after the seventh sentence, 1973, 1003 § 12; 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; revised, 1973, 1003 § 13; subdivision (2) amended, 1946, 432 § 3; sentence added, 1967, 597 § 17; 1971, 1012 § 9; 1973, 1003 § 14.

SECT. 22, subdivision (1), paragraph (*b*) amended, 1947, 617; revised, 1974, 249; 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 (3), paragraph (*c*) amended, 1974, 398; 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; paragraph (*g*) added, 1973, 1003 § 15. (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; 1973, 1003 § 16; paragraph (*b*), clause (*i*) revised, 1956, 417; 1958, 407; 1972, 343 § 2; 1973, 300; 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; revised, 1973, 1003 § 17.

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; revised, 1973, 1003 § 18; 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; revised, 1973, 721; 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; subdivision (8) added, 1973, 1003 § 19. (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. 28K added, 1974, 821 (providing certain creditable service for certain employees of the commonwealth and the Massachusetts Turnpike Authority).

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; revised, 1973, 207 § 1; paragraph added, 1945, 677; amended, 1974, 835 § 137. (See 1943, 514 § 4; 1948, 665 §§ 4, 5; 1965, 498 § 5, 680 § 2; 1974, 835 § 185.)

SECT. 57 revised, 1943, 514 § 2; amended, 1947, 453 § 2; revised, 1948, 665 § 2; amended, 1950, 668 § 2; 1954, 627 § 12; 1965, 498 § 2; revised, 1973, 207 § 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 con-

tributory 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; amended, 1973, 207 § 3. (See 1943, 514 § 4; 1948; 665 §§ 4, 5; 1965, 498 § 5, 680 § 2.)

SECT. 58A added, 1945, 671 (further regulating the creditable service of certain veterans in the public service upon their retirement therefrom); revised, 1954, 627 § 13; amended, 1959, 576 § 1B; revised, 1960, 619 § 3; 1962, 544 § 3; paragraph added at end, 1962, 604; section revised, 1964, 580 § 3; first paragraph amended, 1965, 498 § 4, 726 § 3; section revised, 1966, 671 § 3; first paragraph amended, 1971, 682 § 1, 727 § 1; revised, 1973, 207 § 4. (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; revised, 1973, 207 § 5. (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; revised, 1973, 207 § 7. (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; 1973, 883 § 1; 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; 1973, 883 § 3.)

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.)

SECTS. 65A-65C stricken out and new sections 65A-65D inserted, 1973, 1211 § 3. (See 1973, 1211 § 9.)

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. 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. 90E added, 1974, 108 (relative to benefits for certain former employees of cities, towns and districts).

SECT. 91 revised, 1938, 439 § 5; amended, 1941, 670 § 24; first sentence amended, 1947, 462; revised, 1948, 15 § 2; amended, 1949, 511; 1950, 656; revised, 1951, 417; 1961, 367; first two sentences stricken out and three sentences inserted, 1963, 482; first sentence revised, 1963, 749 § 2; amended, 1968, 258; sentence inserted after first sentence, 1967, 326; second sentence amended, 1965, 611; sentence added at end, 1947, 394; same sentence revised, 1950, 264; 1954, 343, 549; two sentences added at end, 1957, 291; revised, 1963, 457; next to last sentence amended, 1964, 37; revised, 1967, 729; last sentence amended, 1967, 344; section revised, 1968, 676; paragraph (*a*), first sentence amended, 1971, 953 § 2; 1974, 835 § 138; second sentence revised, 1968, 747; 1971, 67; paragraphs (*b*) and (*c*) revised, 1973, 587. (See 1938, 439 § 7; 1941, 670 § 26; 1974, 835 § 185.)

SECT. 91A added, 1957, 766 § 1 (providing for the annual adjustment of pensions and retirement allowances payable to persons engaged in gainful occupation after retirement for disability).

SECT. 91A added, 1958, 684 § 1 (approved by the people at state election on November 4, 1958. This act impliedly supersedes section 91A, as inserted by 1957, 766 § 1, according to opinion of Attorney General, December 23, 1958); first sentence amended, 1959, 504 § 1; 1961, 303; second sentence revised, 1966, 431 § 1. (See 1959, 504 § 2; 1966, 431 § 2.)

SECT. 92 amended, 1953, 509 § 2.

SECT. 92A added, 1955, 686 (securing to the wives and children of pensioners residing outside the United States the benefits of such pensions in certain cases).

SECT. 94 added, 1950, 551 (presumption that hypertension or heart disease was suffered in line of duty in certain cases relative to retirement for accidential 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; revised, 1973, 347. (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; section revised, 1973, 685; first sentence revised, 1974, 564.

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; paragraph (*a*) amended, 1973, 1211 § 4; paragraph (*d*) revised, 1973, 1185; section revised, 1974, 724 § 1. (See 1967, 408 § 4; 1971, 640 § 3, 743 § 2; 1972, 793 § 8; 1973, 1211 § 9; 1974, 724 § 2.)

Chapter 32A. — Contributory Group General or Blanket Insurance for Persons in the Service of the Commonwealth.

New chapter inserted, 1955, 628 § 1. (See 1955, 628 §§ 2-4.)

SECT. 2, paragraph (*a*) revised, 1962, 193 § 1; paragraph (*b*) revised, 1956, 582 § 1; 1958, 301; 1958, 558 § 1; 1960, 534; first sentence revised, 1965, 637 § 1; 1969, 813 § 1; amended, 1972, 686 § 1; 1973, 770 § 1; 1974, 569 § 1; four sentences added; 1973, 765; 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; first sentence revised, 1974, 834.

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 revised, 1973, 888 § 1; 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; 1973, 770 § 2; 1974, 569 § 2; section revised, 1974, 794 § 1.

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; revised 1973, 830; 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; 1973, 888 § 2; 1974, 794 § 2; second paragraph, second sentence revised 1973, 823. (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; amended, 1973, 430 § 1.

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); third paragraph amended, 1974, 794 § 3.

SECT. 15 added, 1973, 1086 (authorizing the group insurance commission to contract for catastrophic illness coverage).

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; eighth and ninth sentences revised, 1968, 100 § 4; sentence inserted after second sentence, 1971, 196; sixth, seventh and eighth sentences stricken out, 1973, 843 § 1; paragraph amended, 1974, 721.

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; section revised, 1973, 843 § 2.

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); first paragraph, sentence added, 1973, 789 § 1; 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); amended, 1973, 789 § 2.

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); amended, 1973, 789 § 3.

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; section revised, 1973, 789 § 4.

SECT. 9F added, 1972, 763 § 2 (authorizing increases in certain insurance benefits for certain retired governmental employees); first two sentences revised, 1973, 789 § 5; third sentence amended, 1973, 430 § 2.

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; 1973, 843 § 3.

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; seventh paragraph amended, 1973, 843 § 4.

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; section revised, 1973, 789 § 6. (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); third paragraph stricken out, 1973, 843 § 5.

SECT. 11D added, 1967, 383 (payment of one half cost of life insurance for police and firefighters); amended, 1973, 789 § 7, 843 § 6.

SECT. 11E added, 1970, 626 § 3 (relative to payment of certain costs for group life and health insurance coverage for retired teachers); first sentence revised, 1973, 789 § 8.

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); first paragraph amended, 1973, 789 § 9.

SECT. 13 revised, 1958, 136 § 1; repealed, 1958, 558 § 4.

SECT. 14 revised, 1960, 337 § 5; 1973, 843 § 7.

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); amended, 1973, 789 § 10; second paragraph, second sentence stricken out, 1973, 843 § 8; fourth paragraph, second sentence stricken out, 1973, 843 § 9; sixth paragraph amended, 1973, 843 § 10.

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,

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); second sentence revised, 1973, 1184. (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); amended, 1973, 1230 § 25.

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; first paragraph amended, 1974, 742; third paragraph revised, 1973, 925 § 3. (See 1973, 925 § 84.)

SECT. 88A added, 1974, 744 (providing for the education of spouse and children of national guardsmen killed or disabled while on state active duty).

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; paragraph added, 1973, 908 § 1.

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; sente sentence added at end, 1939, 109 § 2.

SECT. 10A added, 1974, 477 (authorizing the disbursement by county treasurers of matching funds for federally funded programs).

SECT. 11 amended, 1943, 65; revised, 1950, 659 § 1; first sentence revised, 1962, 40; amended, 1974, 694 § 1. (See 1974, 694 § 6.)

SECT. 12 amended, 1974, 694 § 2. (See 1974, 694 § 6.)

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; paragraph added, 1974, 81, 829 § 2.

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. 28B added, 1973, 1166 § 1 (creating county advisory boards to review estimates of certain county receipts and expenditures); second paragraph revised, 1974, 179. (See 1973, 1166 § 2.)

SECT. 28C added, 1974, 659 (requiring public hearings on county revenue sharing allotments from the federal government).

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. 31, first sentence revised, 1974, 492 § 4. (See 1974, 492 § 24.)

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; revised, 1974, 82. (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; second sentence revised, 1973, 908 § 2; 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; 1974, 38.

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; 1973, 772 § 1; 1974, 482 § 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; 1973, 772 § 4; 1974, 482 § 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); renumbered by corrective change to Sect. 57, 1973, 430 § 2A.

Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3.

SECT. 4 amended, 1947, 352 § 2; 1973, 493 § 1.

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); amended, 1973, 1155 § 5.

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; amended, 1973, 202.

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; 1973, 859 § 1; paragraph in lines 31-39 amended, 1973, 859 § 2; 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; amended, 1973, 1076 § 1.

SECT. 6A added, 1972, 180 (requiring medical examiners to take blood samples in certain motor vehicle accident death cases).

SECT. 6C added, 1973, 1072 (authorizing the payment for autopsies of certain children and for autopsy reports to their parents or guardians).

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. 15 amended, 1974, 163.

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; revised, 1974, 8 § 1. (See 1969, 849 § 79; 1974, 8 § 5.)

SECT. 9A added, 1974, 8 § 2 (relative to the time period for town meetings and election of town officials). (See 1974, 8 § 5.)

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; sixth sentence revised, 1974, 28; paragraph added at end, 1963, 169; amended, 1964, 1 § 1. (See 1935, 403 § 2.)

SECT. 12, sentence added at end, 1964, 193.

SECT. 14, first and second paragraphs revised, 1943, 453 §§ 1 and 2, respectively; second paragraph amended, 1969, 505 § 1; paragraph added at end, 1949, 152 § 2; amended, 1959, 64 § 3; paragraph added at end, 1969, 505 § 2.

SECT. 15, first paragraph, third sentence revised, 1970, 78 § 1; paragraph added at end, 1963, 320; revised, 1966, 73.

SECT. 16, first paragraph revised, 1950, 56.

SECT. 19 repealed, 1934, 39 § 1.

SECT. 20 amended, 1934, 39 § 2; 1973, 1136; revised, 1974, 8 § 3. (See 1974, 8 § 5.)

SECT. 23 amended, 1934, 39 § 3; 1973, 1135.

SECTS. 22-23 repealed, 1974, 8 § 4. (See 1974, 8 § 5.)

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 on noncompliance with the law requiring that certain meetings be open to the public); revised, 1964, 323 § 1; first sentence stricken out and two sentences inserted, 1974, 83. (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. 3A added, 1973, 160 (confirming the binding effect of certain deeds executed by municipal corporations and certain districts).

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; 1974, 260 § 1; paragraph inserted after second paragraph, 1965, 874 § 3; third paragraph revised, 1932, 271 § 6; 1961, 307; 1974, 715; paragraph inserted after third paragraph, 1963, 115; paragraph added, 1946, 358 § 1; 1950, 521; 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; 1973, 6; 1974, 693; 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; paragraph inserted after second paragraph, 1974, 199 § 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 education programs); revised, 1972, 753; 1974, 797.

SECT. 4F added, 1973, 84 (regulating the purchase of items of apparel by cities and towns).

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; 1974, 547; 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; amended, 1973, 1210 § 17; 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 (36) amended, 1974, 349 § 1; 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); revised, 1973, 1155 § 6; 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; clause (67) added, 1973, 480 (authorizing certain moving expenses of newly appointed chief executive or administrative officers). (See 1938, 142 § 2; 1954, 627 §§ 65, 67; 1969, 849 § 79; 1973, 1210 § 39.)

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; first paragraph revised, 1973, 124; 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; 1973, 1168 § 17. (See 1964, 430 § 4; 1973, 1168 § 40.)

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); first three sentences stricken out and four sentences inserted, 1973, 1155 § 7; 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; 1974, 6; 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; 1973, 613; paragraph added at end, 1941, 130.

SECT. 13A, first sentence amended, 1969, 849 § 33; sentence added, 1963, 127; revised, 1974, 274. (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. 15C added, 1973, 67 (authorizing cities and towns to designate scenic roads).

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 (16B) added; 1973, 806 § 1; amended, 1974, 424 § 1; clause (17) added, 1949, 98; amended, 1951, 352; revised, 1959, 220; 1967, 870; amended, 1973, 317; 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; 1974, 424 § 5.)

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, 1952, 592; 1955, 458 § 2; same sentence stricken out, 1957, 417 § 3; sentence added, 1973, 183 § 1.

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; 1973, 183 § 2.

SECT. 22C added, 1951, 326 (relative to parking meters in off-street parking lots); revised, 1960, 449; 1967, 38; amended, 1973, 183 § 3d 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. 32B added, 1973, 602 § 1 (authorizing cities and towns to publish zoning ordinances and by-laws).

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. 50 amended, 1974, 268.

SECT. 51 revised, 1937, 196; two sentences added at end, 1945, 340; section revised, 1946, 584 § 3; amended, 1974, 260 § 2. (See 1946, 584 § 22.)

SECT. 53 revised, 1969, 507.

SECT. 54 added, under caption, 1965, 385 § 1 (prohibiting the issuance of building permits for the corstruction of buildings which would necessitate the use of water therein under certain conditions).

SECT. 54A added, 1973, 963 (regulating the use of certain railroad right-of-way land).

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 inserted after fourth sentence, 1973, 296 § 1; sentence added at end, 1962, 327.

SECT. 7A added, 1957, 297 (relative to the effect of the adoption or amendment of zoning laws on a recorded subdivision plan); revised, 1959, 221; sentence added at end, 1960, 291; section revised, 1961, 435 § 2; two sentences added at end, 1963, 591; first paragraph revised, 1964, 688; paragraph added at end, 1963, 578; section revised, 1965, 65; first sentence revised, 1965, 366 § 1. (See 1961, 435 § 3; 1965, 366 § 2.)

SECT. 13 revised, 1955, 325 § 1; second paragraph stricken out, 1963, 207 § 1.

SECT. 14, second sentence stricken out and two sentences inserted, 1957, 124; second paragraph, last sentence revised, 1954, 551 § 1; 1958, 202; sentence added at end, 1961, 276 § 1. (See 1954, 551 § 2.)

SECT. 15, paragraph 1 revised, 1955, 325 § 2; paragraph 3 revised, 1958, 381; last paragraph amended, 1957, 123.

SECT. 16 revised, 1963, 207 § 2.

SECT. 17 revised, 1959, 317 § 2; 1962, 201 § 2; first sentence revised, 1971, 569; sentence inserted after first sentence, 1968, 336; sentence inserted after second sentence, 1973, 296 § 2.

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; section revised, 1973, 1114 § 4; second paragraph amended, 1974, 78 § 1. (See 1973, 1114 § 351.)

SECT. 22, first paragraph amended, 1970, 678 § 1. (See 1970, 678 § 2.)

Chapter 40B. — Regional Planning.

New chapter inserted, 1955, 374.

SECT. 2 revised, 1955, 656 § 1. (See 1955, 656 § 3.)

SECT. 3, first sentence revised, 1955, 656 § 2; section revised, 1964, 327 § 2; amended, 1967, 83 § 1; revised, 1967, 839 § 1. (See 1955, 656 § 3.)

SECT. 4 revised, 1964, 327 § 2; first sentence amended, 1968, 761 § 23; first two sentences stricken out and five sentences inserted, 1971, 644; fourth sentence stricken out, and two sentences inserted, 1966, 135 § 1; fourth sentence revised, 1973, 181; 1974, 22; three sentences added, 1973, 222. (See 1968, 761 § 26.)

SECT. 4A added, 1972, 379 (authorizing district planning commissions to establish executive committees for certain purposes); revised, 1974, 658.

SECT. 4B added, 1973, 140 (authorizing regional planning districts to have and use seals).

SECT. 4C added, 1973, 1082 § 1 (further regulating the membership and the apportionment of costs of regional planning districts).

SECT. 5, three sentences stricken out and eight sentences inserted, 1972, 361.

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. 5B added, 1972, 240 (authorizing district planning commissions to act as economic development regional commissions).

SECT. 7 , first sentence amended, 1969, 849 § 35; first two sentences stricken out and sentence inserted, 1973, 112; amended, 1974, 367 § 1; second sentence revised, 1973, 1082 § 2; fourth sentence revised, 1966, 135 § 2; sentence added, 1964, 327 § 3; revised, 1967, 839 § 2; amended, 1974, 367 § 2. (See 1969, 849 § 79.)

SECT. 8 added, 1967, 173 § 1 (relative to borrowing by district planning commissions); first sentence amended, 1969, 849 § 36. (See 1969, 849 § 79.)

SECTS. 9-19 added, under caption, 1968, 663 (providing for the establishment of the Southeastern Regional Planning and Economic Development District).

SECT. 12, sentence added, 1972, 755 § 1; stricken out, 1973, 430 § 3.

SECT. 13, fifth and sixth sentences revised, 1972, 755 § 2.

SECT. 14, sentence added, 1972, 755 § 3; paragraph added, 1973, 430 § 4.

SECT. 15 revised, 1972, 755 § 4; eighth paragraph revised, 1973, 257.

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).

SECT. 26 amended, 1973, 215.

SECT. 29, second paragraph amended, 1974, 476.

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.

SECT. 3, first paragraph amended, 1974, 282.

SECT. 12 stricken out and sections 12-12A inserted, 1974, 168.

Chapter 40D. — Industrial Development of Cities and Towns.

New chapter inserted, 1967, 722 § 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; stricken out, 1973, 1160 § 1.

SECT. 8, clause (*i*) revised, 1973, 245.

SECT. 10, first paragraph, third sentence stricken out, 1972, 739 § 1; second paragraph revised, 1972, 739 § 2; fourth paragraph revised, 1972, 739 § 3.

SECT. 12, subsection (2), second paragraph, clause (*e*) revised, 1974, 76 § 1; clause (*i*) revised, 1974, 76 § 2.

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; 1973, 1160 § 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 40E. — Massachusetts Industrial Development Authority.

New chapter inserted, 1974, 858.

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, 1938, 341 § 2; 1973, 1134.

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; section revised, 1974, 101.

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 service 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; sentence inserted after first sentence, 1973, 143; second sentence revised, 1963, 105; sentence inserted before last sentence, 1951, 83.

SECT. 41 revised, 1968, 168; first sentence revised, 1974, 441 § 3.

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; amended, 1974, 835 § 139. (See 1974, 835 § 185.)

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; 1973, 52 § 1. (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. 57, first sentence revised, 1974, 728 § 1.

SECT. 59 amended, 1936, 94; revised, 1969, 849 § 41; first sentence revised, 1973, 1099. (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; stricken out and two sentences inserted, 1973, 795 § 1.

SECT. 81D, sentence inserted after second sentence, 1954, 643 § 1; sentence inserted after fourth sentence, 1973, 795 § 2.

SECT. 81E, first paragraph, sentence inserted after third sentence, 1973, 795 § 3; two sentences and two paragraphs added, 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. 81W, second paragraph amended, 1973, 605.

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; section revised, 1974, 851 § 1.

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; section repealed, 1974, 851 § 2.

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.

SECTS. 97B-97D added, 1974, 581 § 3 (establishing a method of reporting and prosecuting the crime of rape and counselling of victims of rape).

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; amended, 1973, 266. (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; 1973, 289; sentence added, 1973, 530.

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); revised, 1973, 200.

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. 102B added, 1973, 281 (authorizing certain towns to appoint a full-time health inspector).

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); amended, 1974, 835 § 140.

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); first paragraph amended, 1973, 369 § 1; fourth paragraph amended, 1973, 369 § 2. (See 1973, 369 § 3.)

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; amended, 1974, 267.

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; 1974, 88 § 2; second paragraph revised, 1967, 45 § 10; two sentences added at end, 1950, 137; paragraph added, 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).

SECTS. 126-132 added, 1973, 170 (relative to granting tenure to incumbents of certain appointive municipal offices).

Chapter 42. — Boundaries of Cities and Towns.

SECT. 1 revised, 1933, 278 § 3.

SECT. 2 revised, 1973, 231 § 1.

SECT. 3 repealed, 1973, 231 § 2.

SECT. 5 revised, 1973, 231 § 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 (proceeding after filing of petition for the adoption of Plan 1); 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, 78 § 2; sentence added at end, 1958, 513 § 2; third and fourth sentence 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, 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; 1974, 199 § 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; sentence added, 1973, 191; paragraph added, 1974, 199 § 3.

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, 626 § 6.

SECT. 36 revised, 1938, 378 § 13.

SECT. 38, paragraph added, 1967, 406 § 1.

SECT. 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; third sentence revised, 1973, 128.

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.

SECT. 10 amended, 1973, 69; sentence added, 1973 § 70.

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); sentence added, 1974, 803.

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; first paragraph amended, 1969, 428 § 2; revised, 1973, 1140 § 1; paragraph added, 1968, 598 § 1. Temporarily affected, 1956, 412. (See 1973, 1140 § 30.)

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; amended, 1973, 401; 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; clause (22) revised, 1973, 57; section revised, 1974, 88 § 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; 1973, 933 § 2; clause (8A) added, 1963, 347 § 1; revised, 1973, 933 § 3; clause (9) amended, 1939, 457; 1947, 298 § 3; clause (10) revised, 1968, 23 § 3; amended, 1974, 41; 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 1952, 123 § 3.)

SECT. 8A added, 1939, 108 § 1 (providing for submitting to the voters of certain cities the question of approving or disapproving orders authorizing the issue of bonds, notes or certificates of indebtedness for certain purposes); amended, 1968, 28. (See 1939, 108 § 2.)

SECT. 8B added, 1972, 565 (authorizing cities and towns to borrow sums necessary to replace funds lost by insolvency or liquidation of a bank depository); amended, 1974, 40.

SECT. 8C added, 1973, 734 (authorizing cities and towns to incur temporary debt for certain conservation and recreation purposes).

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; revised, 1973, 832; 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. 38, sentence added, 1974, 728 § 2.

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; sentence 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); revised, 1973, 773.

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; third sentence amended, 1974, 548; fourth sentence revised, 1973, 224; 1974, 90.

SECT. 55A revised, 1948, 143 § 2, 194 § 2; 1950, 224; amended, 1954, 48.

SECT. 56 revised, 1969, 849 § 62; 1971, 766 § 16; amended, 1973, 52 § 13. (See 1969, 849 § 79.)

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities); revised, 1969, 849 § 63; 1971, 766 § 17; amended, 1973, 52 § 14. (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).

SECT. 68 added, 1973, 47 (authorizing cities, towns and districts to pay salary increases retroactively).

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 Death.

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 amended, 1974, 546; paragraph added, 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. 10 amended, 1973, 62.

SECT. 11 amended, 1973, 45.

SECT. 13 amended, 1938, 204; revised, 1941, 581; 1945, 269; amended, 1951, 274; revised, 1964, 303; amended, 1973, 925 § 4. (See 1973, 925 § 84.)

SECT. 15 amended, 1932, 180 § 8; 1941, 490 § 11.

SECT. 16 revised, 1943, 103 § 1; amended, 1952, 222; revised, 1973, 108.

SECT. 18 revised, 1943, 103 § 2.

SECT. 20A repealed, 1950, 442.

SECT. 24 amended, 1953, 535 § 3; third sentence amended, 1956, 590.

SECT. 27 revised, 1973, 504.

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. 36 amended, 1973, 232 § 1.

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); amended, 1973, 232 § 2; 1974, 835 § 141. (See 1974, 835 § 185.)

SECT. 37 revised, 1948, 149 § 2.

SECT. 38 revised, 1963, 160 § 2.

SECT. 42 amended, 1973, 1048 § 1.

SECT. 42A added, 1973, 1048 § 2 (providing for the establishment of fire departments in certain towns).

SECT. 43 revised, 1973, 1048 § 3.

SECT. 44 revised, 1973, 1048 § 4.

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; 1973, 186. (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. 57F 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); paragraph added, 1975, 415 § 1. (See 1974, 610 § 2.)

SECT. 58A added, 1941, 638 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns); first sentence amended, 1964, 329 § 1.

SECT. 58B added, 1945, 413 § 1 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns); second paragraph amended, 1955, 151; section revised, 1957, 713 § 1; first paragraph amended, 1964, 329 § 2; second paragraph revised, 1958, 279. (See 1945, 413 § 2; 1946, 114, 371, 436, 597; 1947, 64, 200; 1964, 329 § 3.)

SECT. 58C added, 1955, 195 (authorizing compensation for overtime service by fire fighters of cities and towns); revised, 1956, 206; 1968, 368; 1969, 62; amended, 1969, 544 § 2; 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.

SECT. 3, paragraph (*b*) amended, 1973, 49 § 1; 1974, 778 § 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, 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, 1932, 206; amended, 1960, 300; stricken out, 1974, 71. (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; amended, 1974, 768; 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; first two sentences stricken out and four sentences inserted, 1973, 255; sentence added, 1962, 437 § 5. (See 1933, 254 § 66.)

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; caption preceding section revised, 1943, 453 § 2; 1974, 132 § 1; section amended, 1943, 453 § 13; last paragraph revised, 1947, 26; section amended, 1955, 67 § 1; first paragraph amended, 1971, 382 § 3; revised, 1974, 113; second paragraph revised, 1963, 160 § 4; stricken out, 1974, 378. (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; sentence added, 1973, 60. (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; 1974, 67. (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; repealed, 1973, 1137 § 1. (See 1933, 254 § 66; 1938, 440 § 23; 1973, 1137 § 11.)

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. 14 amended, 1973, 925 § 5. (See 1973, 925 § 84.)

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; 1973, 83.

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; sentence revised, 1973, 294.

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; section revised, 1973, 853 § 1; third sentence revised, 1974, 190.

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; amended, 1973, 107; section revised, 1973, 853 § 2.

SECT. 29 amended, 1947, 34 § 4; 1956, 134; first sentence revised, 1967, 763, section revised, 1970, 89; 1973, 853 § 3.

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; revised, 1974, 175.

SECT. 32 amended, 1933, 254 § 10; sentence added at end, 1962, 437 § 11; section revised, 1973, 1137 § 2. (See 1933, 254 § 66; 1973, 1137 § 11.)

SECT. 33, paragraph added, 1945, 246; revised, 1946, 160; section revised, 1962, 437 § 12; amended, 1973, 1137 § 3. (See 1973, 1137 § 11.)

SECT. 34 amended, 1933, 254 § 11; sentence added, 1962, 437 § 13; section revised, 1973, 1137 § 4. (See 1933, 254 § 66; 1973, 1137 § 11.)

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; revised, 1973, 1137 § 5; paragraph added, 1974, 776. (See 1933, 254 § 66; 1973, 1137 § 11.)

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; fifth sentence revised, 1973, 1137 § 6; sixth sentence stricken out and three sentences inserted, 1974, 632; sentence added, 1962, 437 § 15. (See 1933, 254 § 66; 1938, 440 § 23; 1973, 1137 § 11.)

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; revised, 1973, 1137 § 7. (See 1973, 1137 § 11.)

SECT. 41 revised, 1943, 453 § 27; 1974, 133.

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; section revised, 1973, 1137 § 8. (See 1973, 1137 § 11.)

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; section revised, 1973, 1137 § 8A. (See 1973, 1137 § 11.)

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; 1973, 655; amended, 1974, 172.

SECT. 42C added, 1973, 492 (authorizing voter registration sessions in high schools and vocational schools).

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; 1973, 1137 § 9. (See 1973, 1137 § 11.)

SECT. 45 revised, 1943, 108; 1945, 715 § 7; first sentence revised, 1962, 437 § 21; section repealed, 1971, 320 § 2.

SECT. 45A added, 1974, 111 (relative to registration for voting by a naturalized citizen).

SECT. 46 revised, 1945, 715 § 8; 1962, 437 § 22; 1973, 1137 § 9A. (See 1973, 1137 § 11.)

SECT. 46A added, 1973, 1137 § 9A (requiring the transmittal of copies of certain affidavits of registration). (See 1973, 1137 § 11.)

SECT. 47 revised, 1945, 715 § 9; 1973, 1137 § 9B. (See 1973, 1137 § 11.)

SECT. 47A added, 1973, 1137 § 9B (providing for the registration of certain voters under age eighteen). (See 1973, 1137 § 11.)

SECT. 47B added, 1973, 1137 § 9B (authorizing complaints by registrars against persons making false statements). (See 1973, 1137 § 11.)

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. 52A added, 1974, 285 (prohibiting the solicitation of votes and the distribution of campaign literature in offices used for voter registration).

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; 1973, 555; first paragraph amended, 1974, 189 § 1; second paragraph amended, 1974, 189 § 2.

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; paragraph added, 1974, 621.

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; section revised, 1973, 429 § 1. (See 1971, 920 § 11.)

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 1 amended, 1939, 371; 1973, 110.

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; amended, 1973, 429 § 1A. (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; section revised, 1973, 429 § 2.

SECT. 6 amended, 1936, 101; revised, 1939, 191; 1941, 266; amended, 1943, 50; revised, 1943, 334 § 2; second sentence stricken out, 1972, 51; first sentence stricken out and two sentences inserted, 1973, 849; 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 paragraph, first and second sentences revised, 1943, 334 § 3; first sentence revised, 1968, 112; 1971, 512 § 1; 1974, 200 § 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; amended, 1974, 169; paragraph added, 1974, 63. (See 1933, 254 § 66; 1974, 200 § 2.)

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; section revised, 1973, 429 § 3; seventh paragraph amended, 1974, 380 § 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, first sentence revised, 1973, 1137 § 10; second sentence revised, 1971, 920 § 3; third paragraph, first sentence revised, 1967, 191; sentence added, 1949, 194; revised, 1957, 26. (See 1971, 920 § 11; 1973, 1137 § 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; first sentence revised, 1974, 79 § 1; third sentence revised, 1974, 79 § 2. (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; amended, 1973, 144. (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; first and second sentences revised, 1973, 429 § 4; 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; repealed, 1973, 429 § 5. (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.

SECTS. 54C-54D repealed, 1973, 429 § 5.

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; 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; revised, 1973, 38.

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; first sentence amended, 1974, 272 § 1.

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; two sentences inserted after fourth sentence, 1974, 272 § 2; 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, first paragraph, fourth sentence stricken out, 1935, 238 § 1; paragraph added, 1935, 238 § 1; amended, 1951, 709 § 1; 1969, 200; 1974, 131; paragraph added, 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; 1973, 150.

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, 436 § 2; 1946, 78; 1955, 256; 1970, 869 § 3; 1974, 380 § 2; last paragraph stricken out and three paragraphs inserted, 1943, 411 § 11; sentence added, 1952, 128; 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; 1974, 380 § 3; 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. 42A added, 1974, 820 (relative to questions of public policy on official election ballots).

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; paragraph added, 1973, 1014.

SECT. 58A added, 1956, 180 (relative to the form of question to be used in placing provisicns 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; revised, 1973, 106; 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; third sentence revised, 1974, 197; sentence added, 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; 1974, 157.

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 regu-

lar 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. 103E, third paragraph revised, 1974, 800 § 1.

SECT. 103I repealed, 1967, 115 § 1.

SECT. 103J, first paragraph amended, 1967, 378; 1972, 587 § 2; fifth paragraph amended, 1967, 115 § 2; section revised, 1974, 800 § 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; amended, 1973, 925 § 6. (See 1973, 925 § 84.)

SECT. 103O, paragraph (*c*) amended, 1972, 587 § 3; paragraphs (*a*)-(*e*) revised, 1974, 800 § 3; paragraph (*f*) revised, 1969, 205 § 5.

SECT. 104 amended, 1934, 39 § 6.

SECT. 105, first paragraph amended, 1952, 39 § 3; 1959, 113; 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; 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; amended, 1973, 722; third paragraph amended, 1963, 627 § 1; third paragraph (as appearing in 1943, 417) revised, 1947, 353 § 1; amended, 1974, 62; 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. 140 amended, 1973, 268.

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 Practice 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; 1973, 1173 § 1. (See 1973, 1173 § 17.)

SECT. 2 amended, 1973, 167, 730 § 1; revised, 1973, 1173 § 1; second paragraph revised, 1974, 859 § 2. (See 1973, 1173 § 17.)

SECT. 2A added, 1973, 1173 § 1 (establishing a director of campaign and political finance). (See 1973, 1173 § 17.)

SECT. 3 revised, 1962, 444 § 3; 1967, 264; 1973, 1173 § 1. (See 1973, 1173 § 17.)

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; revised, 1973, 1173 § 1; second sentence revised, 1974, 859 § 3. (See 1973, 1173 § 17.)

SECT. 5 revised, 1973, 285; second paragraph amended, third paragraph revised, 1974, 859 § 4.

SECT. 6, first sentence revised, 1962, 518; third and fourth sentences stricken out and six sentences inserted, 1962, 444 § 5; seventh sentence revised, 1971, 253; third sentence amended, 1973, 1173 § 2; revised, 1974, 859 § 5; fourth sentence amended, 1973, 1173 § 3; fifth sentence amended, 1973, 1173 § 4; sixth sentence amended, 1973, 1173 § 4A. (See 1973, 1173 § 17.)

SECT. 7, sentence inserted after first sentence, 1972, 458; amended, 1973, 348; second paragraph revised, 1973, 1173 § 4B; 1974, 859 § 6. (See 1973, 1173 § 17.)

SECT. 7A added, 1973, 1173 § 5 (prohibiting individual political contributions exceeding a certain amount). (See 1973, 1173 § 17.)

SECT. 8 revised, 1962, 444 § 6; second paragraph stricken out, 1974, 859 § 7.

SECT. 9, second paragraph stricken out, 1974, 859 § 8.

SECT. 10, second paragraph stricken out, 1974, 859 § 9.

SECT. 11, first paragraph revised, 1954, 644; 1974, 123; third paragraph stricken out, 1974, 859 § 10.

SECT. 12, third paragraph stricken out, 1974, 859 § 11.

SECT. 13, paragraph inserted after first paragraph, 1954, 530; third paragraph stricken out, 1974, 859 § 12.

SECT. 14, second paragraph stricken out, 1974, 859 § 13.

SECT. 15, second paragraph stricken out, 1974, 859 § 14.

SECT. 16 amended, 1954, 272; revised, 1962, 444 § 7; first paragraph revised, 1973, 730 § 2; second paragraph amended, 1967, 281; clause (*f*) added, 1972, 241 § 2; paragraph revised, 1972, 472; section revised, 1973, 1173 § 6; amended, 1974, 859 § 15. (See 1973, 1173 § 17.)

SECT. 17 revised, 1962, 444 § 8; subsection (*a*) revised, 1973, 1173 § 7; amended, 1974, 859 § 16; subsection (*c*) amended, 1974, 859 § 16; subsec-

tion (*d*) amended, 1974, 709 § 1; subsection (*e*) amended, 1974, 709 § 2, 859 § 16; subsection (*f*) 1974, 709 § 3. (See 1973, 1173 § 17.)

SECT. 17A added, 1972, 810 § 1 (limiting the amounts of certain campaign expenditures); amended, 1973, 391; revised, 1973, 1173 § 8; amended, 1974, 859 § 17. (See 1972, 810 § 2; 1973, 1173 § 17.)

SECT. 17B added, 1974, 859 § 18.

SECT. 17C added, 1974, 859 § 19.

SECT. 18 revised, 1973, 1173 § 9; second paragraph stricken out, 1974, 859 § 20. (See 1973, 1173 § 17.)

SECT. 19 amended, 1962, 444 § 9; second paragraph stricken out, 1974, 859 § 21.

SECT. 20, first sentence revised, 1954, 223; section revised, 1962, 444 § 10; 1973, 1173 § 10. (See 1973, 1173 § 17.)

SECT. 21 revised, 1962, 444 § 11; 1973, 1173 § 10; first sentence amended, 1974, 859 § 22. (See 1973, 1173 § 17.)

SECT. 21A added, 1973, 1173 § 10 (requiring city and town clerks to retain certain campaign reports and statements). (See 1973, 1173 § 17.)

SECT. 22 amended, 1962, 444 § 12; 1973, 1173 § 10. (See 1973, 1173 § 17.)

SECT. 23 revised, 1973, 1173 § 10. (See 1973, 1173 § 17.)

SECT. 24 revised, 1973, 1173 § 10; 1974, 859 § 23. (See 1973, 1173 § 17.)

SECT. 25, second sentence revised, 1974, 859 § 24.

SECT. 27 amended, 1962, 444 § 13; paragraph added, 1974, 859 § 25.

SECT. 28 paragraph (*j*) revised, 1973, 1173 § 11; first sentence amended, 1974, 859 § 26. (See 1973, 1173 § 17.)

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.

SECT. 37 revised, 1973, 1173 § 12. (See 1973, 1173 § 17.)

SECTS. 39-42 added, 1974, 859 § 1.

SECT. 43 added, 1974, 859 § 27.

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. 2 revised, 1974, 188.

SECT. 4, first sentence revised, 1974, 132 § 2.

SECT. 5 revised, 1974, 132 § 3.

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. 39 amended, 1973, 1226.

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; 1973, 14 § 1, 16 § 1; revised, 1973, 663 § 1. (See 1948, 250 §§ 3, 4; 1960, 432 §§ 3, 4; 1973, 663 § 3.)

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; 1973, 14 § 2; 16 § 2; revised, 1973, 663 § 1. (See 1948, 250 §§ 3, 4; 1960, 432 §§ 3, 4; 1973, 663 § 3.)

SECT. 4 revised, 1939, 467 § 1; 1947, 182 § 1; 1963, 666 § 1; 1967, 877 § 3; 1973, 326 § 1. (See 1939, 467 §§ 2, 3, 4; 1947, 182 §§ 2, 3, 4; 1963, 666 §§ 2, 3, 4; 1967, 877 § 8; 1973, 326 § 4.)

SECT. 5. See 1939, 467; revised, 1967, 877 § 4; section repealed, 1973, 326 § 2. (See 1967, 877 § 8; 1973, 326 § 4.)

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, 1963, 660 § 5; 1974, 740. (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. 8B added, 1974, 487 § 1 (imposing a time limitation for filing certain reimbursement claims by cities and towns).

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. 10C, second sentence stricken out and two sentences inserted, 1974, 492 § 5. (See 1974, 492 § 24.)

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 § 2; 838 § 9; section revised, 1971, 984 § 1; 1974, 492 § 6. (See 1933, 254 § 66; 1956, 701 § 2; 1960, 593 § 2; 1969, 838 § 74; 1974, 492 § 24.)

SECT. 14 amended, 1939, 451 § 15; 1953, 654 § 10; revised, 1974, 492 § 6. (See 1974, 492 § 24.)

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; revised, 1974, 492 § 8; paragraph (2) amended, 1969, 849 § 65; paragraph (3) revised, 1971, 1005 § 3; 1972, 766 § 5; section revised, 1974, 492 § 7. (See 1968, 566 § 3; 1969, 546 §§ 16, 34; 1969, 849 § 79; 1970, 601 § 11; 1972, 766 § 23; 1974, 492 § 24.)

SECT. 18B added, 1971, 497 § 13 (relating to the distribution of a portion of the Highway Fund to the cities and towns); first paragraph amended, 1974, 492 § 9. (See 1971, 497 § 15; 1974, 492 § 24.)

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); paragraph (*a*) revised, 1974, 492 § 10. (See 1974, 492 § 24.)

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 § 2 (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; revised, 1973, 52 § 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; 1973, 1141 §§ 3, 4.

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); second paragraph revised, 1973, 873.

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, 1970, 560 § 1. (See 1969, 531 § 2; 1970, 560 § 2.)

SECT. 31B added, 1973, 708 § 1 (providing for uniform rates of interest on certain tax refunds). (See 1973, 708 § 10.)

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.

SECTS. 48-49 added, 1973, 922 § 1 (relative to the disclosure of the contents of tax returns and the joint audit thereof).

SECT. 50 added, 1974, 747 § 1 (authorizing the commissioner of corporations and taxation to designate depositories for the collection of state taxes). (See 1974, 747 § 2.)

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; 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; 1973, 426 § 43; 1193 § 2; 1974, 422 § 48. (See 1937, 400 §§ 1, 2, 4, 5, 7; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50.)

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; amended, 1941, 726 § 1; 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; section revised, 1973, 1114 § 5. (See 1933, 321 § 9; 350 § 9; 1954, 681 §§ 20, 22; 1965, 597 § 4; 1968, 120 § 5; 1973, 1114 § 351.)

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; 1974, 383 § 1. (See 1974, 383 § 3.)

SECT. 3B added, 1946, 393 (to abolish certain implied exemptions from local taxation); first sentence revised, 1974, 155 § 1. (See 1974, 155 § 2.)

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; section repealed, 1974, 383 § 2. (See 1974, 383 § 3.)

SECT. 5, first sentence amended, 1963, 160 § 8; 1970, 270 § 1; revised, 1974, 831 § 1 (see 1970, 270 § 3; 1974, 831 § 6); 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; subsection (*d*) amended, 1974, 811 § 1; subsection (*e*) added, 1974, 811 § 2 (see 1970, 219 § 2; 1974, 811 § 3); clause Fourth revised and clause Fourth A added, 1970, 600 § 1 (see 1970, 600 § 2); clause Fifth amended, 1974, 823; 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); first sentence revised, 1973, 696 § 1 (see 1973, 696 § 3); 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 (*d*) amended, 1974, 831 § 2 (see 1974, 831 § 6); 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); 1973, 696 § 2 (see 1973, 696 § 3); 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 § 7; clause Twenty-second D added, 1965, 881; first paragraph revised, 1966, 359 § 4 (see 1966, 359 § 5); paragraph inserted after first paragraph, 1969, 292 § 4 (see 1969, 292 § 5); clause revised, 1971, 1110 § 7; clause Twenty-second D added, 1965, 881; clause revised, 1971, 1110 § 8; clause Twenty-second E added, 1974, 831 § 3 (see 1974, 831 § 6); 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-eighth revised, 1971, 555 § 4 (see 1971, 555 § 67); stricken out, 1973, 723 § 1 (see 1973, 723 § 19); 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); 1973, 872 § 1 (see 1973, 872 § 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; 1974, 347 § 1 (see 1971, 1069 § 2; 1974, 347 § 2); clause Forty-first A added, 1974, 287 § 1 (see 1974, 287 § 3); 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. 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, 1968, 497 § 2.

SECT. 8 amended, 1933, 80, 254 § 26; paragraph added, 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; first sentence revised, 1973, 925 § 7. (See 1964, 285 § 3; 1973, 925 § 84.)

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. 17A added, 1974, 343 (establishing municipal liens for certain expenses incurred by municipalities).

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, 1938, 175 § 2; 1949, 104 § 1; section revised, 1971, 766 § 20; first paragraph revised, 1973, 52 § 5; amended, 1974, 80. 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, 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; 1973, 671 § 1. (See 1973, 671 § 3.)

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; 1973, 671 § 2. (See 1973, 671 § 3.)

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, 254 § 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; 1973, 52 § 6; 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, 1949, 278 § 1. (See 1933, 151 § 2, 254 § 66; 1935, 158 § 2; 1937, 203 § 2; 1938, 330 § 2; 1947, 99 § 2; 1949, 265 § 2, 278 § 2; 1968, 290 § 2; 1969, 849 § 79.)

SECT. 59, sentence added, 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; revised, 1974, 831 § 4. (See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2; 1946, 199 § 2; 1949, 277; 1950, 165; 1965, 597 § 4, 615 § 4; 1974, 831 § 6.) 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; revised, 1974, 288.

SECT. 64, first paragraph amended, 1933, 130 § 1; second paragraph amended, 1935, 218 § 2; section revised, 1937, 400 § 6; 1938, 478 § 1; first paragraph, first sentence amended, 1939, 31 § 6; 1973, 664 § 1; paragraph revised, 1945, 621 § 5; second paragraph amended, 1939, 366 § 2; 1943, 248; revised, 1956, 544; seventh sentence revised, 1965, 597 § 2. (See 1937, 400 §§ 1-5, 7; 1965, 597 § 4; 1973, 664 § 2.)

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; amended, 1973, 689.

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; paragraph inserted after introductory paragraph, 1973, 1215 § 3.

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; amended, 1974, 831 § 5; sentence inserted after first sentence, 1974, 341; 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; 1974, 831 § 6.)

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, 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, 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, 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; 1973, 1215 § 4. (See 1971, 716 § 3.)

SECT. 46, paragraph added, 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; second sentence revised, 1973, 249.

SECT. 53 revised, 1933, 164 § 3; two paragraphs added, 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, 245 § 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; 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; first sentence revised, 1973, 1215 § 5. (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, 1935, 354 § 1. (See 1935, 224 § 6, 354 § 3; 414 § 4; 1966, 363 § 3; 1970, 235 § 4.)

SECT. 69 amended, 1935, 224 § 4; sentence added, 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. 74 repealed, 1973, 515 § 1.

SECT. 75 amended, 1936, 189 § 1; revised, 1973, 515 § 2.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2; 1973, 515 § 3. (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, 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; first sentence revised, 1973, 1215 § 6; second paragraph amended, 1933, 325 § 14; 1935, 173 § 1; section revised, 1941, 594 § 1; third paragraph amended, 1963, 201; 1966, 114 § 1; sentence added 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; amended, 1973, 515 § 4.
SECT. 81A added, 1973, 1215 § 7 (relative to the inspection and certification of certain abandoned property).
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, 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; revised, 1950, 731; 1954, 548; sixth paragraph revised, 1953, 388; 1968, 503; last paragraph revised, 1947, 644; 1952, 412; paragraph added, 1951, 165; section revised, 1954, 640 § 1; first paragraph revised, 1960, 758 § 1; paragraph inserted after fourth paragraph, 1974, 242 § 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; 1974, 242 § 3.)
SECT. 1A added, 1949, 484 (providing for but one excise tax on a motor vehicle in each year in certain cases); sentence added, 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; 1974, 211. (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; third sentence revised, 1973, 139; 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; first paragraph amended, 1974, 545, 563. (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); repealed, 1974, 587 § 1. (See 1974, 587 § 2.)

Chapter 61A. — inserted, 1973, 1118 § 1. (See 1973, 1118 § 3.)

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, 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, 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, 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 sw-1§ 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; 1973, 723 § 2. (See 1971, 555 § 67; 1973, 723 § 19.)

SECT. 1, paragraph (*e*) revised, 1973, 723 § 16. (See 1973, 723 § 19.)

SECT. 2, subsection (*b*), paragraph (1), subparagraph (A) revised, 1974, 77 § 1. (See 1974, 77 § 2.)

SECT. 3, subsection B, paragraph (*a*), subparagraph (7) added, 1974, 848 § 1. (See 1974, 848 § 2.)

SECT. 9 amended, 1955, 592 § 1; revised, 1957, 644 § 2; second paragraph amended, 1966, 698 § 15. (See 1957, 644 § 5.)

SECT. 10 amended, 1954, 387 § 1; revised, 1955, 592 § 2; paragraph added 1955, 780 § 3; section revised, 1957, 644 § 3; subsection (*a*) amended, 1966, 698 § 16; subsection (*b*) revised, 1971, 555 § 6; amended, 1973, 723 § 3; subsection (*c*) amended, 1973, 913 § 1; subsection (*d*) revised, 1966, 698 § 17; (See 1954, 387 § 2; 1955, 780 § 10; 1957, 644 § 5; 1971, 555 § 67; 1973, 723 § 19, 913 § 4.)

SECT. 11 revised, 1955, 592 § 3; amended, 1973, 913 § 2. (See 1973, 913 § 4.)

SECTS. 11A and 11B added, 1973, 913 § 3 (relative to the taxation of the income of certain trusts). (See 1973, 913 § 4.)

SECT. 12 revised, 1971, 555 § 7; amended, 1973, 723 § 4. (See 1971, 555 § 67; 1973, 723 § 19.)

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; amended, 1973, 723 § 5. (See 1954, 679 § 7; 1957, 437 § 2; 1971, 555 § 67; 1973, 723 § 19.)

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*) amended, 1971, 555 § 10; 1973, 723 § 6; subsection (*d*) amended, 1971, 555 § 11; subsection (*e*) added, 1973, 912 § 1. (See 1970, 561 § 2; 1971, 555 § 67; 1973, 723 § 19; 912 § 2.)

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 1958, 491 § 2; section revised, 1966, 698 § 19; 1971, 555 § 13; amended, 1973, 723 §§ 7, 8. (See 1939, 486 § 3; 1954, 611 § 3; 1955, 780 § 10; 1957, 435 § 4; 1958, 491 § 3; 1971, 555 § 67; 1973, 723 § 19.)

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 § 5; 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; first paragraph amended, 1973, 672 § 1. (See 1945, 735 § 5; 1954, 391 § 2; 1955, 780 § 10; 1958, 54 § 2; 1971, 555 § 67; 1973, 672 § 2.)

SECT. 34 repealed, 1947, 483 § 2.

SECT. 35 revised, 1961, 555 § 1. (See 1961, 555 § 5.)

SECT. 36 amended, 1933, 167 § 2; revised, 1955, 539 § 1.

SECT. 36A added, 1966, 698 § 22 (relative to the assessment of income tax on income of a non-resident who fails to file a return of income earned by him from sources within the commonwealth); amended, 1973, 723 § 9. (See 1973, 723 § 19.)

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; amended, 1973, 723 § 10. (See 1971, 555 § 67; 1973, 723 § 19.)

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; revised, 1973, 708 § 2. (See 1933, 350 § 9; 1961, 252 § 2; 1964, 488 § 2; 1970, 601 § 11; 1973, 708 § 10.)

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 1959, 315.

SECT. 58 revised, 1955, 661; 1973, 922 § 2.

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; section revised; 1973, 723 § 11. (See 1958, 308 § 2; 1971, 555 § 67; 1973, 723 § 19.)

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; 1973, 708 § 3. (See 1963, 714 § 10; 1973, 708 § 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, 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 defining "Bank" revised, 1943, 472; amended, 1966, 698 § 44A; paragraph defining "Net income" revised, 1933, 327 § 1; 1971, 555 § 25; amended, 1973, 877 § 1; paragraph defining "Taxable year" revised, 1962, 613 § 1. (See 1933, 327 § 7; 1971, 555 § 67; 1973, 877 § 2.)

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, 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; clause (*b*) amended, 1973, 752 § 1; paragraph 6 revised, 1956, 550 § 3; paragraphs 7-12 added, 1962, 756 § 2; paragraph 7 amended, 1966, 698 § 47; two sentences added, 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; paragraphs 14 and 15 added, 1973, 752 § 2. (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; 1973, 752 § 12.)

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); paragraph (*f*) added, 1973, 752 § 3. (See 1970, 634 § 7; 1973, 752 § 12.)

SECT. 31B added, 1970, 634 § 3 (providing for lowering of certain rates). (See 1970, 634 § 7.)

SECT. 31C added, 1973, 791 (providing for a certain credit under the corporation excise law for certain corporations increasing their number of employees).

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; 1973, 927 § 1; 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; 1973, 927 § 4.)

SECT. 32A amended, 1933, 342 § 2; revised, 1956, 550 § 5; repealed, 1960, 548 § 5. (See 1933, 342 § 6; 1956, 550 § 13.)

SECT. 32B added, 1973, 927 § 2 (providing for a combined return of income by certain corporations). (See 1973, 927 § 4.)

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, 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, 1933, 342 § 3; section revised, 1966, 698 § 58; subsection (*a*), clause (1) revised, 1971, 555 § 33; 1973, 752 § 4; 1974, 722 § 1; clause (2) revised, 1974, 722 § 2; subsection (*d*) amended, 1973, 752 § 5; subsection (*e*) revised, 1973, 752 § 6; subsection (*f*), clause 2 revised, 1970, 562; 1972, 748 § 1; subsection amended, 1973, 752 § 7. (See 1933, 342 § 6; 1961, 419 § 2; 1971, 555 § 67; 1972, 748 § 2; 1973, 752 § 12; 1974, 722 § 3.)

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; subsections (*a*) and (*b*) revised, 1973, 752 § 8. (See 1935, 473, § 7; 1956, 550 § 13; 1971, 555 § 67; 1973, 752 § 12.) [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. 38G added, 1973, 752 § 9 (extending the investment credit under the corporation excise law). (See 1973, 752 § 12.)

SECT. 39, subsection (1) revised, 1936, 362 § 6; last paragraph amended, 1933, 327 § 6; new paragraph added, 1933, 342 § 4; section revised, 1956, 550 § 9; 1957, 577 § 2; subsection (*a*) amended, 1967, 796 § 19; 1973, 927 § 3; 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; 1973, 927 § 4.)

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, 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; fifth sentence stricken out, 1973, 708 § 4. (See 1957, 434 § 2; 1958, 503 § 2; 1970, 601 § 11; 1973, 708 § 10.)

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, 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; 1973, 922 § 3.

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.

SECTS. 4-5 stricken out and section 4 inserted, 1973, 708 § 5. (See 1973, 708 § 10.)

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; amended, 1973, 885 § 1. (See 1973, 885 § 3.)

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; section amended, 1973, 565 §§ 1, 2. (See 1957, 617 § 13; 1973, 565 § 8.)

SECT. 3, last sentence amended, 1943, 420 § 1; 1957, 383 § 1; section amended, 1957, 617 § 8; revised, 1973, 565 § 3. (See 1957, 383 § 4, 617 § 13.)

SECT. 4 revised, 1938, 431 § 1; paragraph added, 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; revised, 1973, 565 § 4; first sentence revised, 1969, 721 § 1; second sentence revised, 1971, 497 § 1; third sentence stricken out, 1969, 546 § 28; paragraph added, 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; 1973, 565 § 5. (See 1936, 357 § 3; 1957, 383 § 4, 617 § 13.)

SECT. 6 amended, 1957, 617 § 10; 1973, 565 § 6. (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; first sentence revised, 1973, 565 § 7; 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, 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; amended, 1973, 594 § 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; amended, 1973, 723 § 12. (See 1971, 555 § 67; 1973, 723 § 19.)

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, 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; section amended, 1973, 708 § 6. (See 1957, 368 § 2; 1973, 708 § 10.)

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, 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. 29-30 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, 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; paragraph (*z*) added, 1973, 932; paragraph (*aa*) added, 1973, 1141 § 4A. (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; paragraph (*b*) amended, 1973, 922 § 4.
SECT. 14 repealed, 1969, 546 § 4. (See 1969, 546 § 34.)
SECT. 20, first two sentences revised, 1970, 601 § 7; second paragraph amended, 1973, 708 § 7. (See 1970, 601 § 11; 1973, 708 § 10.)

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, 1969, 558 § 2.

SECT. 28, paragraph (*b*), second sentence revised, 1968, 76 § 1.

SECT. 30A added, 1973, 706 § 1 (filing of bond or deposit by non-resident contractors).

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; second paragraph amended, 1973, 922 § 5.

SECT. 21, first paragraph, first sentence revised, 1970, 601 § 8; third sentence revised, 1970, 601 § 9; second paragraph amended, 1973, 708 § 8. (See 1970, 601 § 11; 1973, 708 § 10.)

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, 1969, 558 § 5.

SECT. 29, paragraph (*b*), second sentence revised, 1968, 76 § 2.

SECT. 31A added, 1973, 706 § 2 (filing of bond or deposit by non-resident contractors).

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; revised, 1973, 723 § 13; paragraph added, 1967, 463 § 2. (See 1941, 415 § 2, 605 § 2; 1966, 698 § 87; 1969, 600 § 3; 1970, 566 § 9; 1971, 555 § 67; 1973, 723 § 19.)

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; section amended, 1973, 723 § 14. (See 1957, 429 § 2; 1971, 555 § 67; 1973, 723 § 19.)

SECT. 9, first sentence revised, 1952, 445 § 1; paragraph added, 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; 1973, 723 § 15. (See 1971, 555 § 67; 1973, 723 § 19.)

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; 1973, 922 § 6.

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, 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; third sentence revised, 1943, 471; 1945, 529; section amended, 1953, 654 § 91; third sentence amended, 1973, 708 § 9. (See 1937, 420 § 4; 1973, 708 § 10.)

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; 1973, 1050 § 2. (See 1973, 1050 § 7.)

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; 1974, 141. (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; 1973, 1050 § 3. (See 1973, 1050 § 7.)

SECT. 13, sentence added, 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, 1956, 356; section revised, 1969, 885 § 27.

SECT. 17B added, 1969, 831 § 1 (further defining "public records"); amended, 1970, 778; repealed, 1973, 1050 § 4. (See 1973, 1050 § 7.)

SECT. 18 amended, 1945, 393 § 6.

Chapter 67. — Parishes and Religious Societies.

SECT. 7 revised, 1945, 28.

SECT. 40 amended, 1952, 580; revised, 1972, 180 § 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, 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. 1A added, 1974, 645 (establishing the position of director of physical education).
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); amended, 1973, 786 § 1. (See 1973, 786 § 2.)

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, 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; caption preceding section stricken out, 1965, 572 § 10; first sentence amended, 1965, 572 § 11; sentence inserted after second sentence, 1974, 782 § 1; sentence inserted after fifth sentence, 1953, 290; sentence added, 1960, 405; amended, 1967, 268 § 2.

SECT. 30A added, 1963, 202 (provicing for the revocation or suspension of the power of certain educational institutions to grant degrees); amended, 1965, 572 § 12.

SECT. 31, introductory paragraph amended, 1965, 572 § 13; revised, 1974, 782 § 2; 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).

SECT. 31B added, 1973, 305 (requiring the transfer of certain records to the board of higher education).

SECT. 31C added, 1973, 564 (requiring institutions to notify certain applicants of whether said institutions have certain academic accreditation).

SECTS. 32 and 33 added, under caption, 1951, 673 § 7 (relative to instruction of visually handicapped and blind children).

SECT. 33, sentence added, 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. 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, 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, 1953, 437 § 1.

SECT. 4A added, 1956, 453 (relative to state reimbursement to certain towns in regional school districts).

SECT. 6 revised, 1951, 592 § 1. (See 1951, 592 § 2.)

SECT. 9, second sentence revised, 1956, 599 § 3. (See 1956, 599 § 5.)

SECT. 10, sentence added, 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; revised, 1970, 871 § 6; amended, 1971, 930 § 1; 1972, 766 § 9; paragraphs (*e*) and (*f*) revised, 1973, 925 § 8. (See 1971, 930 § 2; 1972, 766 § 23; 1973, 925 § 84.)

SECT. 4 amended, 1970, 455 § 1; 1973, 925 § 8A; 1974, 492 § 11. (See 1970, 455 § 2; 1973, 925 § 84; 1974, 492 § 24.)

SECT. 5 amended, 1973, 925 § 8B. (See 1973, 925 § 84.)

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; section amended, 1973, 651; 1974, 753.

SECT. 1A added, 1966, 130 (providing for the opening of each school day with a period of silent meditation); revised, 1973, 621.

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, 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); amended, 1973, 1141 § 5.

SECTS. 8 and 9 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 12 repealed, 1969, 254 § 6.

SECT. 13 revised, 1972, 215 § 1; amended, 1973, 111.

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; 1973, 1049; 1974, 33; clause (*e*) revised, 1962, 232 § 4; clause (*g*) revised, 1972, 134; clause (*m*) amended, 1969, 849 § 71; revised, 1973, 1025 § 1; 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; seventh sentence amended, 1973, 1104 § 1; sentence added, 1964, 17; sentence added, 1968, 272.

SECT. 16B, first paragraph amended and second paragraph stricken out, 1969, 849 § 72; paragraph added, 1958, 619; first paragraph amended, 1973, 1025 § 2; 1974, 492 § 12. (See 1969, 849 § 79; 1974, 492 § 24.)

SECT. 16C revised, 1952, 470; 1966, 14 § 49.

SECT. 16D revised, 1967, 779; 1974, 492 § 13. (See 1974, 492 § 24.)
SECT. 16F. See 1952, 601.
SECT. 17 revised, 1973, 298.
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 or subscribed to by certain professors, instructors and teachers in the colleges, universities and schools of the commonwealth); sentence added, 1948, 160 § 2. (See 1935, 370 §§ 2, 2A, 3.)
SECT. 31A added, 1973, 209 (authorizing school committees to set guidelines for Christmas and other celebrations in schools).
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. 34E added, 1973, 785 (providing for parental inspection or inspection by a pupil over eighteen of certain records of such pupil).
SECT. 34F added, 1974, 677 (providing for regulations relative to the retention, duplication, storage, and destruction of school 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. 37C amended, 1974, 636 § 4.
SECT. 37D, paragraph inserted after second paragraph, 1971, 958; paragraph inserted after third paragraph, 1969, 643; section revised, 1974, 636 § 5.
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); repealed, 1973, 430 § 5.

SECT. 37H added, 1973, 430 § 5 (requiring publication of school rules and regulations relative to the conduct of students or teachers).

SECTS. 37I-37J added, 1974, 636 § 8 (providing for magnet school facilities and magnet educational programs).

SECT. 38, two sentences inserted after first sentence, 1965, 164; third sentence revised, 1970, 780; sentence added, 1960, 333 § 2; paragraph added, 1971, 507; revised, 1974, 342.

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; section revised, 1973, 847 § 5. (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).

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; 1973, 52 § 15. (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, 1950, 283; section revised, 1953, 372; amended, 1956, 132 § 1; revised, 1972, 464 § 1; first sentence revised, 1973, 847 § 6. (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, 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, 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; 1974, 105 § 1. (See 1972, 464 § 8; 1974, 105 § 2.)

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, 1957, 584; revised, 1966, 72; paragraph added, 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 town 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, 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, 353 § 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. 48, paragraph added, 1973, 1196.

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. 53, first sentence amended, 1974, 411 § 1. (See 1974, 411 § 4.)

SECT. 53A, first sentence amended, 1974, 411 § 2; second sentence amended, 1974, 411 § 2A; sentence added, 1950, 208 § 1. (See 1950, 208 § 2; 1974, 411 § 4.)

SECT. 53B amended, 1974, 411 § 3. (See 1974, 411 § 4.)

SECT. 54 amended, 1938, 265 § 1; 1945, 133 § 2.

SECT. 54A added, 1972, 74 (requiring certain school physicians to attend interscholastic football games).

SECT. 54B added, 1973, 817 (regulating the use of psychotropic drugs in the public schools).

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); paragraph added, 1973, 660.

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; first sentence revised, 1973, 1197. (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. 59B added, 1973, 421 (relative to the employment and duties of public school principals).

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, 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, 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. 71C added, 1973, 800 (establishing a revolving fund for receipts of municipal community school 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).

SECTS. 82-86 added, 1974, 670 (defining and clarifying certain rights and responsibilities of public secondary school students).

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.)

SECT. 5, second paragraph revised, 1973, 318 § 1.

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); first paragraph amended, 1973, 925 § 8C; paragraph added, 1972, 100 § 2; amended, 1973, 925 § 8D. (See 1973, 925 § 84.)

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; 1973, 1073 § 1A; 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, 1960, 284; section revised, 1960, 403 § 6; five paragraphs added, 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, 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.

SECTS. 1C and 1D added, 1963, 642 § 8.

SECT. 1E added, 1973, 1089 § 2 (allowing the location of banks at state and community colleges).

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, 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 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. 8A added, 1973, 1189 § 2 (authorizing Vietnam veterans to attend certain classes at community colleges without tuition charge).

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; section amended, 1974, 835 § 142. (See 1964, 357 § 11; 1974, 835 § 185.)

SECT. 19 added, 1968, 334 (changing names of certain state colleges); amended, 1973, 1175 § 6.

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; 1973, 925 § 8E. (See 1973, 925 § 84.)

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, 1970, 730.

SECT. 8A revised, 1937, 323; paragraph added at end, 1939, 308; section revised, 1950, 622; amended, 1966, 14 § 66; 1973, 925 § 8F. (See 1973, 925 § 84.)

SECT. 9 amended, 1938, 466 § 7; 1952, 471 § 4; revised, 1957, 496 § 1, 599 § 6; 1966, 14 § 67; 1967, 791 § 2; paragraph added, 1974, 773. (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, 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, 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, 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; fourth sentence amended, 1974, 31.

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, 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 pre-

ceding 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. 42D-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; 1974, 835 § 143; sixth paragraph amended, 1974, 835 § 143. (See 1964, 357 § 11; 1974, 835 § 185.)

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. 2A added, 1973, 1089 § 3 (allowing the location of banks at the University of Massachusetts).

SECT. 11, two sentences added, 1965, 877; third sentence revised, 1973, 845.

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; paragraph amended, 1974, 835 § 144; fourth paragraph amended, 1974, 835 § 144; sixth paragraph amended, 1974, 835 § 144. (See 1964, 357 § 11; 1974, 835 § 185.)

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. 20 repealed, 1973, 607 § 1. (See 1973, 607 § 9.)

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 anually 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).

SECT. 33A added, 1973, 1037 § 1 (establishing a General Court Fellowship Program).

SECTS. 34-36 added, under caption, 1962, 787 § 3 (establishing a medical school within the University of Massachusetts).

SECT. 35, sentence added, 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. — University of Lowell (former title, Lowell Technological Institute of Massachusetts).

SECT. 1B added, 1973, 1089 § 4 (authorizing the location of a branch bank on the university grounds).

SECTS. 1-24, inclusive, stricken out and twenty-eight sections inserted, 1973, 1175 § 7. (See 1973, 1175 § 14.)

For prior changes see Table of Changes contained in Acts and Resolves of 1972.

SECT. 11 amended, 1974, 835 § 145. (See 1974, 835 § 185.)

SECT. 16, third sentence revised, 1974, 520 § 3.

SECT. 17 revised, 1974, 520 § 4.

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. 1A added, 1973, 1089 § 5 (allowing the location of banks at Southeastern Massachusetts University).

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; paragraph amended, 1974, 835 § 146. (See 1974, 835 § 185.)

SECT. 11 revised, 1969, 396 § 17.

SECT. 12, two sentences added, 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, 625 § 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.)

SECT. 1 amended, 1974, 674.

SECT. 3, second paragraph amended, 1973, 737.

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. 3, first sentence revised, 1973, 925 § 9; sentence inserted after first sentence, 1974, 344. (See 1973, 925 § 84.)

SECT. 4 amended, 1969, 543.

SECT. 5 revised, 1971, 622 § 1; amended, 1973, 925 § 9A. (See 1973, 925 § 84.)

SECT. 6, sentence added, 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, 1968, 622 § 1; section revised, 1974, 636 § 7.

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. 15B added, 1973, 946 (providing for the testing, treatment and care of persons susceptible to certain genetically-linked diseases).

SECT. 16 amended, 1971, 622 § 2.

SECT. 18 added, 1973, 375 (prohibiting the exclusion of certain public school children prior to meeting with school committees); revised, 1973, 915.

SECTS. 19 and 20 added, 1973, 1073 § 1 (providing for supervisors of attendance).

Chapter 77. — School Offenders and County Training Schools.

Chapter repealed, 1973, 1073 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1972.

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.
SECT. 19E added, 1974, 764 (providing for the improvement and development of comprehensive library media services).
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, 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; section revised, 1973, 1155 § 8.
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 1964, 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, 1953, 634 § 1; 1968, 759 § 5. (See 1953, 634 § 2.)

SECT. 12A added, 1973, 1207 (providing for full compensation for certain property destroyed by disaster and to be acquired by eminent domain); revised, 1974, 29 § 1. (See 1973, 1207 § 2; 1974, 29 § 2.)

SECT. 15 repealed, 1936, 385 § 1. (See 1936, 385 § 2.)

SECT. 16 amended, 1936, 187 § 2; 1938, 185; revised, 1943, 95; paragraph added, 1943, 251 § 3; sentence added, 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; section revised, 1973, 983 § 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; second sentence amended, 1973, 983 § 2; third sentence revised, 1965, 653 § 1; sentence added, 1973, 983 § 3. (See 1963, 793 § 3; 1965, 653 § 2.)

SECT. 39, sentence added, 1955, 242; section revised, 1959, 626 § 5; sentence added, 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. 1 revised, 1973, 863 § 1.

SECT. 2 amended, 1973, 863 § 2.

SECT. 3 revised, 1973, 863 § 3.

SECT. 4 revised, 1973, 863 § 4.

SECT. 5 amended, 1973, 863 § 5.

SECT. 6 revised, 1973, 863 § 6.

SECT. 7, paragraph added, 1971, 315; section revised, 1973, 863 § 7.

SECT. 11 revised, 1973, 863 § 8.

SECT. 12 amended, 1973, 863 § 9.

SECTS. 13-15 added, 1973, 863 § 10 (increasing state relocation benefits in conformance with the federal uniform relocation act).

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 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, 1949, 583; 1950, 829; revised, 1957, 700 § 1; amended, 1971, 607; three paragraphs added, 1973, 1016 § 1. (See 1957, 700 § 2.)

SECT. 7D added, 1948, 449 (authorizing the department of public works to grant certain easements within state highway locations).

SECT. 7E added, 1949, 764 (authorizing the department of public works to sell certain land or rights therein which it has acquired for certain purposes); revised, 1957, 530, 761; amended, 1962, 610; revised, 1965, 755; 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; 1973, 733. (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); sentence added, 1973, 1155 § 9.

SECT. 8 revised, 1936, 371; amerded, 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); first sentence amended, 1973, 1155 § 10.

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. 26 amended, 1934, 366; first paragraph amended, 1949, 706 § 1; revised, 1951, 655 § 1; paragraph inserted after second paragraph, 1962, 603 § 2; paragraph added, 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).

SECT. 31, first paragraph, subsection (*a*) amended, 1974, 492 § 14; fourth paragraph amended, 1974, 492 § 15. (See 1974, 492 § 24.)

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, 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. 25, sentence added, 1973, 288.

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. 1 revised, 1974, 601.

SECT. 2, paragraph added, 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. 12, first sentence revised, 1973, 575.

SECT. 15 amended, 1965, 214.

SECT. 18 revised, 1933, 114 § 1; 1965, 378 § 1; sentence added, 1973, 1085.

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; fifth sentence revised, 1974, 574.

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); 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. 7A added, 1973, 1208 (regulating the storage and use of snow removal chemicals).

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; 1974, 321; 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; section revised, 1973, 806 § 2. (See 1961, 518 § 5.)

SECT. 11C added, 1973, 596 (providing for the noncriminal disposition of bicycle law violations); first paragraph revised, 1974, 424 § 2. (See 1974, 424 § 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 sentence revised, 1974, 529 § 1; second paragraph amended, 1953, 234 § 2; revised, 1968, 92. (See 1974, 529 § 3.)

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; four paragraphs inserted after first paragraph, 1974, 851 § 3.

SECT. 31 revised, 1938, 171 § 2.

SECT. 34 revised, 1974, 851 § 4. (See 1974, 851 § 12.)

SECT. 35, last sentence revised, 1955, 91; section revised, 1974, 851 § 5. (See 1974, 851 § 12.)

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; third sentence amended, 1973, 498.

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, 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; 1974, 144.

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); third paragraph revised, 1973, 146. (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; definition of "Gross vehicle weight rating" inserted, 1974, 851 § 6; "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 "mobile construction crane" inserted, 1973, 1198 § 1; 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; 1973, 127; "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; stricken out and two sentences inserted, 1965, 202 § 1; first and second sentence amended, 1967, 736 § 2; second sentence revised, 1973, 925 § 10; two sentences inserted after second sentence, 1973, 905 § 1; third sentence amended, 1974, 120; sixth paragraph revised, 1960, 581; amended, 1967, 736 § 3; first sentence revised, 1969, 742 § 1; seventh paragraph revised, 1939, 436 § 1; 1949, 470, 644 § 3; 1952, 82; amended, 1953, 225; 1955, 45 § 3; 1956, 130, 168; 1957, 417 § 4; revised, 1958, 274; first sentence amended, 1959, 205; third sentence revised, 1959, 495; 1961, 442; two sentences inserted after third sentence, 1965, 819 § 2; fourth sentence (as appearing in 1958, 274) revised, 1965, 57; sixth sentence revised, 1967, 736 § 4; sentence added, 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, 1952, 554. (See 1955, 283 § 3; 1961, 568 § 3; 1962, 231 § 3; 1967, 736 § 11; 1971, 754 § 4; 1973, 925 § 84.)

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 the vehicle upon transfer to another).

SECT. 2C added, 1969, 405 (authorizing minors to enter into legal contracts pertaining to motor vehicles); repealed, 1973, 925 § 11. (See 1973, 925 § 84.)

SECT. 3, first sentence revised, 1933, 188; section revised, 1939, 325; first paragraph, first sentence amended, 1953, 463 § 2; paragraph inserted after second paragraph, 1953, 463 § 3; amended, 1971, 500; paragraph inserted after second paragraph, 1962, 19 § 1; revised, 1967, 580; first sentence stricken out and two sentences inserted, 1970, 353; fifth paragraph amended, 1966, 144 § 1; paragraph added, 1941, 282; 1972, 732 § 2; amended, 1974, 660 § 1; paragraph added, 1974, 660 § 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); first paragraph revised, 1973, 1114 § 6; second paragraph, three sentences added at end, 1952, 77. (See 1945, 590 § 2; 1973, 1114 § 351.)

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; section revised, 1973, 871, 1198 § 2; amended, 1974, 652. (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; stricken out and two sentences inserted, 1962, 709 § 1; said two sentences stricken out and one sentence inserted, 1963, 409 § 1; ninth sentence revised, 1949, 260; amended, 1951, 235; revised, 1966, 149 § 1; sentence inserted, 1969, 260; sentence inserted after ninth sentence, 1951, 370; 1968, 109; eleventh sentence revised, 1952, 253; 1971, 175; twelfth and thirteenth sentences stricken out and one sentence inserted, 1955, 124; twelfth sentence (as appearing in 1933, 51) revised, 1968, 110; sentence inserted after twelfth sentence, 1971, 206; stricken out, 1971, 934; sentence added at end of first paragraph, 1954, 570 § 1; 1963, 826 § 1; 1973, 1019; 1965, 69 § 1; 1967, 13; amended, 1968, 225; revised, 1969, 170; sentence added, 1972, 149; 1974, 445; paragraph inserted after first paragraph, 1962, 132; paragraph added, 1941, 443; revised, 1964, 187; 1965, 392; 1973, 145; paragraph inserted, 1974, 25; paragraph added, 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; 1973, 423; sentence inserted after first sentence, 1967, 202 § 2; second sentence (as appearing in 1950, 525) revised, 1964, 179; fifth sentence amended, 1974, 766 § 1. (See 1974, 766 § 2.)

SECT. 7B, clause (1) revised, 1950, 502 § 2; 1973, 237 § 1; clause (4) revised, 1962, 515 § 1; 1963, 199; 1966, 74; 1973, 925 § 12; clause (6) inserted, 1950, 459 § 1; revised, 1973, 238 § 1; clause (7) inserted, 1951, 196 § 1; revised, 1966, 149 § 2; 1974, 118; clause (8) added, 1971, 803; clause (9) added, 1973, 250; clause (10) added, 1973, 314; clause (11) added, 1973, 497; clause (12) added, 1974, 555. (See 1950, 459 § 2; 1973, 925 § 84.)

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. (See 1973, 948 § 5.)

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. 7P added, 1973, 188 (regulating the changing of the height of motor vehicles).

SECT. 7P added, 1973, 301 (prohibiting the operation of motor vehicles failing to comply with certain thread depth regulations); section renumbered to read section 7Q, 1973, 798 § 1. (See 1974, 798 § 2.)

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; section revised, 1973, 361 § 1. (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; revised, 1973, 925 § 13. (See 1973, 925 § 84.)

SECT. 8B added, 1963, 713 § 2 (relative to a learner's permit for unlicensed drivers learning to drive); first paragraph amended, 1966, 358 § 2; sentence inserted after first sentence, 1973, 361 § 2; second sentence stricken out and two sentences inserted, 1967, 187; third sentence amended, 1973, 925 § 14; third paragraph amended, 1966, 522 § 1; last sentence revised, 1967, 624. (See 1963, 713 § 4; 1966, 358 § 3; 1973, 925 § 84.)

SECT. 8C added, 1973, 766 (establishing a medical advisory board to the registry of motor vehicles).

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; second sentence revised, 1974, 15. (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. 9C added, 1974, 671 § 1 (prohibiting the repair of certain tires without the use of certain safety equipment). (See 1974, 671 § 2.)

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, second sentence revised, 1973, 476; two sentences inserted after second sentence, 1950, 763; sentence added, 1949, 707; revised, 1950, 305; sentence added, 1967, 93, 192; 1974, 24.

SECT. 14 amended, 1938, 166; third sentence revised, 1947, 418; section revised, 1948, 324; sentence inserted after first sentence, 1961, 318; revised, 1961, 518 § 1; 1973, 806 § 3; third sentence revised, 1950, 502 § 6; 1951, 196 § 2; 1961, 374; 1965, 244; fourth sentence revised, 1969, 54 § 2; 1973, 97; last sentence stricken out and two sentences inserted, 1957, 166; sentence inserted after eighth sentence, 1974, 335; two paragraphs added, 1974, 665. (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 (providng 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; revised, 1973, 46; 1974, 233.

SECT. 16A added, 1972, 598 (requiring operators of certain motor vehicles to turn off motors after a certain time period).

SECT. 17, sentence added, 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; stricken out, 1974, 49; sentence added, 1974, 851 § 7. (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, 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; stricken out and four sentences inserted, 1946, 341; paragraph added, 1948, 394; section revised, 1951, 573; first sentence amended, 1959, 378; 1966, 369; revised, 1967, 395; amended, 1969, 307; sentence inserted after first sentence, 1973, 386; 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; stricken out and four paragraphs inserted, 1974, 851 § 8; 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. 19C added, 1974, 263 (further regulating the towing of motor vehicles).

SECT. 19D added, 1974, 851 § 9 (requiring certain certificates of inspection for the issuance of certain permits).

SECT. 20, first sentence revised, 1951, 567; amended, 1956, 389 § 3; 1966, 110; section revised, 1967, 182; 1974, 851 § 10.

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, 1951, 69; section revised, 1953, 249 § 1; first paragraph amended, 1962, 786 § 1; sentence added, 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; stricken out, 1962, 786 § 5; paragraph added, 1954, 302. (See 1934, 368 § 2; 1949, 425 § 4; 1953, 249 §§ 2, 3; 1955, 751 § 2; 1962, 338 § 24, 786 § 8.)

SECT. 20B added, 1960, 810 (relative to the crossing of certain ways by pedestrians); repealed, 1967, 405 § 2. (See 1967, 405 § 3.)

SECTS. 20C and 20D added, 1962, 786 § 6 (relative to the non-criminal disposition of parking violations). (See 1962, 786 § 8.)

SECT. 20C, fifth paragraph amended, 1966, 119; sixth paragraph amended, 1963, 451 § 1; eighth paragraph amended, 1963, 451 § 2.

SECT. 20E added, 1973, 1108 (further regulating the responsibilities of certain motor vehicle lessors for certain parking regulations).

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; section revised, 1973, 461 § 1. (See 1971, 1071 § 9; 1973, 461 § 2.)

SECT. 22, first paragraph amended, 1963, 276; first sentence amended, 1968, 237; paragraph inserted after first paragraph, 1962, 261; two paragraphs added, 1933, 191; first sentence (as appearing in 1933, 191) amended, 1941, 312; paragraph added, 1968, 332; section revised, 1969, 637; clause (b), sentence inserted after first sentence, 1974, 96; 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, 1969, 227; paragraph added, 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); revised, 1973, 290.

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); amended, 1974, 145. (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, 1936, 182 § 2; section revised, 1936, 434 § 1; subdivision (1), paragraph (*a*) amended, 1938, 145; first sentence revised, 1961, 347, 422 § 2; amended, 1962, 394 § 2; revised, 1963, 369 § 2; 1971, 1071 § 4; paragraph (*b*) revised, 1964, 200 § 1; paragraph (*c*) revised, 1939, 82; amended, 1955, 198 § 1; revised, 1964, 200 § 2; 1970, 253; amended, 1974, 647 § 2; paragraph (*d*) amended, 1955, 198 § 2; paragraph (*e*) added, 1961, 340; stricken out and paragraphs (*e*), (*f*) and (*g*) added, 1967 773; paragraph (*e*) amended, 1972, 376, 488 § 1; 1974, 425; paragraph (*f*) amended, 1972, 488 § 2; subdivision (2), paragraph (*a*) amended, 1937, 230 § 1; 1964, 200 § 3; 1966, 316; 1968, 259; 1969, 7, 202; 1972, 111; 1973, 243; 1974, 206 § 2, 418; (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; 1973, 227. (See 1937, 230 § 2; 1971, 1071 § 9; 1974, 647 § 3.)

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 inserted after first paragraph, 1974, 206 § 1; paragraph added, 1967, 151; amended, 1973, 212.

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.

SECTS. 24D-24E added, 1974, 647 § 1 (establishing an alternative procedure for the disposition of cases involving persons convicted of operating motor vehicles while under the influence of intoxicating liquor). (See 1974, 647 § 3.)

SECT. 26 revised, 1953, 570 § 2; 1956, 225; 1964, 405; first paragraph amended, 1965, 628; paragraph inserted after second paragraph, 1965, 270; 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; 1973, 702; 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; sentence inserted after second sentence, 1973, 189.

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, 1949, 321; first sentence 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, 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; amended, 1974, 680; paragraph inserted after first paragraph, 1957, 628; amended, 1966, 189; fourth paragraph revised, 1956, 383 § 1; eleventh paragraph revised, 1956, 383 § 2; paragraph added, 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 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 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; paragraph added, 1974, 851 § 11. (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; first paragraph revised, 1973, 303

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; 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; paragraph amended, 1973, 599 § 2; paragraph added, 1973, 806 § 4. (See 1935, 459 § 5; 1945, 384 § 3; 1959, 282 § 6; 1963, 358 § 4, 476 § 3; 1964, 517 § 4; 1967, 736 § 11; 1970, 670 § 10; 1973, 599 § 3.)

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, 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; 1974, 503 § 1; subparagraph (2) amended, 1974, 503 § 2; third paragraph stricken out and two paragraphs inserted, 1973, 953 § 1; seventh paragraph revised, 1973, 917 § 1; sentence added, 1973, 1069 § 2; paragraph added, 1971, 1079 § 3. (See 1971, 978 § 2; 1973, 917 § 2, 953 § 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, 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, 1949, 60; revised, 1955, 189; two paragraphs added, 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, 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, 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; 1973, 993.

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; 1973, 806 § 5. (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; 1973, 142 § 1; sentence inserted after sixth sentence, 1969, 304; paragraph (*j*) revised, 1973, 142 § 2.

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, first paragraph amended, 1973, 804; second paragraph, clauses (*d*) and (*e*) revised, 1961, 320.

SECT. 12, first sentence revised, 1964, 547.

SECT. 13, sentence added at end, 1962, 250.

SECT. 13A added, 1974, 714 § 1 (requiring scuba divers to display divers' flags, so called, while swimming or diving).

SECT. 14, subsection (*b*) revised, 1971, 110; 1974, 46, 714 § 2; 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 recreational vehicles and requiring registration thereof).

SECT. 20, definition of "Law enforcement officer" revised, 1971, 103 § 4.

SECT. 22, two sentences, added, 1973, 808.

SECT. 24, third paragraph amended, 1971, 551 § 1; section revised, 1972, 62; third paragraph amended, 1972, 296; 1974, 213. (See 1971, 551 § 2.)

SECT. 25, paragraph inserted after first paragraph, 1973, 148.

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); revised, 1973, 331; first paragraph amended, 1974, 424 § 3; fourth paragraph amended, 1974, 424 § 4. (See 1964, 626 § 2; 1974, 424 § 5.)

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; 1973, 81 § 1; paragraph (*b*) amended, 1972, 732 § 4.

SECT. 4 revised, 1972, 53.

SECT. 6 revised, 1973, 81 § 2.

SECT. 7, paragraph (*b*) amended, 1972, 537 § 1; paragraph (*d*) added, 1974, 242 § 2. (See 1974, 242 § 3.)

SECT. 9, paragraph (*a*) amended, 1972, 54.

SECT. 10, paragraph (*a*) amended, 1972, 537 § 2; paragraph (*e*) revised, 1973, 81 § 3.

SECT. 22, paragraph (*a*) revised, 1973, 81 § 4.

SECT. 26 revised, 1973, 81 § 5.
SECT. 28, first paragraph revised, 1972, 170; amended, 1973, 81 § 6.
SECT. 29, first paragraph amended, 1972, 55; second paragraph revised, 1972, 756.
SECT. 35 revised, 1973, 81 § 7.
SECT. 37 revised, 1973, 81 § 8.

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; revised, 1973, 870. (See 1972, 684 § 136.)
SECT. 27, paragraph added, 1937, 372 § 2; sentence added, 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); third paragraph amended, 1974, 808.
SECT. 52, paragraph added, 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, 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, 1954, 533.
SECT. 62 amended, 1958, 640 § 9; three sentences added, 1967, 331.
SECTS. 60-62 repealed, 1968, 501 § 2.
SECT. 63 added, 1973, 989 § 5 (protecting underwater archaeological resources by the regulation of the removal or salvage of said resources)

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; 1974, 835 § 147; 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; 1974, 835 § 185.)
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; 1973, 1039 § 1; fourth and fifth paragraphs revised, 1961, 221; fifth paragraph revised, 1973, 1039 § 2. (See 1945, 587 §§ 4, 5; 1962, 723 §§ 11, 12; 1973, 1039 § 5.)

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, 1962, 723 § 7; stricken out, 1973, 1039 § 3. (See 1973, 1039 § 5.)

SECT. 26B repealed, 1962, 723 § 8.

SECT. 26C added, 1973, 1039 § 4 (authorizing an issue of notes to make up any deficit in the metropolitan water district fund).

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, 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, 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, 1963, 380.

SECT. 58 amended, 1946, 432 § 7.

SECT. 59 amended, 1949, 554 § 3; 1974, 492 § 16. (See 1974, 492 § 24.)

SECT. 59A added, 1945, 637 § 7 (relative to annual assessments upon municipalities of the metropolitan districts for maintenance); sentence added, 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; amended, 1974, 835 § 148. (See 1937, 416 § 5; 1939, 441 §§ 3, 5; 1974, 835 § 185.)

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. 66A added, 1974, 18 § 2 (relative to the minimum age requirement for lifeguards employed by the metropolitan district commission).

SECT. 67 revised, 1963, 615 § 2.

SECT. 68 revised, 1963, 615 § 3.

SECT. 72 amended, 1973, 989 § 6.

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, 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, 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. 15 amended, 1973, 632 § 2.

SECT. 16 amended, 1973, 632 § 3.

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, 1956, 437.

SECT. 21B revised, 1952, 499 § 3; amended, 1954, 257 § 3; revised, 1955, 371 § 3.

SECT. 21C amended and sentence added, 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; section revised, 1973, 1149 § 1. (See 1973, 1149 § 33.)

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, 1959, 202 § 2; paragraph added, 1974, 10. 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); clause (*g*) revised, 1973, 385.

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; paragraphs (6)-(8) added, 1973, 939.

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. 5A added, 1974, 619 (requiring motor vehicle dealers to include certain charges in prices advertised for vehicles).

SECT. 8, paragraph added, 1972, 408.

Chapter 93C. — Protection of Consumers Against Careless and Erroneous Billings.

New chapter inserted, 1971, 860 § 1.

SECT. 1, definitions of "Period", "Periodic billing statement" and "Statement of account" inserted, 1973, 21 § 1.

SECT. 3 amended, 1973, 21 § 2.

SECT. 5 amended, 1973, 21 § 3.

SECT. 6 amended, 1973, 21 § 4.

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; amended, 1973, 607 § 3; definition of "labeling" inserted, 1961, 600 § 1; definition of

"oleomargarine" revised, 1967, 216 § 1; definition of "sausage" or "sausage meat" revised, 1962, 243; amended, 1973, 180; 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; paragraphs defining "Cattle feed", "Crude protein" and "Feeding stuff" stricken out, 1973, 44; paragraphs defining "Agricultural line", "Available phosphoric acid", "Brand", "Commercial fertilizer", "Commissioner", "Fertilizer", "Fertilizer grade", "Gypsum or land plaster", "Importer", "Package", "Phosphoric acid", "Potash" and "Tag" stricken out, 1973, 607 § 2. (See 1937, 362 § 7; 1973, 607 § 9.)

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; amended, 1974, 297.

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, 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. 53 repealed, 1974, 246.

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, 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, 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, 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, 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).

SECTS. 144-145 repealed, 1973, 383.

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; revised, 1974, 115.

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 cer-

tain 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 "Ketobemidone" 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, 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. 250-261 repealed, 1973, 607 § 4. (See 1973, 607 § 9.)

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, 1950, 496; section revised, 1960, 234 § 3. (See 1960, 234 § 4.)

SECT. 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); repealed, 1974, 7.

SECT. 295Y added, 1963, 280 (regulating the sale and installation of seat safety belts); repealed, 1973, 216.

SECTS. 295Z, 295AA and 295BB added, 1973, 955 § 1 (requiring certain petroleum distributors to file certain information with the secretary of consumer affairs). (See 1973, 955 § 3.)

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).

SECTS. 314-318 inserted, 1973, 891 § 1 (requiring the posting of certain information relating to the sale of electrical appliances). (See 1973, 891 § 3.)

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.

SECT. 1, definition of "Flammable" revised, 1973, 649 § 1; 1974, 642 § 1; definition of "Misbranded hazardous substance" stricken out and definition of "Misbranded package" or "Misbranded package of a hazardous substance" inserted, 1973, 649 § 2; revised, 1974, 642 § 2. (See 1973, 649 § 5.)

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; paragraph revised, 1973, 430 § 6.

SECT. 21C, first paragraph revised, 1973, 910; second paragraph amended, 1970, 874 § 7; 1972, 608 § 2; 1973, 430 § 7.

Chapter 94C. — Controlled Substances Act.

New chapter inserted, 1971, 1071 § 1. (See 1971, 1071 § 9.)

SECT. 1, definition of "Administer" amended, 1973, 1190 § 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 "Immediate precursor" amended, 1973, 1190 § 2; definition of "Manufacture" amended, 1973, 1190 § 3; definition of "Marihuana" amended, 1972, 806 § 4; definition of "Nurse" inserted, 1973, 1190 § 4; definitions of "Practical nurse" and "Registered nurse" stricken out, 1973, 1190 § 5; definition of "Registration number" inserted, 1972, 806 § 5; definition of "Schedule" amended, 1972, 806 § 6; definition of "Ultimate user" amended, 1973, 1190 § 6.

SECT. 2, paragraph (*a½*) 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; 1973, 1190 § 7; revised, 1973, 1220; paragraph (*b*) amended, 1972, 684 § 14; paragraph (*d*) amended, 1973, 1190 § 8; 1974, 770; paragraph (*f*) amended, 1972, 684 § 15; paragraph (*g*) added, 1973, 1190 § 9. (See 1972, 684 § 136.)

SECT. 8, paragraph (*a*) revised, 1972, 806 § 10; paragraph (*h*) added, 1972, 806 § 11; paragraph (*i*) added, 1974, 359.

SECT. 9, subsection (*a*) amended, 1973, 1190 § 10; subsection (*b*) amended, 1973, 1190 § 11; subsection (*c*) amended, 1973, 1190 § 12; subsection (*d*) amended, 1973, 1190 § 13.

SECT. 10 amended, 1973, 1190 § 14.

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; revised, 1974, 264.

SECT. 24, paragraph (*e*) amended, 1972, 806 § 18; paragraph (*f*) added, 1972, 806 § 19; paragraph (*g*) added, 1973, 469.

SECT. 27, subsection (*a*) amended, 1973, 1190 § 15; subsection (*b*) amended, 1973, 1190 § 16; subsection (*c*) amended, 1972, 806 § 20; subsection (*e*) amended, 1973, 1190 § 17.

SECT. 30, paragraph (*b*) amended, 1972, 806 § 21.

SECT. 31, first paragraph, Class B, paragraph (*d*) amended, 1973, 459 § 1; Class C, paragraph (*c*) amended, 1972, 806 § 22.

SECT. 33, paragraph (*b*) revised, 1974, 102.

SECT. 34, first paragraph amended, 1974, 440; second paragraph revised, 1972, 806 § 23; amended, 1974, 207; 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. 44 revised, 1973, 533 § 1.

SECT. 47, paragraph (*c*), clause (4) amended, 1972, 806 § 30; paragraph (*e*) amended, 1972, 806 § 31.

SECT. 47A added, 1974, 318 (providing for the appointment of a custodian of controlled substances and narcotic drugs seized by police departments).

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, 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 (*b½*) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph (*b½*) 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; 949, 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, 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, 1948, 493 § 4; section revised, 1954, 627 § 22; 1961, 292 § 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. 5 repealed, 1974, 260 § 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; revised, 1973, 229 § 1. (See 1973, 229 § 2.)

Chapter 104. — Agents, Consignees and Factors.

SECT. 4, sentence added, 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, 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); amended, 1973, 799 § 1. (See 1973, 799 § 2.)

SECT. 2 — 318 revised, 1971, 670 § 1; revised, 1973, 750 § 1; fourth sentence revised, 1974, 153. (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, 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; subsection (3) revised, 1974, 465.
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. 1, definitions of "Label" and "Name" stricken out, 1973, 897 § 1. (See 1973, 897 § 8.)

SECTS. 2-3 repealed, 1973, 897 § 2. (See 1973, 897 § 8.)

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, 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. 7 repealed, 1973, 897 § 2. (See 1973, 897 § 8.)

SECT. 7A added, 1947, 307 (authorizing injunctive relief in certain cases of trade mark infringement or unfair competition); repealed, 1973, 897 § 2. (See 1973, 897 § 8.)

SECT. 8, paragraph added, 1958, 442 § 1. (See 1958, 442 § 2.)

SECTS. 8-15 repealed, 1973, 897 § 2. (See 1973, 897 § 8.)

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; revised, 1973, 897 § 3. (See 1973, 897 § 8.)

SECT. 27 revised, 1973, 897 § 4. (See 1973, 897 § 8.)

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; 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.)

The following references are to chapter 110A as so inserted:

SECT. 202, paragraph (*b*) amended, 1973, 430 § 8.

Chapter 110B. — Registration and Protection of Trademarks.

New chapter inserted, 1973, 897 § 5. (See 1973, 897 § 8.)

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.

SECT. 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, first paragraph amended, 1973, 1168 § 18; paragraph added, 1964, 508 § 2; first two sentences revised, 1971, 544 § 1. (See 1964, 508 §§ 3, 4; 1973, 1168 § 40.)

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); second paragraph amended, 1974, 806 § 11; fifth paragraph stricken out, 1974, 806 § 12. (See 1974, 806 § 41.)

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; sentence added, 1973, 1168 § 19. (See 1973, 1168 § 40.)

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; 1974, 835 § 149. (See 1974, 835 § 185.)

SECT. 4G added, 1967, 805 § 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); two sentences added, 1973, 1186 § 1.

SECT. 41 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); amended, 1973, 1229 § 4N. (See 1973, 1229 § 13.)

SECT. 5, paragraph added, 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; 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); first paragraph amended, 1974, 806 § 13. (See 1974, 806 § 41.)

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; paragraph added, 1973, 594 § 1.

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.

SECTS. 6A-6C added, 1973, 1227 (establishing a program within the department of public health for the care of persons suffering from hemophilia).

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); repealed, 1973, 948 § 6.

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. 25C, fourth paragraph amended, 1973, 1168 § 20; paragraph added, 1973, 1168 § 21. (See 1973, 1168 § 40.)

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. 26C revised, 1973, 204 § 1.

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, 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.)

SECT. 32 amended, 1974, 260 § 4.

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. 51A added, 1973, 1186 § 2 (authorizing the department of public health to regulate and license certain out-of-hospital dialysis units).

SECT. 52 revised, 1967, 891 § 2; paragraph added, 1973, 1186 § 3.

SECT. 53 amended, 1943, 16 § 2; revised, 1967, 891 § 3; amended, 1973, 1186 § 4.

SECT. 54 amended, 1943, 16 § 3; revised, 1967, 891 § 4; amended, 1973, 1186 § 5.

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 new caption, 1950, 205.

SECT. 58 revised, 1959, 457; 1962, 719 § 1. (See 1962, 719 §§ 2-4.)

SECT. 59, sentence added, 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; revised, 1973, 1229 § 4A; section amended, 1974, 260 § 5. (See 1973, 1229 § 13.)

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; 1973, 1229 § 4B; paragraph added, 1968, 559. (See 1973, 1229 § 13.)

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; amended, 1973, 1167.

SECT. 69F amended, 1974, 260 § 6.

SECT. 69G, second sentence amended, 1974, 260 § 7.

SECT. 69H revised, 1957, 459 § 3; amended, 1962, 546 § 6; revised, 1968, 492 § 6; amended, 1973, 1229 § 4C. (See 1973, 1229 § 13.)

SECT. 69I, third sentence revised, 1957, 459 § 4; amended, 1962, 546 § 7; 1974, 260 § 8.

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, 1964, 277; paragraph added, 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; amended, 1973, 1210 § 18; paragraph added, 1973, 1168 § 22. (See 1964, 620 § 1; 1973, 1168 § 40, 1210 § 39.)

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, 1956, 439; section amended, 1957, 545 § 2; first paragraph revised, 1966, 614 § 2; amended, 1966, 713 § 5; section revised, 1967, 891 § 10; amended, 1973, 1229 § 4O. (See 1973, 1229 § 13.)

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; amended, 1973, 1229 § 4D. (See 1973, 1229 § 13.)

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; amended, 1973, 1229 § 4E. (See 1973, 1229 § 13.)

SECTS. 79-83A stricken out and sections 79-83B inserted, 1961, 608 § (See 1961, 608 §§ 12-14.)

SECT. 79, first paragraph, third sentence stricken out and two sentences inserted, 1968, 492 § 9; third sentence amended, 1973, 1229 § 4F. (See 1973, 1229 § 13.)

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; amended, 1973, 1229 § 46; second paragraph amended, 1965, 362. (See 1973, 1229 § 13.)

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; sixth sentence amended, 1973, 1229 § 44. (See 1965, 710 § 2; 1973, 1229 § 13.)

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, 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; amended, 1973, 1229 § 41. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10; 1961, 608 §§ 12-14; 1973, 1229 § 13.)

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, 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; 1974, 260 § 9. (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, 1954, 44; amended, 1974, 187.

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; fifth sentence amended, 1974, 260 § 10.

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, first paragraph amended, 1973, 880; paragraph added, 1971, 261.

SECT. 127B, first paragraph amended, 1966, 78; 1973, 295; eighth sentence revised, 1972, 522; paragraph added, 1973, 920; amended, 1974, 298.

SECT. 127C, paragraph added, 1969, 242.

SECT. 127G, sentence added, 1971, 843 § 3; amended, 1973, 591 § 2. (See 1971, 843 § 27; 1973, 591 § 22.)

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. 127M added, 1973, 848 (restricting the construction and maintenance of certain sewage disposal systems).

SECT. 127N added, 1974, 681 (authorizing the joinder of certain persons as parties in interest in certain legal actions relative to residential dwelling units).

SECT. 128, two paragraphs added at end, 1943, 486; 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.)

SECT. 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; two paragraphs added, 1974, 494 § 1. (See 1974, 494 § 2.)

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. 142G added, 1974, 239 (authorizing certain burning of Christmas trees).

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; paragraph inserted after second paragraph, 1973, 1217 § 6. (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. 183 amended, 1973, 925 § 15. (See 1973, 925 § 84.)

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, 1946, 155 § 2.

SECT. 184B added, 1950, 431 (restricting the establishment and maintenance of blood banks); amended, 1967, 528; first sentence revised, 1973, 262.

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.

SECT. 186B added, 1973, 649 § 3 (regulating the sale of certain flammable sleepwear). (See 1973, 649 § 5.)

SECT. 187 amended, 1973, 1114 § 7. (See 1973, 1114 § 351.)

SECTS. 190-199 added, 1971, 1081 § 1 providing for a program of lead paint poisoning prevention and control). (See 1971, 1081 § 3.)

SECT. 194, paragraph inserted after sixth paragraph, 1974, 449 § 1.

SECT. 195, second paragraph amended, 1973, 149.

SECT. 196 amended, 1971, 1081 § 2. (See 1971, 1081 § 3.)

SECT. 198, second paragraph amended, 1974, 449 § 2.

SECT. 200 added, 1973, 650 (requiring the reporting of certain burn injuries caused by fabric ignition); first paragraph revised, 1974, 122.

SECT. 201 added, 1974, 795 § 1 (requiring certain police and fire personnel to complete certain first aid training).

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.)

SECT. 3, definition of "Halfway house for alcoholics" added, 1973, 1040 § 1. (See 1973, 1040 § 3.)

SECT. 5 amended, 1973, 1229 § 4J. (See 1973, 1229 § 13.)

SECT. 6A added, 1973, 1040 § 2 (providing for the licensing of halfway houses for alcoholics by the department of public health). (See 1973, 1040 § 3.)

SECT. 8 revised, 1973, 328 § 1; amended, 1973, 1143. (See 1973, 328 § 2.)

SECT. 13 added, 1973, 586 § 1 (exempting police officers and certain persons from certain liability while performing their duties pursuant to the alcoholism treatment and rehabilitation law). (See 1973, 586 § 2.)

Chapter 111C. — Emergency Medical Care.

New chapter inserted, 1973, 948 § 1.

SECT. 6, paragraph added, 1974, 795 § 2.

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; first paragraph amended, 1973, 925 § 16; 1974, 723 §§ 1, 2; second paragraph amended, 1974, 395; third paragraph stricken out, 1974, 396; fourth paragraph amended, 1973, 312; fifth paragraph amended, 1972, 372; second to fifth paragraphs stricken out and three paragraphs inserted, 1974, 723 § 3. Affected, 1938, 259; 1948, 221. (See 1933, 171 § 2; 1936, 247 §§ 3-6; 1939, 415 §§ 3, 4; 1959, 344 § 3; 1973, 925 § 84.)

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; amended, 1973, 925 § 17; 1060 § 1. (See 1973, 925 § 84; 1060 § 3.)

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.

SECTS. 9C-9H added, 1973, 937 § 1 (providing for the use of physician assistants). (See 1973, 937 § 4.)

SECT. 12 amended, 1948, 129 § 7.

SECT. 12A, first sentence amended, 1943, 41; revised, 1962, 407; section revised, 1963, 108.

SECT. 12B added, 1962, 217 (exempting registered physicians from civil liability for emergency care or treatment rendered at the scene of an accident to persons injured in motor vehicle accidents); revised, 1964, 59; 1965, 578; amended, 1967, 374; 1969, 343.

SECT. 12C added, 1967, 309 § 2 (exempting physicians and nurses from liability in carrying out immunization programs).

SECT. 12D added, 1970, 717 § 2 (requiring physicians to include the generic or chemical names when prescribing drugs by brand name).

SECT. 12E added, 1970, 816 (authorizing drug dependent minors of twelve years or older to consent to hospital and medical care for said drug dependency); amended, 1973, 430 § 8A.

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. 12H added, 1973, 173 § 1 (requiring physicians to print or write their names on prescription blanks).

SECT. 12J added, 1974, 421 (prohibiting experimentation on human fetuses).

SECTS. 12H-12R added, 1974, 706 § 1 (protecting unborn children and maternal health within constitutional limits).

SECT. 12I added, 1973, 521 § 1 (providing that certain medical personnel need not participate in certain medical procedures).

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; 1973, 925 § 18; 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; 1973, 925 § 84.)

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. 21A added, 1973, 173 § 2 (requiring podiatrists to print or write their names on prescription blanks).

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. 23C clause *(a)* revised, 1973, 925 § 19; clause *(b)* stricken out, 1974, 290. (See 1973, 925 § 84.)

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; revised, 1974, 326 § 1.

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; repealed, 1974, 326 § 2.

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, 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; 1973, 925 § 20. (See 1939, 415 § 3; 1948, 221; 1972, 684 § 136; 1973, 925 § 84.)

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, 1963, 654 § 3.

SECT. 50 amended, 1935, 344; revised, 1949, 333; 1954, 408 § 1.

SECT. 50A added, 1973, 173 § 3 (requiring dentists to write or print their names on perscription blanks).

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; 1974, 810 § 4.

SECT. 54A added, (1974, 810 § 5 (regulating the practice of veterinary medicine).

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724; 1952, 585 § 24; stricken out and two paragraphs in-

serted, 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; revised, 1973, 925 § 21; third sentence amended, 1968, 538 § 2; fifth sentence amended, 1968, 538 § 3; paragraph inserted, 1951, 433 § 1; amended, 1972, 684 § 29; section revised, 1974, 810 § 6. (See 1939, 251 §§ 2, 3, 4; 1945, 711; 1951, 433 § 2; 1952, 585 §§ 25, 26; 1972, 684 § 136; 1973, 925 § 84.)

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); revised, 1974, 810 § 7.

SECT. 56B added, 1973, 173 § 4 (requiring veterinarians to write or print their names on prescription blanks).

SECT. 58 revised, 1974, 810 § 8.

SECT. 58A added, 1973, 503 (exempting veterinarians from civil liability as a result of rendering certain emergency care to domestic animals).

SECT. 59 revised, 1948, 224; 1958, 533 § 6; 1974, 810 § 9.

SECT. 59A added, 1974, 810 § 10 (authorizing veterinarians to dispose of abandoned animals after giving certain notice).

SECT. 60 amended, 1974, 810 § 11.

SECTS. 60A-60J added, under caption, 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; 1973, 445; 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, 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, 1963, 241 § 3.

SECT. 64 amended, 1954, 681 § 9. (See 1954, 681 §§ 20, 22.)

SECTS. 66-73 stricken out, and sections 66-73 inserted, 1934, 339 § 2.

SECT. 68, first paragraph amended, 1973, 925 § 22. (See 1973, 925 § 84.)

SECT. 69 revised, 1949, 463; paragraph added, 1974, 716.
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; amended, 1973, 925 § 23. (See 1973, 925 § 84.)
SECT. 73G amended, 1956, 164.
SECTS. 74-81 stricken out, and 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; fourth and fifth sentences revised, 1969, 603 § 1; third sentence amended, 1972, 684 § 31; 1973, 265 § 1; 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; 1973, 265 § 2; 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 added, under caption, 1941, 643 § 2. (See 1941, 643 §§ 3-5.)

SECT. 81A, 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, added, 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, 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 sections 82-87 added, under caption, 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; 1973, 925 § 24; third paragraph amended, 1973, 925 § 25; 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; 1973, 925 § 84.)

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 sections 87A-87E inserted, 1963, 663 § 2. (See 1963, 663 §§ 6-12.)

SECT. 87A, paragraph (*a*) amended, 1973, 925 § 26; paragraph (*c*) stricken out and paragraphs (*c*) and (*d*) inserted, 1972, 693 § 1. (See 1973, 925 § 84.)

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, 1952, 362.

SECTS. 87T-87JJ added, under caption, 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, 1953, 274; revised, 1955, 435; paragraph added, 1955, 333.

SECT. 87AA revised, 1941, 626 § 7; 1943, 565 § 6; paragraph added, 1953, 537 § 1; 1960, 462; 1965, § 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; 1973, 368; 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, 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; second paragraph amended, 1973, 925 § 27. (See 1973, 925 § 84.)

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; 1973, 330; 536 §§ 1, 2; 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; 1973, 925 § 28; paragraph amended, 1970, 416; paragraph added, 1969, 166; amended, 1970, 328. (See 1973, 925 § 84.)

SECT. 87LLL revised, 1964, 518 § 2; amended, 1973, 782. (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; amended, 1973, 925 § 29. (See 1973, 925 § 84.)

SECT. 87PPP, definition of "Master technical license" revised, 1973, 925 § 30; definition of "Radio or television receiver" inserted, 1965, 816 § 1; definition of "Technician license" revised, 1967, 47. (See 1973, 925 § 84.)

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; 1973, 925 § 31. (See 1973, 925 § 84.)

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.

SECTS. 89-97 added, under caption, 1956, 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; 1973, 925 § 32. (See 1973, 925 § 84.)

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).

SECT. 109, paragraph (*b*) amended, 1973, 925 § 33. (See 1973, 925 § 84.)

SECT. 111 amended, 1974, 325.

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; first sentence amended, 1974, 260 § 11.

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; subsection (*d*) amended, 1973, 151.

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. 5B added, 1974, 688 (requiring cemetery corporations of funeral directors to inform families or representatives of deceased persons of certain options regarding services).

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, 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, 1975, 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, 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; amended, 1974, 260 § 12.

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, 1951, 753 § 1; amended, 1965, 793 § 5; paragraph added, 1974, 623 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67; 1965, 793 § 9; 1974, 623 § 4.)

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, 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, 1968, 462.

SECT. 6C amended, 1956, 567 § 2.

SECT. 7, first sentence revised, 1948, 535 § 3; amended, 1974, 260 § 13; sentence added, 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, 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. 3 amended, 1974, 260 § 14.

SECT. 4 amended, 1974, 260 § 15.

SECT. 5 amended, 1974, 260 § 16.

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); amended, 1974, 835 § 150. (See 1974, 835 § 185.)

Chapter 116. — Settlement.

SECT. 1, clause First revised, 1973, 925 § 34; clause Fifth amended, 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; 1973, 925 § 84.)

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; 1973, 925 § 35. (See 1946, 584 § 22; 1948, 624 § 2; 1973, 925 § 84.)

Chapter repealed, 1974, 260 § 17.

Chapter 117. — Support by the Commonwealth (former title, Support by the Cities and Towns).

Chapter stricken out and new chapter 117 (with same title) inserted, 1971, 908.

For prior changes see Table of Changes contained in Acts and Resolves of 1972.

The following references are to chapter 117, as so inserted:

SECT. 1 paragraph added, 1974, 623 § 2. (See 1974, 623 § 4.)

SECT. 2A added, 1974, 533 (providing public assistance to residents of certain disaster areas).

SECT. 3, fourth paragraph amended, 1973, 1210 § 19. (See 1973, 1210 § 39.)

SECT. 9 revised, 1973, 925 § 36; 1974, 787 § 1. (See 1973, 925 § 84.)

SECT. 10 amended, 1973, 1210 § 20. (See 1973, 1210 § 39.)

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; paragraph added, 1974, 623 § 3. (See 1974, 623 § 4.)

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; repealed, 1973, 925 § 37. (See 1973, 925 § 84.)

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; fourth paragraph amended, 1973, 1210 § 21. (See 1973, 1210 § 39.)

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, 1945, 458 § 1; amended, 1974, 260 § 18.

SECT. 5 revised, 1941, 593 § 2; first sentence amended, 1963, 432 § 6; two sentences added, 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, 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; 1973, 1210 § 22; third paragraph revised, 1967, 658 § 36; amended, 1969, 885 § 22; paragraph added, 1966, 498 § 1. (See 1973, 1210 § 39.)

Chapter 118A. — Assistance to the Aged and Disabled (former title, Old Age Assistance and Medical Assistance for the Aged).

Chapter stricken out and new chapter 118A inserted, 1973, 1210 § 23. (See 1973, 1210 § 39.)

For prior changes see Table of Changes contained in Acts and Resolves of 1972.

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, 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, 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, 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 repealed, 1973, 1210 § 24. (See 1973, 1210 § 39.)

Chapter 118E. — Medical Care and Assistance.

New chapter inserted, 1969, 800 § 1.

SECT. 1, second paragraph amended, 1973, 925 § 38; revised, 1973, 1210 § 25. (See 1973, 925 § 84, 1210 § 39.)

SECT. 5, third sentence revised, 1973, 1210 § 26. (See 1973, 1210 § 39.)

SECT. 6, clause (17) added, 1971, 1084 § 2; revised, 1973, 1068 § 2.
SECT. 7, paragraph inserted after first paragraph, 1971, 1084 § 3.
SECT. 9, paragraph added, 1973, 1210 § 27. (See 1973, 1210 § 39.)
SECT. 10, paragraph (1) revised, 1972, 745; paragraph (7) added, 1972, 779; fifth paragraph revised, 1973, 925 § 39. (See 1973, 925 § 84.)
SECT. 13 revised, 1971, 826.
SECT. 14 revised, 1973, 1210 § 28. (See 1973, 1210 § 39.)
SECT. 20 revised, 1970, 701 § 2. (See 1970, 701 § 4.)
SECT. 22, first paragraph amended, 1974, 752 § 13; third paragraph revised, 1974, 787 § 2.
SECT. 24 amended, 1973, 1168 § 23; repealed, 1974, 787 § 3. (See 1973, 1168 § 40.)
SECT. 25 revised, 1973, 1210 § 29. (See 1973, 1210 § 39.)
SECT. 27 amended, 1974, 787 § 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; amended, 1973, 1073 § 3; 1076 § 1A. (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; amended, 1973, 1073 § 4; subsection F added, 1970, 825; amended, 1973, 433; section revised, 1973, 925 § 40; subsection G added, 1974, 682 § 4. (See 1970, 888 § 31; 1973, 925 § 84.)
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; amended, 1974, 260 § 19; third sentence amended, 1973, 1076 § 2.
SECT. 26 amended, 1973, 925 § 41; 1076 § 3. (See 1973, 925 § 84.)
SECT. 27, sentence added, 1973, 1005.

SECT. 29 revised, 1973, 1076 § 4.

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).

SECTS. 39A-39C repealed, 1973, 1076 § 6.

SECT. 39D added, 1972, 631 (authorizing the probate court to grant visitation rights to certain grandparents of unmarried minor children).

SECTS. 39E-39J added, 1973, 1073 § 5 (providing care and services for certain children).

SECTS. 51A-51G added, 1973, 1076 § 5 (providing protective services for certain children who have been injured, abused or neglected).

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; definition of "Wayward child" stricken out, 1973, 1073 § 6.

SECT. 54 amended, 1966, 374; first paragraph amended, 1973, 1073 § 7.

SECT. 55, last paragraph revised, 1949, 593 § 6; section revised, 1952, 605 § 3; first paragraph amended, 1973, 1073 § 8; last paragraph revised, 1969, 838 § 14. (See 1952, 605 §§ 19-21; 1969, 838 § 74.)

SECT. 56 revised, 1943, 244 § 1; amended, 1964, 308 § 1; first paragraph amended, 1973, 1073 §§ 9, 10; second paragraph amended, 1973, 1073 § 11; paragraph added, 1971, 336.

SECT. 57, first sentence amended, 1973, 1073 § 12; sentence inserted after first sentence, 1966, 147.

SECT. 58, paragraph inserted after third paragraph, 1941, 264 § 1; section revised, 1948, 310 § 4; paragraph added, 1948, 385; section revised, 1969, 838 § 15; first paragraph amended, 1973, 1073 § 13; second paragraph amended, 1973, 925 § 42; third paragraph amended, 1973, 1073 § 14; fourth paragraph revised, 1969, 859 § 10; 1972, 731 § 10; amended, 1973, 1073 § 15. (See 1969, 838 § 74; 1973, 925 § 84.)

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327; 1947, 616; repealed, 1948, 310 § 5.

SECT. 58B added, 1957, 194 § 1 (providing for the imposition of non-criminal fines upon juveniles for violation of the motor vehicle laws); 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; 1973, 1073 § 16.

SECT. 60A amended, 1973, 1073 § 17. (See 1948, 310 § 31.)

SECT. 61 amended, 1948, 310 § 7; revised, 1964, 308 § 2. (See 1948, 310 § 31; 1964, 308 § 13.)

SECT. 63 revised, 1932, 95 § 1; first sentence amended, 1965, 348; revised, 1973, 1073 § 18; second sentence amended, 1973, 1073 § 19; 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.

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. (See 1969, 838 § 74.)

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10; amended, 1949, 595; revised, 1964, 308 § 3; amended, 1969, 838 § 23. (See 1969, 838 § 74.)

SECT. 72A added, 1964, 304 § 4 (relating to the disposition of proceedings against any person who commits an offense or violation prior to his seventeenth birthday and is not apprehended until after his eighteenth birthday). (See 1964, 308 § 13.)

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11; repealed, 1964, 308 § 5.

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3; revised, 1964, 308 § 6; 1967, 787.

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4; revised, 1964, 308 § 7.

SECT. 76 revised, 1948, 310 § 14; repealed, 1964, 308 § 5.

SECT. 77 revised, 1948, 310 § 15; repealed, 1964, 308 § 5.

SECT. 78 repealed, 1964, 308 § 5.

SECT. 79 amended, 1948, 310 § 16; 1953, 319 § 15; repealed, 1964, 308 § 5. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17; repealed, 1964, 308 § 5.

SECT. 81 amended, 1948, 310 § 18; repealed, 1964, 308 § 5.

SECT. 82 amended, 1948, 310 § 19; repealed, 1964, 308 § 5.

SECT. 83 revised, 1948, 310 § 20; 1964, 308 § 8; amended, 1969, 838 § 24. (See 1969, 838 § 74.)

SECT. 84 added, 1964, 308 § 9 (relative to the form of warrant of commitment to the youth service board); revised, 1969, 838 § 25. (See 1969, 838 § 74.)

Chapter 120. — Department of Youth Services and Massachusetts Training Schools (former title, Youth Service Board and Massachusetts Training Schools).

Title changed, 1969, 838 § 26. (See 1969, 838 § 74.)

For prior changes see Table of Changes contained in Acts and Resolves of 1968.

SECT. 1 revised, 1952, 605 § 4; 1969, 838 § 27. (See 1952, 605 §§ 19-21; 1969, 838 § 74.)

SECT. 2 revised, 1952, 605 § 5; amended, 1955, 770 § 4; revised, 1969, 838 § 28. (See 1952, 605 §§ 19-21; 1955, 770 §§ 117, 123; 1969, 838 § 74.)

SECT. 2A added, 1965, 902 (establishing the positions of first, second and third deputy director in the division of youth service); second sentence revised, 1969, 766 § 6; section repealed, 1969, 838 § 29. (See 1969, 766 § 48; 838 § 74.)

SECT. 3 revised, 1952, 605 § 6; amended, 1969, 838 § 30. (See 1952, 605 §§ 19-21; 1969, 838 § 74.)

SECT. 4 revised, 1952, 605 § 7; amended, 1969, 838 § 31. (See 1952, 605 §§ 19-21; 1969, 838 § 74.)

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; subsection (*a*) amended, 1973, 925 § 43. (See 1952, 605 §§ 15, 19-21; 1969, 838 § 74; 1973, 925 § 84.)

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; revised, 1973, 925 § 44. (See 1969, 838 § 74; 1973, 925 § 84.)

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; first paragraph amended, 1973, 924 § 45. (See 1969, 838 § 74; 1973, 925 § 84.)

SECT. 20 amended, 1969, 838 § 50. (See 1969, 832 § 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; revised, 1973, 925 § 46. (See 1969, 838 § 74; 1973, 925 § 84.)

SECT. 23A amended, 1969, 838 § 54. (See 1969. 838 § 74.)

SECT. 24 revised, 1969, 838 § 55. (See 1969, 838 § 74.)

SECT. 25 revised, 1969, 838 § 56. (See 1969, 838 § 74.)

SECT. 26 amended, 1969, 838 § 57. (See 1969, 838 § 74.)

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 1 amended, 1966, 214 § 2; repealed, 1967, 658 § 77.

SECT. 2 repealed, 1967, 658 § 77.

SECT. 3 revised, 1952, 602 § 11; repealed, 1967, 658 § 77.

SECT. 4 repealed, 1967, 658 § 77.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2; repealed, 1967, 658 § 77.

SECT. 5 repealed, 1966, 214 § 1.

SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25; 1956, 436 § 1; repealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)

SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404; amended, 1948, 310 § 26; revised, 1952, 602 § 12; second sentence stricken out, 1958, 613 § 5; section repealed, 1966, 214 § 1. (See 1948, 310 §§ 30, 31.)

SECT. 8 repealed, 1960, 313 § 3.

SECT. 8A added, 1935, 311 § 2 (relative to funds received by the director of the division of aid and relief for the benefit of persons under the care and supervision of the department); revised, 1941, 523; amended, 1950, 162 § 4; revised, 1954, 126 § 4; 1961, 493 § 6; repealed, 1967, 658 § 77.

SECT. 8B added, 1941, 618 (relative to the disposition of certain unclaimed moneys held by the division of child guardianship for the benefit of certain wards thereof); repealed, 1967, 658 § 77.

SECT. 9 amended, 1941, 351 § 13; last two sentences stricken out, 1956, 715 § 5; section revised, 1958, 613 § 6; repealed, 1966, 214 § 1.

SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons); sentence added, 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, 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, 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, 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, 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, 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, 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, 1950, 631; sentence added, 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 accomodations).

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, 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, 1968, 356 § 2.

SECT. 10, two paragraphs added, 1953, 647 § 3; section revised, 1956, 640 § 4; second paragraph, second sentence revised, 1969, 540 § 1. (See 1969, 540 § 2.)

SECT. 12, paragraph added, 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; definition of "Elderly persons of low income" revised, 1973, 1215 § 15A.

SECT. 3A added, 1970, 851 § 1 (authorizing the establishment of regional housing authorities.)

SECT. 5, sixth paragraph amended, 1971, 565 § 1; 1974, 426.

SECT. 11, paragraph (*m*) stricken out and paragraphs (*m*) and (*n*) in-

serted, 1970, 851 § 2.

SECT. 15, sentence inserted after fifth sentence, 1970, 359 § 1.

SECT. 21 amended, 1973, 834.

SECT. 26 amended, 1970, 694 § 2; clause (*k*) added, 1973, 884 § 1; clause (*l*) added, 1974, 689 § 5.

SECT. 26A added, 1973, 1215 § 8 (relative to increased housing for the elderly).

SECT. 29, first paragraph, second sentence revised, 1970, 851 § 3; amended, 1973, 1215 § 9; first paragraph, fourth sentence amended, 1973, 1215 § 9A; third paragraph amended, 1973, 286.

SECT. 31, first paragraph amended, 1973, 1168 § 24; revised, 1974, 853 § 1; second paragraph, subparagraph (*a*) revised, 1970, 851 § 5; 1972, 318; 1974, 853 § 1; subparagraph (*b*), second sentence amended, 1973, 851, 1210 § 10; third paragraph amended, 1973, 296 § 3. (See 1973, 1168 § 40.)

SECT. 32, first paragraph revised, 1971, 1114 § 1; second paragraph, clause (*c*), third sentence amended, 1973, 925 § 47; clause (*e*), second sentence amended, 1972, 250; sentence added, 1970, 851 § 4. (See 1973, 925 § 84.)

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; section revised, 1973, 1215 § 11; second paragraph amended, 1974, 541 § 8; seventh paragraph, clause (*a*), second paragraph revised, 1974, 840 § 1; amended, 853 § 2; clause (*b*), first paragraph amended, 1974, 840 § 2; third paragraph amended, 1974, 840 § 3; third, fourth and fifth paragraphs stricken out, 1974, 853 § 3. (See 1972, 802 § 77; 1974, 541 § 24.)

SECT. 34A added, 1973, 884 § 2 (authorizing the department of community affairs to enter into certain contracts with housing authorities relating to MHFA projects).

SECT. 35 revised, 1970, 359 § 3.

SECT. 37 revised, 1970, 359 § 4; second paragraph, third sentence revised, 1972, 802 § 9; paragraph stricken out, 1974, 541 § 9. (See 1972, 802 § 77; 1974, 541 § 24.)

SECT. 38, caption preceding said section revised, 1970, 812 § 2; paragraph added at end, 1970, 812 § 3.

SECT. 38A added, 1974, 689 § 4 (establishing a bureau of housing for the handicapped in the department of community affairs).

SECT. 39, first paragraph amended, 1974, 689 § 6.

SECT. 40, first paragraph amended, 1974, 689 § 7; clause (*a*), sentence added, 1970, 812 § 4; clause amended, 1974, 689 §§ 8, 9; clause (*c*) revised, 1970, 812 § 6; sentence added, 1970, 740; clause revised, 1970, 812 § 6; amended, 1973, 1168 § 25; clause (*e*), three sentences added, 1970, 853; clause revised, 1973, 1215 § 12; second sentence amended, 1974, 689 § 10; clause (*f*) amended, 1973, 1168 § 26; sentence added, 1970, 812 § 5; clause (*g*) added, 1973, 1168 § 27. (See 1973, 1168 § 40.)

SECT. 41 revised, 1970, 359 § 5; first paragraph amended, 1971, 1114 § 5; second paragraph stricken out, 1971, 1114 § 6; section revised, 1973,

1215 § 13; first paragraph, second and third sentences revised, 1974, 840 § 4; sentence inserted after second sentence, 1974, 853 § 34; paragraph added, 1974, 689 § 11.

SECT. 43, first paragraph, fifth sentence revised; 1970, 854 § 1; paragraph inserted after first paragraph, 1974, 853 § 5; paragraph added, 1970, 854 § 1; second paragraph, sentence added, 1971, 1114 § 7; revised, 1973, 1215 § 14.

SECT. 44, first paragraph, clause (*a*) revised, 1970, 854 § 2; amended, 1974, 689 § 14; clause (*b*) revised, 1971, 1114 § 8; second paragraph, last sentence stricken out and two sentences inserted, 1970, 854 § 3.

SECT. 44A added, 1973, 884 § 3 (authorizing housing authorities to lease certain dwelling units in MHFA financed projects).

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.

SECT. 1, subsection (5) amended, 1974, 280.

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. 11 amended, 1974, 260 § 20.

SECT. 12 amended, 1974, 260 § 21.

SECT. 14 revised, 1964, 545 § 1; first paragraph, first sentence amended, 1974, 260 § 22; second paragraph amended, 1968, 492 § 15; 1973, 1229 § 4K. (See 1964, 545 §§ 3, 4; 1973, 1229 § 13.)

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.

SECT. 21 repealed, 1974, 260 § 23.

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, first sentence amended, 1974, 845 § 1; sen-

tence inserted after second sentence, 1972, 640; second paragraph, first sentence revised, 1973, 569 § 1; sentence added, 1971, 760 § 2.

SECT. 5 amended, 1973, 569 § 2.

SECT. 6, paragraph (*a*) amended, 1971, 760 § 3; 1973, 569 § 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; paragraph (*f*) amended, 1973, 569 § 4.

SECT. 9 revised, 1971, 760 § 7.

SECT. 10, first paragraph amended, 1973, 925 § 48; paragraph added, 1971, 575 § 1. (See 1973, 925 § 84.)

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; paragraph (*b*) amended, 1973, 569 §§ 5, 6; paragraph (*d*) revised, 1973, 569 § 7; paragraph (*e*) amended, 1973, 569 § 8; paragraph (*f*) amended, 1973, 569 § 9.

SECT. 16, paragraphs (*b*)-(*e*) revised, 1971, 760 § 13; paragraph (*b*) amended, 1972, 281; 1973, 569 §10; paragraph (*c*) amended, 1973, 569 § 11; paragraph (*e*) amended, 1973, 569 § 12; 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; 1973, 569 §§ 13, 14.

SECT. 23, first paragraph amended, 1974, 291.

SECT. 24, paragraph (*a*) amended, 1973, 1229 § 4L. (See 1973, 1229 § 13.)

SECT. 27, sentence inserted after first sentence, 1974, 299.

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. 32 amended, 1973, 925 § 49; 1229 § 4Q. (See 1973, 925 § 84, 1229 § 13.)

SECT. 33 amended, 1973, 1229 § 4R. (See 1973, 1229 § 13.)

SECT. 34, paragraphs (*b*) and (*c*) added, 1971, 575 § 2.

SECT. 35, second paragraph amended, 1973, 643 §§ 1, 2; third paragraph amended, 1971, 1076 § 4.

SECT. 36, second sentence revised, 1974, 348.

SECT. 36A added, 1972, 398 (requiring privacy of certain court records except in the discretion of the court).

SECT. 37 amended, 1973, 925 § 50. (See 1973, 925 § 84.)

SECT. 38 revised, 1971, 1071 § 6; definition of "Assignment" added, 1974, 827 § 1; definition of "Dependency related drug" revised, 1972, 806 § 34; definition of "Drug" added, 1974, 827 § 2; definition of "Drug addict" stricken out, 1974, 827 § 3; definition of "Drug dependent person" revised, 1974, 827 § 4; definitions of "Federal facility" and "First drug offense" added, 1974, 827 § 5.

SECT. 40, second paragraph, second sentence amended, 1974, 827 § 6.

SECT. 42, sixth paragraph stricken out and two paragraphs inserted, 1974, 827 § 7.

SECT. 43 clause (4) amended, 1973, 1229 § 4S. (See 1973, 1229 § 13.)

SECT. 44, first paragraph amended, 1974, 827 §§ 8, 9; third paragraph amended, 1974, 827 §§ 10, 11.

SECT. 45, second paragraph amended, 1974, 827 § 12; third and fourth paragraphs stricken out and one paragraph inserted, 1974, 827 § 13; fifth paragraph amended, 1974, 827 § 14; eighth paragraph amended, 1974, 827 § 15; ninth paragraph amended, 1974, 827 § 16.

SECT. 47 revised, 1974, 827 § 17.

SECT. 48, fourth paragraph amended, 1974, 827 § 18; fifth paragraph revised, 1974, 827 § 19.

SECT. 49, first paragraph amended, 1974, 827 §§ 20, 21; paragraph added, 1974, 827 § 22.

SECT. 50, first paragraph, first sentence amended, 1974, 827 § 23; second paragraph, first sentence revised, 1974, 827 § 24; third paragraph amended, 1974, 827 § 25; fourth paragraph amended, 1974, 827 § 26; fifth paragraph amended, 1974, 827 § 27; sixth paragraph amended, 1974, 827 § 28.

SECT. 54 amended, 1973, 1229 § 4T. (See 1973, 1229 § 13.)

SECT. 55, paragraph (*a*) amended, 1974, 827 § 28A.

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. 4, first sentence revised, 1974, 324 § 1.

SECT. 6, first paragraph, second sentence amended, 1974, 324 § 2; third sentence stricken out and two sentences inserted, 1974, 324 § 3; section 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; amended, 1973, 430 § 9. (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; 1973, 925 § 51; revised, 1974, 226; amended, 1974, 835 § 151. (See 1957, 50 § 2; 1966, 165 § 2; 1973, 925 § 84; 1974, 835 § 185.)

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; amended, 1974, 835 § 152. (See 1974, 835 § 185.)

SECT. 13 amended, 1957, 777 § 4.

SECT. 14 amended, 1957, 777 § 5; sentence added, 1974, 293.

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. 22 amended, 1974, 260 § 24.

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, 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.)

SECT. 49 stricken out and sections 49-49A inserted, 1972, 777 § 13 (relative to prisoner participation in education, training and employment programs).

SECT. 49B added, 1973, 717 (relative to the employment of prisoners on state property).

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, 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, 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, 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 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. 129D added, 1973, 528 (providing for deductions of sentence for certain satisfactory conduct of prisoners of correctional institutions).

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; third paragraph amended, 1973, 278. (See 1965, 766 § 3.)

SECT. 134 revised, 1946, 543 § 4; 1955, 770 § 71; 1960, 765 § 5; 1965, 769 § 2; amended, 1973, 647 § 1. (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; amended, 1973, 647 § 2; paragraph added, 1973, 647 § 3. (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; 1974, 260 § 25.

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; definition of "Trustees" revised, 1973, 43 § 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; repealed, 1941, 598 § 3; paragraph (*g*) inserted after paragraph (*f*), 1969, 807 § 2; amended, 1973, 846; paragraph (*h*) added, 1971, 987 § 2; revised, 1973, 1066; 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); amended, 1973, 43 § 2.

SECT. 2C added, 1974, 204 (prohibiting the administering of drugs to certain horses).

SECT. 6 amended, 1933, 291 § 2; 1941, 598 § 4; revised, 1973, 607 § 5. (See 1973, 607 § 9.)

SECT. 7 revised, 1961, 398; 1973, 43 § 3.

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; 1973, 43 § 4.

SECT. 8B added, 1969, 37 § 2 (placing mink ranches under the supervision of the department of agriculture).

SECT. 10 amended, 1934, 340 § 10; revised, 1973, 43 § 5. (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, 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. 36B added, 1974, 404 (regulating the labeling and sale of honey).

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 regulating the sale of commercial feed).

SECT. 51, first paragraph revised, 1973, 43 § 6; definition of "Per cent or percentage" inserted, 1973, 43 § 7.

SECT. 63 added, 1973, 43 § 8 (authorizing the commissioner of agriculture to regulate the sale of commercial feed).

SECTS. 64-83 added, 1973, 607 § 6 (further regulating the sale of commercial fertilizers, soil conditioners and agricultural liming materials). (See 1973, 607 § 9.)

Chapter 128A. — Horse and Dog Racing Meetings.

New chapter inserted, 1934, 374 § 3.

SECT. 1, definition of "State or county fair" added, 1958, 208 § 1; revised, 1963, 805 § 1.

SECT. 2, subsection (4) revised, 1971, 951 § 1; subsection (5) 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; 1973, 327 § 1; clause (*g*) revised, 1971, 87 § 2; clause (*h*) amended, 1935, 454 § 4; clause (*i*) revised, 1939, 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 pari-mutuel system of betting, on publicly owned premises); clause (*n*) added, 1935, 471 § 1 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1 changed from (*n*) to (*o*), 1936, 405 § 3; clause (*p*) added, 1961, 1; clause (*q*) added, 1964, 686 § 1; revised, 1973, 214 § 1; fourth paragraph amended, 1972, 383; 1973, 214 § 2; 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 amended, 1953, 311 § 1; third paragraph, as so appearing, revised, 1936, 351; 1939, 473; first sentence revised, 1946, 381 § 1, 575 § 7; 1949, 294 § 1; amended, 1953, 311 § 2; second sentence revised, 1946, 381 § 2; 1949, 294 § 3; third sentence 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, 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, 1046, 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. 8A added, 1974, 507 § 2 (further regulating the duties of the state racing commission).

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. 10B added, 1973, 457 (providing a penalty for falsely making, altering, forging, uttering or publishing pari-mutuel betting tickets).

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, 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, 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, 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; subdivisons 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. 13A added, 1974, 743 (providing for the destruction of and partial reimbursement for the value of certain diseased animals).

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); amended, 1973, 882.

SECT. 14D added, 1974, 592 § 1 (providing for the slaughtering of certain hogs and payment to owners thereof).

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; amended, 1973, 881.

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 importa-

tion 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.

SECT. 44 added, 1974, 570 (requiring certification of tests for equine infectious anemia in certain animals).

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, 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. 17B added, 1973, 931 § 1 (relating to aquaculture).

SECT. 20, two paragraphs added, 1948, 430 § 1. (See 1948, 430 §§ 2, 3.)

SECT. 20A added, 1974, 571 (establishing a program for matching city or town funds for the propagation of shell fisheries).

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; ninth sentence revised, 1973, 878; second paragraph stricken out, 1973, 393 § 1; third paragraph, first and second sentences revised, 1973, 393 § 2; first sentence revised, 1973, 709; 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; amended, 1973, 225.

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. 57, first paragraph revised, 1973, 931 § 2.

SECT. 58 amended, 1973, 931 § 3.

SECT. 59 revised, 1973, 931 § 4.

SECT. 61 amended, 1973, 931 § 5.

SECT. 62, third sentence amended, 1973, 931 § 6.

SECT. 64 amended, 1973, 931 § 7.

SECT. 65 amended, 1973, 931 § 8.

SECT. 68A added, 1973, 931 § 9 (regulating the issuance of an aquaculture license).

SECT. 69 amended, 1945, 98 § 6; revised, 1959, 201.

SECT. 74, first paragraph amended, 1948, 463; sentence added, 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, 1945, 99 § 2; stricken out, 1961, 199 § 3; section revised, 1965, 70.

SECT. 82, sentence inserted after first sentence, 1964, 257 § 1; sentence added, 1945, 99 § 3; stricken out, 1961, 199 § 4.
SECT. 83 revised, 1965, 697; 1970, 861 § 6; 1974, 262. (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. 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.
SECTS. 97-97A repealed, 1973, 653.
SECT. 98 revised, 1965, 439; amended, 1972, 34; revised, 1974, 209.
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. 1, definitions of "Falcon" and "Falconry" inserted, 1973, 496 § 1; definition of "Raptors" inserted, 1973, 496 § 2.
SECT. 4, clause (2) amended, 1973, 496 § 3; revised, 1973, 1071 § 1; clause (15) added, 1968, 718. (See 1973, 1071 § 11.)
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; third paragraph amended, 1973, 206; paragraph inserted after sixth paragraph, 1974, 420 § 1; seventh paragraph amended, 1973, 430 § 10.
SECT. 12 amended, 1972, 706 § 2.
SECT. 13, paragraph inserted after second paragraph, 1974, 420 § 2; paragraph added, 1968, 550.
SECT. 14, first paragraph amended, 1973, 925 § 52; clause (c) revised,

1973, 156 § 1; fourth paragraph revised, 1971, 60; 1973, 156 § 2. (See 1973, 925 § 84.)

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. 19A amended, 1973, 1071 § 2. (See 1971, 1071 § 11.)

SECT. 20 amended, 1972, 706 § 4.

SECT. 21 amended, 1972, 706 § 5.

SECT. 22 amended, 1973, 1071 § 3. (See 1973, 1071 § 11.)

SECT. 23, first paragraph, two sentences added, 1972, 573 § 1; first two paragraphs stricken out and five paragraphs inserted, 1971, 1071 § 4; seventh paragraph, clause (4) revised, 1973, 1071 § 5; clause (7) revised, 1973, 1071 § 6; clauses (9)-(10) added, 1973, 496 § 4; eighth paragraph revised, 1972, 573 § 2; amended, 1973, 496 § 5; paragraph added, 1973, 1071 § 7. (See 1973, 1071 § 11.)

SECT. 25 revised, 1973, 1071 § 8. (See 1973, 1071 § 11.)

SECTS. 25A-25C added, 1974, 667 (providing for the quarantine of certain diseased fish, birds, mammals, reptiles or amphibians).

SECT. 26, first paragraph revised, 1973, 1071 § 9; third paragraph revised, 1973, 1071 § 10. (See 1973, 1071 § 11.)

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; 1973, 496 § 6.

SECT. 33 revised, 1969, 280.

SECT. 39A added, 1974, 842 § 1 (regulating certain activities in mountain regions of Berkshire county).

SECT. 40, sentence inserted before next to last sentence, 1968, 444 § 2; section revised, 1971, 1020; 1972, 784 § 1; fourth paragraph amended, 1973, 163; paragraph inserted after eleventh paragraph, 1973, 769; section revised, 1974, 818 § 1.

SECT. 40A added, 1968, 444 § 1 (protecting the inland wetlands of the commonwealth); revised, 1972, 782; first paragraph amended, 1974, 818 § 2.

SECT. 41 revised, 1970, § 136.

SECT. 42 revised, 1970, 612.

SECT. 45, sentence inserted after first sentence, 1971, 498.

SECT. 57, second sentence amended, 1973, 402; third sentence revised, 1968, 214; amended, 1973, 496 § 7.

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); amended, 1973, 496 § 8.

SECT. 80 amended, 1972, 706 § 10.

SECT. 80A added, 1974, 796 § 1 (prohibiting the use of certain traps or other devices for the capture of fur-bearing mammals). (See 1974, 796 § 2.)

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, 148, 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); amended, 1974, 806 § 14. (See 1974, 806 § 41.)

SECTS. 40-45 added, under caption, 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. 6 revised, 1974, 492 § 17. (See 1974, 492 § 24.)

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. 14, third and fourth paragraphs revised, 1974, 822 § 1.

SECT. 15, fourth and fifth paragraphs revised, 1974, 822 § 2.

SECT. 16 added, 1972, 130 (establishing the North Shore Ocean Sanctuary); third paragraph revised, 1974, 822 § 3.

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; 1973, 640.

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; revised, 1973, 944 § 2; 1974, 117; paragraph (8) added, 1968, 448; paragraph (9) added, 1973, 1000 § 3.

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; clause (48) added, 1974, 219.

SECT. 7, first paragraph revised, 1964, 384 § 1.

SECT. 13 revised, 1968, 24 § 4; 1972, 271 § 2; amended, 1974, 205 § 2A; revised, 1974, 493 § 2. (See 1968, 24 § 7; 1974, 205 § 3.)

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; 1973, 430 § 10A, 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; 1973, 417.

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; 1973, 100; 1974, 433 §§ 1, 2. (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; 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; first sentence amended, 1973, 241 § 1; second sentence amended, 1949, 391; revised, 1967, 124; sentence inserted after second sentence, 1968, 395; last sentence 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; revised, 1973, 1161; fourth paragraph, as appearing in 1935, 468 § 1, amended, 1959, 480; 1973, 241 § 2; sixth paragraph amended, 1955, 336; revised, 1965, 505; 1966, 275; 1968, 268; amended, 1968, 365; revised, 1972, 138; amended, 1973, 477; paragraph added, 1937, 264; 1971, 586 § 1. (See 1943, 542 § 20; 1973, 241 § 4.)

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; amended, 1973, 241 § 3; paragraph added 1935, 440 § 11. (See 1973, 241 § 4.)

SECT. 15, first paragraph amended, 1934, 385 § 5; revised, 1935, 440 § 12; amended, 1973, 422; second paragraph revised, 1934, 370 § 4; third sentence revised, 1936, 225 § 1; 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, 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, 38 ; 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; amended, 1945, 666; revised, 1950, 222; 1951, 145; paragraph inserted before last paragraph, 1968, 305; paragraph added, 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, 1943, 542 § 8; 1973, 520.

SECT. 18A added, under caption, 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); first paragraph, sentence added, 1970, 893; stricken out, 1974, 279 § 1; 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 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; amended, 1974, 316; 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, 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; second paragraph amended, 1974, 608 § 1; third paragraph revised, 1956, 105; 1974, 608 § 2; fourth and fifth paragraphs stricken out and paragraph inserted, 1937, 418; fourth paragraph amended, 1974, 608 § 3; fifth paragraph revised, 1974, 608 § 4; eighth paragraph revised, 1974, 608 § 5.

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 paragraphs inserted, 1935, 440 § 23; second of the paragraphs so inserted revised, 1941, 578; fourth paragraph revised, 1938, 238; sentence added at end of next to last paragraph, 1939, 470 § 2; section revised, 1943, 542 § 12; first paragraph amended, 1965, 399; 1971, 260 § 1; fourth paragraph revised, 1971, 260 § 2; fifth paragraph, sentence added, 1967, 454; eighth paragraph revised, 1971, 260 § 3; paragraph added, 1955, 652; stricken out, 1971, 477 § 3; paragraph added, 1973, 1009.

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; 1973, 424.

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; third paragraph amended, 1974, 813; fourth paragraph amended, 1970, 768 § 2; paragraph added, 1970, 768 § 3; 1974, 279 § 2.

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); paragraph (*a*) amended, 1974, 530 § 1; paragraph (*b*) revised, 1974, 530 § 2; paragraph (*h*) amended, 1973, 698.

SECT. 25E added, 1971, 833 (further regulating the sale of brand name alcoholic beverages to licensed wholesalers); amended, 1973, 442.

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, 1936, 368 § 9.

SECT. 30D amended, 1935, 440 § 28.

SECT. 30E, first paragraph amended, 1935, 440 § 29.
SECT. 30F revised, 1935, 440 § 30; amended, 1974, 260 § 26.
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; amended, 1973, 608 § 1; sentence added, 1968, 437; revised, 1971, 108. (See 1968, 24 § 7.)
SECT. 33A added, 1973, 608 § 2 (authorizing a change in the hours of sale of alcoholic beverages).
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, 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. 69 amended, 1973, 287.

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 the 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, 1945, 697 § 5; section revised, 1973, 1114 § 8. (See 1973, 1114 § 351.)

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. 6 amended, 1973, 1114 § 9. (See 1973, 1114 § 351.)

SECT. 7 revised, 1973, 1114 § 10. (See 1973, 1114 § 351.)

SECT. 12 revised, 1973, 1114 § 11. (See 1973, 1114 § 351.)

SECT. 14, caption amended, 1934, 328 § 9; section amended, 1934, 328 § 10.

SECT. 16 amended, 1934, 328 § 11.

SECT. 16A amended, 1934, 328 § 12; revised, 1973, 1114 § 12. (See 1973, 1114 § 351.)

SECT. 17 repealed, 1934, 328 § 13.

SECT. 19 amended, 1934, 328 § 14.

SECT. 20 amended, 1934, 328 § 15; 1948, 132.

Chapter 140. — Licenses.

SECT. 2, fifth sentence revised, 1974, 261.

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; revised, 1973, 481.

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; 1974, 70. (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, 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, 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; 1973, 1007 § 1.

SECT. 32L added, 1956, 444 (defining a trailer coach); revised, 1964, 592 § 14; stricken out and sects. 32L-32Q inserted, 1973, 1007 § 2.

SECT. 32L, first paragraph, subsection 3 amended, 1974, 277 § 1.

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, 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, 1952, 103 § 1; revised, 1973, 129; sentence added, 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. 69, sentence added, 1974, 119.

SECT. 71 revised, 1943, 154.

SECT. 79, sentence added, 1974, 238 § 1.

SECT. 82A added, 1974, 238 § 2 (requiring pawnbrokers to photograph persons pawning goods).

SECT. 90, three sentences added, 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; amended, 1973, 19.

SECT. 90E added, 1962, 523 (providing a criminal penalty for charging a greater rate of interest than 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, 1934, 179 § 2; section amended, 1941, 158 § 1; 1956, 689 § 2; 1959, 136 § 1; revised, 1962, 795 § 1; third sentence revised, 1967, 190. (See 1941, 158 §§ 2, 3; 1956, 689 § 9.)

SECT. 97 amended, 1969, 790 § 1; 1973, 1149 § 2. (See 1973, 1149 § 33.)

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; amended, 1973, 1149 § 3. (See 1973, 1149 § 33.)

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, 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); revised, 1973, 273 § 1; paragraph added, 1974, 13. (See 1972, 783 § 4; 1973, 273 § 5.)

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; first paragraph revised, 1973, 892 § 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; 1973, 892 § 2; fifth paragraph revised, 1973, 157.

SECT. 123 revised, 1957, 688 § 7; 1959, 296 § 4; 1968, 737 § 3; 1969, 799 § 3.

SECT. 125 amended and sentence added, 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; 1973, 134; 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; 1973, 158.

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; first and second paragraphs revised, 1973, 892 § 3; third paragraph revised, 1972, 312 § 3; amended, 1974, 289; fourth paragraph amended, 1973, 892 § 4; fifth paragraph amended, 1973, 892 § 5; sixth paragraph stricken out, 1971, 456 § 4.

SECT. 129D revised, 1969, 799 § 9; amended, 1973, 892 § 6.

SECT. 130, sentence added, 1945, 132; section revised, 1951, 373 § 1; 1957, 688 § 13; 1959, 296 § 5; amended, 1967, 802 § 2; revised, 1968, 737 § 8; 1969, 799 § 10; amended, 1973, 161. (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, 1953, 454; section revised, 1957, 688 § 15; 1959, 296 § 6; first sentence revised, 1969, 799 § 11; sentence added, 1960, 293; section revised, 1972, 415; first paragraph, second sentence revised, 1974, 312; second paragraph amended, 1973, 138; 1974, 649 § 1; paragraph added, 1973, 892 § 7. (See 1953, 319 §§ 39, 40; 1974, 649 § 3.)

SECT. 131A revised, 1957, 688 § 16; 1959, 296 § 7; first paragraph, sentence inserted after first sentence, 1965, 95; amended, 1972, 312 § 4; revised, 1973, 892 § 7A; fourth sentence revised, 1973, 135; paragraph added, 1973, 892 § 8.

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 (prohibiting 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; second sentence revised, 1973, 159.

SECT. 131F revised, 1959, 296 § 8; paragraph added, 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; second paragraph amended, 1973, 136.

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, 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, 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, 1939, 23; sentence added, 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).

SECT. 141B added, 1973, 854 (exempting certain pet shops from the kennel licensing 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 anti-rabic 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; amended, 1973, 49 § 2; 1974, 778 § 2; 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; amended, 1973, 49 § 3; 1974, 778 § 3. (See 1934, 320 § 34.)

SECT. 154 repealed, 1934, 320 § 17. (See 1934, 320 § 34.)

SECT. 155 revised, 1934, 320 § 18; sentence added, 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; 1973, 627.

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, 1948, 256; section revised, 1954, 630.

SECT. 180B revised, 1946, 566 § 2.

SECT. 180C revised, 1946, 566 § 3.

SECTS. 180A and 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, 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 person 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. 197 amended, 1973, 925 § 53. (See 1973, 925 § 84.)

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.

SECT. 205A added, 1974, 807 § 1 (regulating the operation of certain amusement devices).

Chapter 140A. — Regulation of Certain Credit Transactions.

New chapter inserted, 1955, 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. 1, clause (*k½*) inserted, 1973, 273 § 2; clause (*u*) revised, 1974, 17 § 1.

SECT. 4, subsection (*a*) amended, 1973, 802 § 1.

SECT. 5, subsection (*a*) revised, 1974, 17 § 2; subsection (*i*) added, 1972, 229 § 1.

SECT. 6, subsection (*a*) amended, 1973, 802 § 2; subsection (*b*) amended, 1973, 802 § 3; subsection (*c*) revised, 1973, 802 § 4; subsection (*e*) revised, 1972, 229 § 2.

SECT. 6A added, 1971, 860 § 2 (regulating certain billing and finance charge procedures for consumer protection); first paragraph, first sentence amended, 1974, 116 § 1.

SECT. 6B added, 1972, 783 § 2 (relative to computation and imposition of finance charges); revised, 1973, 273 § 3; paragraph added, 1974, 469.

SECT. 6C added, 1974, 556 (regulating the application of funds of credit cardholders by card issuers to satisfy certain debts).

SECT. 7, subsection (*b*), clause (3) amended, 1974, 713 § 1; clause (7) revised, 1974, 17 § 3; subsection (*c*), clause (8) amended, 1974, 713 § 2; subsection (*d*), clause (3) amended, 1974, 713 § 3; clause (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, subsections (*c*) and (*d*) revised, 1974, 17 § 4; 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, 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); two paragraphs added, 1973, 951.

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; amended, 1973, 193. (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 Cimenatographs.

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; amended, 1974, 541 § 11; 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; amended, 1974, 541 § 10; 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; 1974, 541 § 24.)

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, 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, 1949, 156 § 4; amended, 1951, 85; section revised, 1972, 802 § 15; first paragraph stricken out and three paragraphs inserted, 1973, 1152 § 1; first paragraph amended, 1974, 541 § 11A. (See 1945, 722 § 2; 1972, 802 § 77; 1973, 1152 § 3; 1974, 541 § 24.)

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; 1974, 541 § 12. (See 1945, 722 § 2; 1972, 802 § 77; 1974, 541 § 24.)

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, 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 fix-

tures); 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, 1968, 319; section revised, 1972, 802 § 21; second paragraph amended, 1974, 541 § 13. (See 1965, 464 § 2; 1967, 735 § 2; 1972, 802 § 77; 1974, 541 § 24.)

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.)

SECT. 3T amended, 1973, 353.

SECT. 3W added, 1973, 418 (further regulating plans and specifications for the erection or alteration of public buildings).

SECT. 3X added, 1973, 1096 (providing for notice to local postmasters of the issuance of building permits for ten or more residential units).

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, 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, 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; revised, 1974, 542; 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. 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, 1963, 705. (See 1943, 544 § 7A.)

SECTS. 44-49 repealed, 1972, 802 § 32. (See 1972, 802 § 77.)

SECT. 50, sentence added, 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, 1950, 509; six sentences added, 1956, 722; section revised, 1957, 519; sixth sentence stricken out, 1963, 616 § 1; section revised, 1972, 802 § 43; amended, 1974, 541 § 14. (See 1972, 802 § 77; 1974, 541 § 24.)

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; amended, 1973, 926. (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; sentence added, 1973, 985.

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; amended, 1973, 925 § 54. (See 1941, 553 § 9; 1973, 925 § 54.)

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, 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, 1947, 620; 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; amended, 1973, 251.

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, 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; section revised, 1973, 793 § 3.

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; 1973, 793 § 4.

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 of 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. 10K added, 1973, 126 (authorizing the appointment of state lottery commission employees as special police officers); revised, 1973, 1002 § 8.

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, 1954, 325; stricken out and two sentences inserted, 1961, 246 § 1; stricken out, 1970, 886 § 1.

SECT. 17A added, 1952, 268 (providing additional off duty and extra pay for police officers in certain cases); sentence inserted after first sentence, 1961, 200; section revised, 1962, 318; first sentence revised, 1965, 205; amended, 1968, 704; 1970, 547 § 5. (See 1970, 547 § 6.)

SECTS. 17B and 17C added, 1956, 349 (providing for a forty hour week for police officers of certain cities and towns and compensation for overtime service).

SECT. 17C amended, 1969, 872 § 2.

SECT. 17D added, 1961, 246 § 2 (providing that police officers in certain cities and towns shall be excused from duty without loss of pay while in attendance as official delegates at the annual convention of the Massachusetts Police Association); last sentence stricken out, 1970, 886 § 2.

SECT. 17E added, 1962, 321 § 1 (providing for the payment of overtime compensation owed to a police officer at the time of his death or retirement).

SECT. 17F added, 1969, 435 § 1 (providing extra pay for certain police heads for duty on certain holidays); amended, 1970, 547 § 5A. (See 1970, 547 § 6.)

SECT. 17G, 1969, 872 § 1 (providing overtime compensation for regular city, town and metropolitan district commission police).

SECT. 19, sentence added after the first sentence, 1939, 256 § 2. (See 1939, 256 § 3.)

SECT. 21A added, under caption, 1967, 430 (authorizing employment of police cadets.

SECTS. 22-30 and caption preceding section 22 stricken out and sections 22-30 inserted, under caption, 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, 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, 1968, 22.

SECT. 29, first paragraph, sentence inserted after second sentence, 1970, 42.

SECT. 29A added, 1973, 228 (requiring agencies employing armed guards to keep certain records).

SECT. 32 revised, 1935, 262 § 1.

SECT. 33 amended, 1935, 262 § 2.

SECT. 35 revised, 1934, 69; 1948, 199; amended, 1973, 1214 § 1.

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; 1973, 1214 § 2; second sentence amended, 1974, 227.

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, 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.

SECTS. 52-55 repealed, 1973, 729 § 2.

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, 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, 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 antifreeze solutions in fire hydrants).

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. 25D added, 1973, 648 (regulating the manufacture and sale of certain types of children's clothing and sleepwear).

SECT. 26 amended, 1945, 481.

SECT. 26A added, 1973, 395 § 1 (requiring sprinkler systems in high rise buildings).

SECT. 26B added, 1974, 214 § 1 (requiring automatic fire warning systems in certain buildings and structures). (See 1974, 214 § 2.)

SECT. 27 amended, 1973, 395 § 2.

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; 1974, 541 § 15; 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; 1974, 541 § 24.)

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; section revised, 1973, 1028 § 1.

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, 1948, 550 § 29.

SECT. 42, sentence added, 1951, 184.

SECT. 46 amended, 1945, 710 § 17; revised, 1973, 1028 § 2.

SECT. 47 repealed, 1973, 1028 § 3.

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; revised, 1973, 1141 § 6. (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, 1952, 155; third paragraph amended, 1961, 224; 1962, 710; paragraph added, 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; 1973, 620.

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; sentence amended, 1973, 1114 § 13; subsection (*e*) amended, 1973, 1114 § 14. (See 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2; 1950, 452 §§ 5-7; 1973, 1114 § 351.)

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, 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 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 caption, 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, 1937, 346; same paragraph revised, 1938, 413; 1946, 591 § 46. (See 1954, 627 §§ 65, 67.)

SECT. 27, first sentence amended, 1967, 296 § 4; revised, 1973, 625 § 1; third sentence amended, 1967, 296 § 5; sentence inserted after third sentence, 1973, 625 § 2; 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; revised, 1973, 271; amended, 1974, 835 § 153. (See 1947, 677 §§ 2, 3; 1955, 643 § 12; 1960, 430 § 2, 614 § 3; 1969, 838 § 74; 1974, 835 § 185.)

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; 1974, 835 § 154. (See 1960, 614 § 3, 762 § 2; 1969, 838 § 74; 1974, 835 § 185.)

SECT. 30C added, 1971, 1004 § 7 (relative to compensation for overtime work by certain employees of the commonwealth); amended, 1974, 835 § 155. (See 1974, 835 § 185.)

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. 33D added, 1973, 507 (authorizing leave of absences with pay to public employees for certain blood donations).

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; amended, 1974, 371 § 2. (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 (1) revised, 1973, 1008 § 1; subsection (2) amended, 1961, 604 § 1; subsection (3), second sentence revised, 1960, 771 § 2; amended, 1961, 604 § 2; subsection (4) revised, 1963, 445 § 1; 1973, 1008 § 2.

SECT. 44C, second sentence amended, 1962, 645; revised, 1963, 267; 1964, 523; third sentence revised 1957, 590 § 2; paragraph added, 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 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, 1960, 771 § 6; 1961, 604 § 7. (See 1965, 836 § 8.)

SECT. 441, 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; repealed, 1974, 345.

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; 1974, 372 § 2; eighth sentence revised, 1966, 183; sentence inserted after ninth sentence, 1971, 95; sentence added, 1941, 610 § 1; revised, 1967, 357 § 2; paragraph added, 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; section repealed, 1974, 371 § 1. (For prior temporary legislation authorizing the commissioner of labor and industries to suspend certain provisions relative to the hours of employment of women in the textile and leather industries, see 1933, 347; time for suspension as to the textile industry extended, 1935, 429; 1936, 154; 1937, 153; 1938, 68; 1939, 96; 1941, 154; 1943, 306; 1945, 14; 1946, 96. For prior temporary legislation suspending certain provisions relative to the hours of employment of women and children in the textile industry and to their meal periods, 1946, 127, 560.)

SECT. 60 revised, 1935, 203; paragraph added 1939, 193 § 1; section revised, 1939, 273, 461 § 5; 1947, 109 § 1; amended, 1955, 113; second paragraph, second sentence revised, 1969, 107; paragraph added, 1962, 107 § 2; 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; second sentence revised, 1962, 452; amended, 1966, 43; revised, 1974, 176.

SECT. 62A added, 1967, 165 (allowing certain minor vocational agricultural students to perform certain work); paragraph added, 1974, 248.

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; revised, 1973, 925 § 55. (See 1973, 925 § 84.)

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. 99 repealed, 1974, 372 § 1.

SECT. 100 amended, 1939, 280; affected, 1946, 127, 560; section revised, 1947, 357 § 3; 1957, 723; 1958, 461; amended, 1968, 323 § 4; revised, 1974, 356.

SECT. 101 revised, 1938, 335; amended, 1955, 111; revised, 1974, 373.

SECT. 103 revised, 1974, 327.

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 employees to grant maternity leave to certain employees).

SECT. 106, sentence added, 1955, 373 § 1; section revised, 1956, 89.

SECT. 113 revised, 1934, 255; amended, 1955, 426; 1968, 158; revised, 1969, 114; 1973, 388.

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, 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 new heading, 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, 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; 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, 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); revised, 1973, 370.

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, 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; section repealed, 1973, 1078 § 1. (See 1973, 1078 § 7.)

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).

SECTS. 178F-178N repealed, 1973, 1078 § 1. (See 1973, 1078 § 7.)

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. 10 revised, 1973, 1192 § 3.

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, 1964, 576 § 1; amended, 1968, 513 § 1; paragraph added, 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; subsection (*d*) revised, 1974, 725 § 1; subsection (*e*) added, 1974, 725 § 1. (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; subsections (*c*) and (*d*) revised, 1974, 725 § 2; subsection (*e*) amended, 1954, 681 § 10; subsection (*f*) amended, 1954, 681 § 11; 1973, 382; subsections (*e*) and (*f*) revised, 1973, 1114 § 15; subsection (*e*) amended, 1974, 725 § 3; subsection (*f*) amended, 1974, 725 § 4; subsection (*h*) amended, 1941, 261; subsections (*h*) and (*i*) revised, 1973, 1114 § 16. (See 1964, 576 § 10; 1973, 1114 § 351.)

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. 5, subsection (*b*) revised, 1973, 1114 § 17. (See 1973, 1114 § 351.)

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 150E. — Labor Relations; Public Employees.

New chapter inserted, 1973, 1078 § 2. (See 1973, 1078 § 7.)

SECT. 1, definition of "Employee" or "public employee" amended, 1974, 354.

SECT. 3, first paragraph, second sentence revised, 1974, 526.

SECT. 7, first paragraph amended, 1974, 589 § 1.

SECT. 10, paragraph (*b*) revised, 1974, 589 § 2.

SECT. 11, fourth paragraph amended, 1974, 589 § 3.

Chapter 151. — Minimum Fair Wages (former title, Minimum Fair Wages for Women and Minors).

Chapter stricken out and new chapter 151 inserted, 1934, 308 § 1. (See 1934, 308 §§ 2, 3; 1935, 267. See also 1933, Res. 44; 1934, 383 Res. 25.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1937, 401 § 1. (See 1937, 401 §§ 2, 3.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1947, 432 § 1 (incorporating as part of the General Laws, 1946, 545 which extended the minimum wage law, so called, to adult male persons). (See 1947, 432 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 151, as so inserted:

SECT. 1, sentence added, 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; section revised, 1973, 1192 § 4; second sentence revised, 1974, 685 §§ 1, 2. (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; 1974, 685 § 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; paragraph defining "Agricultural and farm work" inserted, 1967, 718 § 2A; definitions of "Commission" and "Wage board" stricken out, 1973, 1192 § 5; definition of "Occupation" revised, 1948, 362; amended, 1952, 558 § 3; revised, 1954, 174; amended, 1959, 190; revised, 1967, 718 § 2; amended, 1970, 760 § 13. (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.

SECTS. 4-6 repealed, 1973, 1192 § 6.

SECT. 7, first two sentences stricken out and three sentences inserted, 1957, 202; fifth sentence amended, 1969, 397 § 1; paragraph added, 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; section revised, 1973, 1192 § 7. (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; section repealed, 1973, 1192 § 8.

SECT. 9 revised, 1957, 225; 1958, 27; amended, 1961, 272; revised, 1973, 1192 § 9.

SECT. 10, first sentence revised, 1952, 558 § 7; section revised, 1973, 1192 § 10.

SECT. 11, first sentence amended, 1952, 558 § 8; section revised, 1973, 1192 § 11.

SECT. 12 revised, 1952, 558 § 9.

SECT. 13 amended, 1952, 558 § 10.

SECTS. 12-13 repealed, 1973, 1192 § 12.

SECT. 14, paragraph added, 1959, 123; section revised, 1973, 1192 § 13.

SECT. 15 amended, 1950, 349 § 1.

SECT. 16 amended, 1952, 558 § 11; 1970, 760 § 15; 1973, 1192 § 14.

SECT. 17 amended, 1970, 760 § 16.

SECT. 18 repealed, 1973, 1192 § 15.

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; section revised, 1973, 1192 § 16. (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, 2; section revised, 1973, 1192 § 17. (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 (*d*) revised, 1973, 925 § 56; 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; 1973, 925 § 84.)

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, 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; amended, 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; 1973, 829 § 1; subsection (*h*), paragraph (3) added, 1966, 362; revised, 1973, 829 § 2; subsection (*i*) revised, 1961, 614 § 4; paragraph (9) amended, 1973, 742; 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 (3) amended, 1974, 464 § 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); subsection (*a*) amended, 1973, 960 § 1; subsection (*b*) amended, 1973, 960 § 2; subsection (*f*) amended, 1973, 960 § 3; subsection (*h*) revised, 1973, 960 § 4. (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, 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; revised, 1973, 899 § 1; paragraph added, 1958, 437 § 1; 1965, 636; revised, 1966, 528; amended, 1968, 576. (See 1951, 763 § 22; 1963, 447 § 3; 1973, 899 § 5.)

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; revised, 1973, 899 § 2; subsection (*f*) added, 1951, 763 § 10. (See 1951, 763 § 22; 1956, 719 § 8; 1963, 447 § 3; 1969, 614 § 6; 1971, 940 § 22; 1973, 899 § 5.)

SECT. 27 amended, 1945, 625 § 3; revised, 1948, 630; 1951, 763 § 11; 1965, 634; repealed, 1973, 1042. (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; 1973, 899 §§ 3, 3A; 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; 1971, 940 § 16; revised, 1973, 906; amended, 1974, 755 § 1; subsection (*d*) added, 1971, 940 § 17; amended, 1973, 558 § 1, 899 § 4; 1974, 464 §§ 1A, 2. (See 1951, 763 § 22; 1956, 719 § 8; 1963, 438 § 2; 1965, 649 § 2; 1969, 614 § 6; 1970, 657 § 2; 1971, 940 § 22, 1083 § 3; 1973, 558 § 3, 899 § 5; 1974, 755 § 2.)

SECT. 29A added, 1949, 421 (providing that benefits under this chapter shall not be reduced by reason of the receipt of holiday pay, so called).

SECT. 30 amended, 1945, 484 § 3; revised, 1949, 559; 1953, 410 § 1; 1956, 719 § 6; 1958, 437 § 2; first paragraph revised, 1959, 588. (See 1953, 410 § 2; 1956, 719 § 8.)

SECT. 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, 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; section revised, 1973, 1114 § 18. (See 1951, 763 § 22; 1954, 681 §§ 20, 22; 1973, 1114 § 351.)

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; section revised, 1973, 91, 875.

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 (*a*), paragraph (3) amended, 1974, 464 § 3; subsection (*d*) revised, 1966, 560 § 7; subsection (*e*) amended, 1974, 464 § 4.

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, 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 1A inserted, 1973, 929; 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; amended, 1973, 187 § 1, 1015 § 1; subsection 7 amended, 1973, 187 § 2, 1015 § 2; subsection 8 amended, 1973, 187 § 3, 1015 § 3; subsection 9 added, 1969, 314; revised, 1972, 428; 1974, 531; subsection 9A inserted, 1973, 701 § 1; 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; subsection 14 added, 1973, 168; amended, 1973, 325; paragraph added, 1947, 424; 1957, 426 § 3; two paragraphs added, 1966, 361. (See 1973, 701 § 2.)

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; revised, 1974, 483.

SECT. 9 amended, 1950, 697 § 9; first sentence revised, 1965, 397 § 7; last sentence amended, 1963, 613 § 4; second sentence stricken out and two paragraphs added, 1974, 478.

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; clause (*f*) added, 1973, 865; 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.)

Chapter stricken out and new chapter 151D (with same title) inserted, 1973, 1169 § 1. (See 1973, 1169 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1972.

SECT. 1, definition of "Combination plan" or "split-funded plan" added, 1974, 641 § 1; definition of "Employee benefit plan" or "Plan" stricken out, 1974, 641 § 2; definition of "Normal retirement age" revised, 1974, 641 § 3; definition of "Pension plan" revised, 1974, 641 § 4; definition of "Trust" revised, 1974, 641 § 5.

SECT. 2, first paragraph, first sentence revised, 1974, 641 § 6; second paragraph amended, 1974, 641 § 7.

SECT. 3, subsection (*a*), paragraph added, 1974, 641 § 8; subsection (*c*), first paragraph amended, 1974, 641 § 9; subsection (*f*), first paragraph amended, 1974, 641 § 10; second paragraph, first sentence amended, 1974, 641 § 11; third sentence amended, 1974, 641 § 12.

SECT. 3A amended, 1974, 641 §§ 13, 14.

SECT. 5, first sentence revised, 1974, 641 § 15.

SECT. 7 amended, 1974, 641 § 16.

SECT. 13, second paragraph, second sentence amended, 1974, 641 § 17.

SECT. 14, first paragraph, first sentence amended, 1974, 641 § 18; second paragraph revised, 1974, 641 § 19; fourth paragraph amended, 1974, 641 § 20.

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, paragraph (1), two sentences added, 1935, 332 § 1; paragraph 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 amended, 1947, 215; paragraph inserted, 1951, 109 § 1; amended, 1953, 139; third paragraph 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; paragraph (7B) added, 1947, 488 § 9; 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; 1973, 381.

SECT. 9 revised, 1949, 442; amended, 1953, 314 § 6.

SECT. 9A revised, 1938, 381; amended, 1953, 314 § 6; 1974, 247.

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, 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, 1933, 68; section amended, 1953, 314 § 6; revised, 1968, 492 § 18; amended, 1973, 1229 § 4M; revised, 1974, 746. (See 1973, 1229 § 13.)

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, 1938, 102; section amended, 1939, 93; paragraph added, 1969, 755 § 2.

SECT. 19, third paragraph revised, 1935, 339; revised, 1939, 245; amended, 1973, 438; fourth paragraph revised, 1955, 174 § 1; sixth paragraph added, 1941, 379 § 11; section amended, 1953, 314 § 6; sixth 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. 20B added, 1974, 598 (providing for the admissibility of medical reports of incapacitated, disabled or deceased physicians in proceedings before the industrial accident board).

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. (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, 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, 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, 1945, 623 § 1; section amended, 1955, 174 § 5; second paragraph amended, 1973, 855 § 1. (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; 233 § 1; first sentence revised, 1972, 403; sentence added, 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; 1955, 174 § 5; second paragraph revised, 1937, 325; amended, 1943, 368; revised, 1945, 572; 1948, 666; 1950, 357; amended, 1955, 174 § 5; revised, 1956, 588; 1959, 530; 1961, 541; 1964, 446; amended, 1970, 860; 1974, 438 § 1; third paragraph revised, 1943, 400; amended, 1950, 738 § 3; revised, 1951, 98; amended, 1955, 174 § 5; revised, 1961, 503. (See 1974, 438 § 3.)

SECT. 32, paragraph (*c*) amended, 1950, 282 § 2; paragraph (*d*) revised, 1947, 450; amended, 1949, 281; 1950, 282 § 3; 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, 4; 1969, 529 § 1; 1971, 879 §§ 1, 4; 1973, 978 §§ 1, 4. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7; 1973, 978 § 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, 5; 1969, 529 § 2; 1971, 879 §§ 2, 5; 1973, 978 §§ 2, 5. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7; 1973, 978 § 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, 6; 1969, 529 § 3; 1971, 879 §§ 3, 6; 1973, 978 §§ 3, 6. (See 1946, 321 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7; 1973, 978 § 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; paragraph (*c*) amended, 1974, 438 § 2. (See 1956, 735 § 4; 1974, 438 § 3.)

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, 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; revised, 1973, 855 § 2.

SECT. 37A added, 1945, 623 § 2 (relative to payments to disabled war veterans subsequently injured in industry); second sentence revised, 1965, 891; 1973, 855 § 3.

SECT. 39 amended, 1937, 317.

SECT. 41 revised, 1965, 487 § 1. (See 1965, 487 § 2.)

SECT. 45, paragraph added, 1951, 662; section amended, 1955, 174 § 5.

SECT. 46 amended, 1941, 378; 1945, 623 § 2A; 1953, 314 § 6; revised, 1973, 855 § 4.

SECT. 46A added, 1974, 812 § 1 (providing for a lien by group accident and health accident insurers under certain conditions).

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, 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. 63 amended, 1973, 403.

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; section revised, 1973, 855 § 5. (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. 65F amended, 1974, 761 § 2.

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; section repealed, 1973, 855 § 6. (See 1965, 642.)

SECT. 65O added, 1974, 761 § 1 (relative to the assignment of rejected risks and pooling).

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, 1951, 610 § 2; section revised, 1959, 555; first paragraph amended, 1966, 401; first sentence revised, 1971, 1059; second sentence amended, 1969, 863; paragraph added, 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); amended, 1974, 835 § 156. (See 1974, 835 § 185.)

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); revised, 1974, 799.

SECT. 75 revised, 1932, 19; amended, 1951, 610 § 1; 1954, 680 § 8; 1955, 174 § 4, 643 § 11; third sentence revised, 1974, 835 § 157. (See 1955, 643 § 12; 1974, 835 § 185.)

SECTS. 76-85 added, 1939, 465 § 1 (providing workmen's compensation benefits for employees in the granite industry contracting silicosis and other occupational pulmonary dust diseases). (See 1939, 465 § 4; 1950, 220.)

SECTS. 76-85 stricken out and section 76 inserted, 1950, 220.

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

SECT. 76 repealed, 1955, 234 § 1.

Chapter 153. — Liability of Employers to Employees for Injuries not resulting in Death.

SECT. 6 amended, 1935, 387; first sentence revised, 1947, 506 § 5; 1949, 427 § 9. (See 1949, 427 § 11.)

Chapter 154. — Assignment of Wages.

SECT. 2 revised, 1948, 550 § 31; first sentence amended, 1956, 689 § 6; revised, 1963, 305. (See 1956, 689 § 9.)

SECT. 8 added, 1933, 96 (exempting orders for payment of labor or trade union or craft dues or obligations from the operation of the laws regulating assignments of wages); amended, 1939, 125; 1948, 117; revised, 1950, 204; 1951, 239; amended, 1955, 631; 1956, 244 § 3;

revised, 1958, 52 § 1; amended, 1962, 162; paragraph added, 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; 1973, 860 § 22. (See 1935, 297 § 3; 1962, 750 §§ 73, 74; 1964, 723 §§ 6, 7; 1971, 819 § 12; 1973, 860 § 27.)

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, 1970, 451.

SECT. 3A amended, 1965, 310.

SECT. 6, sentence added, 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, 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, 1949, 695.

SECT. 15 revised, 1939, 14.

SECT. 18 revised, 1962, 133.

SECT. 22, paragraph added, 1953, 185; 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, 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, 1943, 38 § 2.

SECTS. 46A-46F added, under heading, 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, 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; amended, 1973, 367; revised, 1073, 478.

SECT. 2 amended, 1969, 829 § 1. (See 1969, 829 § 2.)

SECT. 3 amended, 1969, 392 § 29.

SECT. 5 revised, 1973, 366.

SECT. 6 revised, 1964, 459; 1974, 271.

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; first paragraph amended, 1973, 925 § 57. (See 1965, 685 § 57; 1973, 925 § 84.)

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, 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; 1974, 350 § 1.

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; paragraph added, 1974, 350 § 2. (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, 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, 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; revised, 1974, 350 § 3. (See 1965, 685 § 57.)

SECT. 79, subsection (*c*) amended, 1965, 685 § 33A; 1969, 392 § 21; subsection (*d*) amended, 1965, 685 § 34; revised, 1974, 350 § 4. (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, 1969, 392 § 22.

SECT. 86 amended, 1965, 685 § 40; 1973, 749 § 1. (See 1965, 685 § 57.)

SECT. 87 amended, 1973, 749 § 2.

SECT. 88 amended, 1973, 749 § 3.

SECT. 89 revised, 1973, 749 § 4.

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; revised, 1973, 860 § 23. (See 1973, 860 § 27.)

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.

SECTS. 12A-12D added, 1973, 936 § 1 (placing mobile radio telephone utility companies under the jurisdiction of the department of public utilities).

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, 1937, 247; stricken out, 1938, 155 § 2; clause added, 1951, 681; revised, 1951, 726; amended, 1966, 535 § 13.

SECT. 16, two sentences added, 1970, 137.

SECT. 16A added, 1938, 243 (relative to the discontinuance of service by railroads).

SECT. 20 amended, 1939, 18; 1973, 816 § 1.

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); paragraph (*e*) revised, 1974, 128; paragraph (*f*) added, 1974, 128.

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, 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, 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, 1954, 281.
SECT. 8, first sentence revised, 1973, 236 § 1; third sentence revised, 1968, 456; paragraph added, 1973, 236 § 2.
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, 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, 1961, 268 § 2; section revised, 1965, 537; first paragraph amended, 1966, 531; second paragraph, first sentence revised, 1969, 97; sentence inserted after sec-

ond 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, 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, 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, 1939, 306; amended, 1941, 483 § 2; paragraph added, 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; second and third paragraphs revised, 1974, 595; seventh paragraph amended, 1974, 594.

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, 1945, 644 § 1; section revised, 1953, 309; sentence inserted before first sentence, 1954, 288; paragraph added, 1967, 43; paragraph added, 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; amended, 1974, 572.

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; revised, 1948, 616 § 2; paragraph added, 1951, 158; sentence added, 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 track 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 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; first sentence revised, 1973, 282; 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 § 2.

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. 225 revised, 1973, 435.

SECT. 230 repealed, 1974, 252.

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); revised, 1973, 1141 § 7. (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; definitions of "Department" and "Secretary" inserted, 1973, 1140 § 2; definition of "Sixty-four cities and towns" amended, 1967, 87 § 1. (See 1973, 1140 § 30.)
SECT. 3, paragraph (*d*) amended, 1973, 1140 § 4; revised, 1973, 1140 § 3; paragraph (*i*) revised, 1965, 882; paragraphs (*k*)-(*l*) revised, 1973, 1140 § 5; paragraph (*r*) added, 1973, 1140 § 6. (See 1973, 1140 § 30.)
SECT. 5, subsection (*b*) revised, 1966, 636; subsection (*e½*) inserted after subsection (*e*), 1969, 574 § 1; subsection (*e¾*) inserted, 1971, 1100; subsections (*g*)-(*h*) revised, 1973, 1140 § 7; subsection (*i*) amended, 1967, 81 § 1; revised, 1973, 1140 § 8; subsection (*l*) added, 1973, 1140 § 9. (See 1969, 574 § 2; 1973, 1140 § 30.)
SECT. 6, second sentence stricken out and two sentences inserted, 1968, 282; sentence added, 1965, 323 § 1; section revised, 1973, 1140 § 10. (See 1965, 323 § 2; 1973, 1140 § 30.)
SECT. 7, second paragraph revised, 1967, 81 § 2; amended, 1973, 1140 § 11; paragraph added, 1965, 509 § 1; revised, 1973, 1140 § 12. (See 1973, 1140 § 30.)
SECT. 8 amended, 1969, 897; paragraph added, 1973, 1140 § 13; amended, 1974, 825 § 8. (See 1973, 1140 § 30.)
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. 19B added, 1973, 857 (providing for payment to the spouse or named beneficiary or next of kin of any monies owed by Massachusetts Bay Transportation Authority to its deceased employees).

SECT. 23, first paragraph amended, 1971, 1075 § 3; third paragraph revised, 1971, 1075 § 4; stricken out and two sentences inserted, 1973, 1140 § 14; fourth paragraph amended, 1965, 650 § 3; fifth paragraph amended, 1971, 1075 § 5; seventh paragraph amended, 1973, 1140 § 15. (See 1973, 1140 § 30.)

SECT. 28, first paragraph amended, 1971, 1075 § 6; second paragraph revised, 1971, 1075 § 7; paragraph added, 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 161B. — Transportation Facilities, Highway Systems and Urban Development Plans.

New chapter inserted, 1973, 1141 § 1.

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. 1, definitions of "Articles of organization" and "Corporation" inserted, 1973, 860 § 1. (See 1973, 860 § 27.)

SECT. 4 amended, 1938, 44; revised, 1967, 58; 1973, 502 § 1, 860 § 2. (See 1973, 860 § 27.)

SECT. 4A added, 1973, 860 § 2A (regulating the duties of the state secretary relative to certain utility corporations). (See 1973, 860 § 27.)

SECT. 5 revised, 1973, 860 § 3. (See 1973, 860 § 27.)

SECT. 5A added, 1973, 860 § 4 (regulating the names of certain utility corporations). (See 1973, 860 § 27.)

SECT. 6, paragraph (*e*) revised, 1947, 48; 1964, 331; section revised, 1973, 860 § 5. (See 1973, 860 § 27.)

SECT. 7 repealed, 1973, 860 § 6. (See 1973, 860 § 27.)

SECT. 8 revised, 1973, 860 § 7. (See 1973, 860 § 27.)

SECTS. 8A-8D added, 1973, 860 § 8 (further regulating certain utility corporations). (See 1973, 860 § 27.)

SECT. 9A revised, 1972, 502.

SECT. 10 revised, 1973, 860 § 9. (See 1973, 860 § 27.)

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. 16A added, 1973, 860 § 10 (authorizing a departmental order to certain corporations to set aside depreciation allowances from earnings). (See 1973, 860 § 27.)

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. 18 revised, 1973, 502 § 2.

SECT. 19, sentence inserted after first sentence, 1953, 328; sentence inserted after second sentence, 1971, 308 § 2; section revised, 1973, 502 § 3.

SECT. 20 revised, 1973, 860 § 11. (See 1973, 860 § 27.)

SECT. 22 revised, 1973, 860 § 12. (See 1973, 860 § 27.)

SECT. 23 revised, 1973, 860 § 13. (See 1973, 860 § 27.)

SECT. 24 revised, 1973, 860 § 14. (See 1973, 860 § 27.)

SECT. 25 revised, 1973, 860 § 15. (See 1973, 860 § 27.)

SECTS. 26-28 repealed, 1973, 860 § 16. (See 1973, 860 § 27.)

SECT. 29 amended, 1962, 750 § 42; revised, 1973, 860 § 17. (See 1973, 860 § 27.)

SECT. 31 amended, 1939, 301 § 2.

SECT. 32 repealed, 1973, 860 § 18. (See 1973, 860 § 27.)

SECT. 33 amended, 1932, 180 § 32; 1953, 283; revised, 1973, 860 § 19. (See 1973, 860 § 27.)

SECT. 34 amended, 1937, 235 § 1; revised, 1966, 146; revised, 1973, 933 § 1. (See 1937, 235 § 2.)

SECT. 40 revised, 1963, 347 § 2.

SECT. 41 revised, 1965, 180.

SECT. 56, first sentence amended, 1958, 160.

SECTS. 56A-56E added, 1960, 643 (relative to municipal light commissions).

SECT. 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.

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; amended, 1974, 745, 835 § 158. (See 1974, 835 § 185.)

SECTS. 69G-69R added, 1973, 1232 § 1 (establishing an Electric Power Facilities Siting Council for the preservation of the environment in conjunction with the promotion of an adequate energy supply). (See 1973, 1232 § 7.)

SECT. 69G, definitions of "Applicant", "Council" and "Facility" revised, 1974, 852 § 1; definitions of "Gas", "Gas company", "Liquified natural gas", "Natural gas", "Propane air", and "Synthetic natural gas" added, 1974, 852 § 2.

SECT. 69H, first paragraph revised, 1974, 852 § 3; second paragraph, first sentence revised, 1974, 852 § 4; fifth paragraph, clause (4) revised, 1974, 852 § 5.

SECT. 69I, first, second and third paragraphs revised, 1974, 852 § 6; fourth paragraph, first sentence amended, 1974, 852 § 7.

SECT. 69J, first paragraph, third sentence revised, 1974, 852 § 8; second paragraph revised, 1974, 852 § 9.

SECT. 69K, first paragraph revised, 1974, 852 § 10; sixth paragraph revised, 1974, 852 § 11.

SECT. 69L, paragraph (A), clause (3) revised, 1974, 852 § 12.

SECT. 69O, second paragraph, clause (1) revised, 1974, 852 § 13; clause (3) revised, 1974, 852 § 14.

SECT. 69Q, third sentence revised, 1974, 852 § 15.

SECT. 69R, first paragraph revised, 1974, 852 § 16; fifth paragraph revised, 1974, 852 § 17; seventh paragraph revised, 1974, 852 § 18.

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; 1973, 816 § 2; second paragraph amended, 1939, 178 § 1; 1973, 816 § 3; 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); two paragraphs added, 1974, 286.

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. 94G added, 1974, 625 § 1 (prohibiting the arbitrary imposition of certain fuel charges by electric companies).

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.

SECTS. 102A-102B added, 1973, 860 § 20 (further regulating certain corporate consolidations or mergers). (See 1973, 860 § 27.)

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, 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; sentence added, 1974, 625 § 2. (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; 1973, 858 § 1.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness); revised, 1965, 118 § 2.

SECT. 124B added, 1965, 130 (prohibiting the curtailment of service by a utility company because of failure to pay for an appliance purchased from it).

SECT. 124C added, 1971, 767 (regulating the discontinuance of service by a gas or electric utility to a hospital, nursing home or similar facility).

SECT. 124D added, 1973, 858 § 2 (further regulating the shutting off of gas or electric service by gas or electric companies); first paragraph, first sentence revised, 1974, 270 § 1.

SECT. 125A revised, 1963, 615 § 5.
SECT. 126 revised, 1961, 284.
SECT. 127 revised, 1961, 290.
SECT. 128 added, 1973, 860 § 21 (regulating the holding of advance payments by customers of certain utility companies). (See 1973, 860 § 27.)

Chapter 164A. — New England Power Pool.

New chapter inserted, 1973, 571 § 2.

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; revised, 1973, 860 § 24. (See 1973, 860 § 27.)
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. 11E added, 1974, 270 § 2 (requiring certain notice before the termination of water service to certain residential buildings).
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. 42B added, 1973, 1157 (imposing certain penalties for fraudulently avoiding charges for telecommunication services and authorizing the seizure of contraband).

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; 1974, 162; second paragraph, second sentence revised, 1969, 791; stricken out and two sentences inserted, 1973, 1149 § 4; third paragraph revised, 1950, 428; fourth paragraph, last sentence revised, 1972, 24. (See 1948, 527 § 5; 1958, 654 § 4; 1973, 1149 § 33.)

SECT. 2A added, 1933, 310 (improving the method of examination of banks); first sentence revised, 1958, 47; section revised, 1974, 549.

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; 1973, 17 § 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, 1951, 765; section revised, 1954, 250; paragraph added, 1967, 220.

SECT. 13 paragraph added, 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. 16A added, 1973, 914 (authorizing cooperative banks to offer negotiable order of withdrawal accounts).

SECT. 17 repealed, 1933, 334 § 2.

SECT. 18 amended, 1943, 110 § 1; 1955, 432 § 7; revised, 1961, 493 § 11; 1968, 224 § 6. (See 1955, 532 § 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, 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); amended, 1973, 79; 1974, 74.

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); amended, 1974, 160.

SECT. 54C added, 1974, 97 (authorizing banks and other fiduciaries to deposit securities in security depositories or clearing corporations).

SECT. 54D added, 1974, 196 (authorizing certain banking fiduciaries to file securities of the United States government and its agencies with a federal reserve bank under its book entry system).

SECT. 55 added, 1950, 287 § 1 (relative to presentment of certain de-

mand 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. 57A added, 1973, 80 (providing indemnification for bank directors, trustees, officers and employees).

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); amended, 1973, 925 § 58. (See 1973, 925 § 84.)

SECT. 63 added, 1973, 297 (prohibiting banks from requiring a borrower to execute a payroll services contract).

SECT. 64 added, 1973, 1058 (authorizing deposits of retirement and pension payments in certain banks or credit unions upon the request of the recipients).

SECT. 64 added, 1973, 1147 (authorizing banks to utilize certain facilities of other banks for customer convenience); stricken out and renumbered section 65, 1974, 222.

SECT. 66 added, 1974, 222 (regulating common trust funds of corporate fiduciaries).

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 1 amended, 1973, 1149 § 5; paragraph 5 revised, 1971, 1087 § 1; paragraph 6 amended, 1971, 313 § 4. (See 1973, 1149 § 33.)

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. 4 amended, 1973, 1149 § 6. (See 1973, 1149 § 33.)

SECT. 5, first two paragraphs revised, 1957, 1 § 1; first paragraph revised, 1966, 341 § 1; amended, 1972, 684 § 102; 1973, 1149 §§ 7, 8. (See 1957, 1 § 7; 1972, 684 § 136; 1973, 1149 § 33.)

SECT. 8, first paragraph amended, 1973, 997; 1974, 140 § 1.

SECT. 10, first paragraph, provision 2 revised, 1962, 163 § 1; 1966, 225; provision 3 amended, 1965, 852; 1972, 520 § 1; 1974, 75 § 1, 140 § 2; 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; amended, 1974, 346 § 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; 1974, 346 § 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); subsection 1 revised, 1974, 73 § 1; amended, 1974, 125.

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; 1974, 91 § 1.

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; 1973, 48; third paragraph revised, 1960, 804 § 2; 1971, 92 § 1; sentence added, 1967, 312; stricken out, 1971, 455 § 2; paragraph amended, 1974, 843 § 1.

SECT. 35, first paragraph, first sentence amended, 1960, 804 § 3; 1964, 206 § 1; 1971, 352 § 1; paragraph 3, first sentence amended, 1962, 50 § 2; 1973, 42 § 1; paragraph 4 amended, 1956, 194 § 1; first two sentences revised, 1962, 50 § 3; first sentence amended, 1964, 206 § 2; 1971, 352 § 2; revised, 1973, 42 § 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; amended, 1973, 1144 § 1; paragraph 6A inserted, 1964, 219; first sentence revised, 1966, 218 § 3; amended, 1973, 78 § 1; fifth sentence revised, 1969, 278 § 2; 1971, 52 § 1; 1973, 78 § 2; paragraph 6B inserted, 1972, 336; amended, 1973, 78 § 3; paragraph 7 revised, 1961, 327; first two sentences revised, 1966, 218 § 4; second sentence revised, 1973, 40; 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 10A added, 1974, 110 § 1; 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 (*a*) amended, 1974, 129 § 1; clause (*b*) amended, 1963, 273; 1974, 129 § 2; 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; fourth sentence amended, 1973, 332 § 1; revised, 1974, 266; 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; 1973, 42 § 3; 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; stricken out and two sentences inserted, 1963, 268; second sentence (as appearing in 1955, 432 § 1) revised, 1956, 88; 1966, 206 § 2; paragraph added, 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; 1973, 336 § 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 revised, 1973, 336 § 2; paragraph 5 added, 1969, 824; revised, 1973, 336 § 3.

SECT. 48, paragraph 1 revised, 1958, 100 § 1; paragraphs 3-5 revised, 1958, 100 § 2; section revised, 1964, 98; paragraph 7, clause (*b*) revised, 1965, 268 § 3; amended, 1969, 218 § 2.

SECT. 49, paragraph 1 revised, 1965, 268 § 4; amended, 1969, 218 § 3; revised, 1974, 362 § 7; paragraph 1A inserted, 1965, 268 § 5; revised, 1969, 218 § 4; amended, 1971, 857; 1973, 41; 1974, 362 § 8; 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; 1973, 165 § 1; paragraph 7 revised, 1967, 433 § 1; 1968, 430 § 3; amended, 1973, 735 § 1; revised, 1974, 202 § 1; paragraph 8 added, 1969, 338 § 2.

SECT. 50, paragraph 1 revised, 1969, 218 § 5; amended, 1974, 136; 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, 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; amended, 1973, 59.

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, 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; paragraph added, 1974, 152.

SECT. 65A added, 1974, 390 § 1 (regulating borrowing by officers, directors, trustees, corporators and majority shareholders).

SECT. 66, second sentence stricken out and two sentences inserted, 1972, 418; second, third and fourth sentences stricken out and one sentence inserted, 1974, 843 § 2.

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. 66C added, 1974, 843 § 3 (increasing the funds available for investment by savings banks).

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 amended, 1957, 1 § 3; 1958, 106; 1973, 1149 § 9. (See 1973, 1149 § 33.)

SECT. 73, first sentence revised, 1957, 1 § 4; amended, 1961, 493 § 18; first paragraph amended, 1961, 493 § 18A; 1973, 1149 § 10; second paragraph amended, 1961, 493 § 18B. (See 1973, 1149 § 33.)

SECT. 73A added, 1959, 202 § 1 (relative to the conversion of savings banks or savings and loan associations).

SECTS. 73B and 73C added, 1974, 417 (relative to the conversion of savings banks to federal savings and loan associations and the conversion of federal savings and loan associations to savings banks).

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; 1974, 251 § 1; sixth paragraph revised, 1971, 401 § 3; paragraph added, 1969, 235.

SECT. 78 amended, 1973, 1149 § 11. (See 1973, 1149 § 33.)

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. 2A added, 1974, 50 (establishing a procedure for the change of name of co-operative banks).

SECT. 3 amended, 1973, 1149 § 12. (See 1973, 1149 § 33.)

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; second sentence amended, 1974, 75 § 2; sentence added, 1974, 140 § 3.

SECT. 9, first paragraph amended, 1965, 308 § 1; paragraph added, 1964, 611 § 1.

SECT. 11, third sentence stricken out, 1967, 179.

SECT. 12, first paragraph, second sentence revised, 1957, 1 § 5; 195, 326; 1967, 157 § 1; amended, 1972, 684 § 105; 1973, 1149 §§ 13, 14; sentence added, 1974, 11; paragraph added, 1967, 157 § 2. (See 1972, 684 § 136; 1973, 1149 § 33.)

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 cooperative 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; revised, 1973 § 1012; 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; revised, 1974, 73 § 2; amended, 1974, 126; 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; section revised, 1974, 346 § 3.

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; 1974, 91 § 2.

SECT. 23, first paragraph amended, 1974, 100; subsection 4 revised, 1963, 126; 1964, 221; first sentence revised, 1973, 96 § 1; last sentence revised, 1968, 186; 1970, 122; 1973, 96 § 2; 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; 1973, 77 § 1; subsection 3A inserted, 1959, 174; revised, 1963, 146; amended, 1965, 306; first sentence, clause (*a*) revised, 1968, 185; 1971, 52 § 2; 1973, 78 § 4; clause (*b*) revised, 1973, 78 § 5; clause (*e*) revised, 1973, 78 § 6; third sentence stricken out, 1973, 260 § 1; last sentence revised, 1966, 169; subsection 3B inserted, 1972, 315; first sentence amended, 1973, 78 § 7; third sentence stricken out, 1973, 260 § 2; subsection 3C inserted, 1973, 260 § 3; 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; revised, 1973, 77 § 2; 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; subsection 14 added, 1973, 96 § 3.

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 1A inserted, 1973, 350 § 1; 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; 1973, 165 § 2; paragraph (*f*) amended, 1973, 735 § 2; revised, 1974, 202 § 2; subsection 5 amended, 1961, 493 § 20; subsection 6 revised, 1963, 100; amended, 1968, 187; 1970, 311; subsection 6A inserted, 1974, 110 § 2; subsection 7, first sentence revised, 1972, 206; 1973, 350 § 2;

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; amended, 1973, 332 § 2; subsections 9 and 10 added, 1969, 220; subsection 11 added, 1971, 404; subsection 12 added, 1971, 436; subsection 13 added, 1973, 96 § 4. (See 1955, 432 § 4.)

SECT. 27A added, 1971, 92 § 3 (authorizing certain corporations to issue certain mortgage-backed securities).

SECT. 27B added, 1974, 843 § 4 (increasing the funds available for investment by co-operative banks).

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; 1973, 82.

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 co-operative banks to execute and deliver certain guarantees in the transfer of investment securities).

SECT. 32C added, 1973, 258 (authorizing co-operative banks to issue credit cards).

SECT. 32D added, 1974, 258 (authorizing co-operative banks to act as trustees under certain retirement plans).

SECT. 33 revised, 1974, 51.

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. 37A added, under caption, 1973, 270 (relative to the computation of dividends and interest by co-operative banks).

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; 1974, 52.

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; paragraph added, 1974, 150.

SECT. 42A added, 1974, 390 § 2 (regulating borrowing by officers, directors, trustees, corporators and majority shareholders).

SECT. 47 amended, 1973, 1149 § 15. (See 1973, 1149 § 33.)

SECT. 48, first paragraph amended, 1973, 1149 § 16; last paragraph revised, 1958, 105. (See 1973, 1149 § 33.)

SECT. 49, first and second paragraphs revised, 1956, 246; first three paragraphs stricken out and subsection (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; revised, 1974, 251 § 2; sixth paragraph revised, 1971, 401 § 6; paragraph added, 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; 1973, 18.

SECT. 6, paragraph added, 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, insorted 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; 1974, 57; fourth sentence revised, 1949, 287; 1957, 192; 1963, 416; sentence inserted after fourth sentence, 1960, 162; revised, 1963, 416; two sentences inserted after fourth sentence, 1964, 226; fifth sentence revised, 1968, 173; 1970, 196; 1972, 85; 1974, 55; seventh sentence revised, 1965, 313; sentence inserted after fifth sentence, 1971, 420 § 1; 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. 10B added, 1973, 909 (authorizing credit unions to accept term share and deposit accounts); amended, 1974, 95.

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 paragraph, first sentence revised, 1952, 94; last sentence stricken out, 1933, 163 § 1; sentence added, 1958, 63; paragraph added, 1933, 163 § 1; second paragraph amended, 1955, 432 § 11; revised, 1970, 95; paragraph added. 1935, 272; revised, 1936, 329. (See 1955, 432 § 4.)

SECT. 15A added, 1974, 75 § 3 (regulating the service of directors or officers of credit unions).

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, 1956, 126; sentence added, 1963, 227.

SECT. 17, second sentence revised, 1956, 33; sentence added, 1952, 95; section revised, 1960, 55; amended, 1974, 16. (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; 1974, 47.

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, 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, 1969, 395; section revised, 1971, 525; first sentence revised, 1972, 205; 1973, 25; amended, 1974, 48; revised, 1974, 351; third sentence revised, 1974, 69; two sentences inserted after fourth sentence, 1973, 98. (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, 1952, 88; section revised, 1962, 344; third paragraph revised, 1968, 144; amended, 1971, 420 § 5; revised, 1974, 58.

SECT. 24, paragraph added at end of subdivision (A), 1933, 163 § 3; first four paragraphs and subdivision (A) revised, 1941, 102; first paragraph amended, 1960, 57; 1963, 318 § 1; same paragraph, clause (*b*) revised, 1967, 334 § 1; clause (*d*) added, 1967, 231 § 1; clause (*e*) added, 1970, 275 § 1; paragraph 4 of subdivision (A) revised, 1947, 85; paragraph 5 of subdivision (A) amended, 1946, 47; paragraph 7 of subdivision (A) added, 1948, 65; subdivision (A) revised, 1950, 84; 1951, 117; first paragraph of subdivision (A) amended, 1959, 158 § 1; revised, 1963, 318 § 2; first sentence revised, 1967, 208; second paragraph of subdivi-

sion (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; first paragraph, clause (*f*) added, 1974, 56 § 1; clause (*g*) added, 1974, 339 § 1; subdivision (A), fourth paragraph, paragraphs 1 and 2 revised, 1974, 72 § 1; paragraph 3A revised, 1974, 72 § 2; paragraph 5 revised, 1972, 232; subdivision (B), subsection (*a*), paragraph 4 amended, 1972, 146; 1973, 95; 1974, 340; subsection (*b*), paragraph 8 amended, 1972, 356; 1974, 54; paragraph 12 added, 1971, 522; paragraph 13 added, 1972, 156; paragraph 14 added, 1974, 12; paragraph 15 added, 1974, 338; subdivision (D), fifth sentence revised, 1971, 573; sixth sentence revised, 1974, 173; subdivision (F) added, 1974, 56 § 2; subdivision (G) added, 1974, 339 § 2.

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; 1973, 17 § 2; last sentence stricken out, 1961, 223; paragraph added, 1974, 151.

SECT. 27A added, 1974, 390 § 3 (requiring certain annual reports by credit unions to the commissioner of banks).

SECT. 29, first paragraph revised, 1936, 139; amended, 1973, 101; second paragraph amended, 1950, 162 § 7; 1954, 179 § 2; paragraph added, 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); first two paragraphs revised, 1973, 26; 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, 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, 1970, 293 § 2.

SECT. 32, third sentence revised, 1973, 334.

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 amended, 1966, 200 § 1; 1973, 1149 § 17. (See 1973, 1149 § 33.)

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; revised, 1973, 1149 § 18. (See 1972, 684 § 136; 1973, 1149 § 33.)

SECT. 12A amended, 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; amended, 1974, 75 § 4; sentence added, 1974, 140 § 4.

SECT. 17 revised, 1964, 300; amended, 1966, 177 § 1; paragraph added, 1966, 177 § 2.

SECT. 18 revised, 1966, 186.

SECT. 21, subsection A revised, 1974, 44 § 1; subsection D amended, 1965, 279; subsection F stricken out, 1974, 44 § 2.

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. 26, paragraph added, 1974, 149.

SECT. 26A added, 1974, 390 § 4 (requiring certain annual reports from trust companies to the commissioner of banks).

SECT. 27, subsection B amended, 1963, 225; 1971, 362; clause 2 revised, 1973, 68; clause 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; revised, 1973, 1149 § 19; clause (2) amended, 1968, 610 § 2; revised, 1973, 1149 § 20; subsection C revised, 1968, 610 § 3; subsection F added, 1968, 610 § 4. (See 1973, 1149 § 33.)

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. 48B added, 1974, 352 (authorizing trust companies to take second mortgages on real estate as security for certain loans).

SECT. 50 revised, 1968, 350; amended, 1974, 94.

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. 56 revised, 1974, 99.

SECT. 58, first paragraph amended, 1971, 313 § 3; paragraph added, 1966, 633 § 5.

SECT. 59, first paragraph revised, 1974, 45; 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; 1973, 1149 § 21. (See 1973, 1149 § 33.)

SECT. 3 revised, 1938, 266 § 5; fifth sentence amended, 1952, 97; sentence added, 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, 1949, 268 § 2.

SECT. 12 amended, 1948 § 37; revised, 1957, 1 § 6; 1973, 1149 § 22. (See 1973, 1149 § 33.)

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; 1973, 1149 § 23. (See 1973, 1149 § 33.)

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 (*a*) amended, 1974, 53 § 1; subsection (*f*) added, 1955, 384 § 2.

SECT. 7, subsection (*c*) added, 1974, 53 § 2.

SECT. 11, paragraph added at end, 1969, 424 § 1.

SECT. 18, paragraph (*c*) amended, 1954, 681 § 17. (See 1954, 681 §§ 20, 22.)

Chapter 174 B. — Regulation of Automobile Clubs.

New chapter inserted, 1972, 754.

SECT. 2 amended, 1974, 850 § 1.

SECT. 4 revised, 1973, 713.

SECT. 6 revised, 1974, 850 § 2.

SECTS. 7-11 added, 1974, 850 § 3.

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, 1963, 848 § 2; revised, 1968, 391 § 2; 1970, 642 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 3 amended, 1963, 848 § 3; revised, 1958, 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 Fourth revised, 1973, 1145 § 1; paragraph Sixth added, 1961, 368 § 2; subdivision 2, paragraph First revised, 1960, 323 § 1; paragraph Second revised, 1963, 130 § 1; amended, 1973, 1145 § 2; paragraphs Third, Fourth, Fifth and Sixth stricken out and five paragraphs inserted, 1961, 368 § 3; paragraph added, 1973, 1145 § 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, 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, second paragraph, first sentence amended, 1946, 508; second sentence revised, 1948, 571; paragraph inserted after fifth paragraph, 1941, 343.

SECT. 22, paragraph added, 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 §); 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; first paragraph amended, 1973, 408; revised, 1973, 551 § 1. (See 1973, 551 § 7.)

SECT. 22F 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. 22E revised, 1973, 551 § 2. (See 1973, 551 § 7.)

SECTS. 22F-22G repealed, 1973, 551 § 3. (See 1973, 551 § 7.)

SECT. 24, first paragraph, sentence added, 1946, 244.

SECT. 24A added, 1974, 668 (prohibiting discrimination on the basis of sex in the insurance of certain insurance policies).

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; 1973, 549; second sentence revised, 1964, 31.

SECT. 36, second paragraph revised, 1935, 140; 1936, 61; first two paragraphs revised, 1951, 125; two paragraphs added, 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. 47B added, 1973, 1174 §§ 1, 2 (providing for certain insurance coverage for mental illness). (See 1973, 1174 § 7.)

SECT. 47C added, 1974, 785 § 1 (extending the coverage of certain accident and sickness insurance). (See 1974, 785 § 4.)

SECT. 48, first paragraph revised, 1946, 471 § 2; amended, 1965, 260 § 2; revised, 1968, 391 § 5; lines 15-17, inclusive, stricken out and two paragraphs inserted, 1961, 168 § 1; lines 22 and 23 stricken out and paragraph inserted, 1946, 471 § 3; paragraph in lines 37-41, inclusive, revised, 1961, 168 § 2; 1962, 202 § 1; paragraph added, 1963, 848 § 5; stricken out, 1968, 391 § 6; three paragraphs added, 1966, 95 § 2; 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; 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, 1045, 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*) 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. 54G added, 1973, 600 § 1 (further regulating reinsurances by life companies).

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, 1948, 286; revised, 1970, 876 § 17. (See 1970, 876 § 28.)

SECT. 60, third paragraph, sentence added, 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, 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, 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; fourth paragraph revised, 1973, 1026; 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, 1962, 493 § 25.

SECT. 81, first sentence amended, 1952, 34.

SECT. 83, paragraph added, 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, 1943, 247 § 1; sentence added, 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, 1943, 247 § 2; sentence added, 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. 95A added, 1973, 316 (prohibiting insurance companies from requiring owners of residential property to renew or continue fire insurance policies in excess of outstanding mortgage amount).

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, 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; 1973, 378 § 1, 349 § 1, 1064 § 1; clause Thirteenth added, 1974, 498 § 1. (See 1951, 478 § 2; 1969, 425 § 2; 1973, 349 § 2; 1064 § 2; 1974, 498 § 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, 1945, 341; paragraphs A-C added, 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 4 amended, 1973, 344 § 1; 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. 108A added, 1974, 490 (prohibiting the refusal of insurance companies to issue certain policies to blind persons as individuals).

SECT. 109, repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added, 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; subdivision (G) added, 1973, 344 § 2; subdivision (H) added, 1973, 1221 §§ 1, 2. (See 1954, 275 §§ 4, 5; 1973, 1221 § 7.)

SECT. 110A added, 1938, 401 (relative to exemption of the benefits of disability insurance from attachment and execution); amended, 1973, 550; 1974, 470 § 1.

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. 110E added, 1973, 1081 (further regulating the advertising and contents of accident and sickness policies).

SECT. 110F added, 1974, 470 § 2 (regulating the payment of disability insurance benefits).

SECT. 111A, first paragraph revised, 1973, 828 § 1; second paragraph amended, 1973, 828 § 2; 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. 113 amended, 1973, 1114 § 19. (See 1973, 1114 § 351.)

SECT. 113A, first paragraph, provision (2) amended, 1933, 119 § 1; revised, 1933, 145 § 1; 1949, 570; amended, 1951, 648 § 2; revised, 1956, 191 § 1; amended, 1971, 939 § 3; 1973, 341 § 1, 405; provision (2)A added, 1933, 145 § 2; amended, 1935, 296 § 1; provision (5) amended, 1973, 1114 § 20; provision (6) revised, 1936, 272; 1949, 693 § 1; amended, 1955, 283 § 2; paragraph inserted after said provision, 1961, 568 § 2; revised, 1969, 147; stricken out and two paragraphs inserted, 1973, 905 § 2. (See 1933, 145 § 3; 1935, 296 § 2; 1949, 693 § 2; 1951, 648 § 3; 1955, 283 § 3; 1961, 568 § 3; 1971, 939 § 7; 1973, 341 § 3; 1114 § 351.)

SECT. 113B, first paragraph amended, 1964, 391; first two paragraphs revised, 1968, 643 § 2; first paragraph amended, 1972, 366; 1973, 341 § 2; paragraph inserted after first paragraph, 1972, 451; stricken out, 1973, 599 § 1; paragraph inserted after first paragraph, 1935, 459 § 4; second paragraph, sentence added, 1970, 785; paragraph inserted after first paragraph, 1970, 670 § 7; amended, 1974, 472 § 1; paragraph inserted after first paragraph, 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; fourth paragraph amended, 1973, 338; paragraph added, 1968, 660. (See 1935, 459 § 5; 1970, 670 § 10; 1973, 341 § 3; 599 § 3; 1974, 472 § 2.)

SECT. 113C, second paragraph amended, 1971, 520 § 1, 896 § 1; paragraph added, 1968, 643 § 3; revised, 1970, 670 § 9. (See 1970, 670 § 10; 1971, 520 § 2.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; first sentence 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, 1933, 119 § 3; paragraph added, 1934, 379; revised, 1951, 648 § 1; stricken out, 1956, 191 § 2; paragraph added, 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; revised, 1973, 551 § 4. (See 1973, 551 § 7.)

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; fourth paragraph revised, 1973, 333.

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; section revised, 1973, 551 § 5. (See 1973, 551 § 7.)

SECT. 113I added, 1954, 274 (relative to the service charges for securing motor vehicle liability insurance for certain persons); revised, 1973, 551 § 6. (See 1973, 551 § 7.)

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); amended, 1973, 925 § 59. (See 1973, 925 § 84.)

SECT. 113L added, 1968, 643 § 5 (requiring compulsory insurance coverage for damages caused by uninsured motorists); paragraph (1) amended, 1973, 380.

SECT. 113M added, 1971, 1078 § 1 (requiring the licensing of motor vehicle damage appraisers); amended, 1973, 712. (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. 113O added, 1973, 630 § 1 (regulating lessor damage payments under certain motor vehicle insurance policies). (See 1973, 630 § 2.)

SECT. 114 amended, 1932, 180 § 34; 1939, 225.

SECT. 116A amended, 1932, 180 § 35.

SECT. 117, sentence added, 1955, 384 § 7.

SECT. 117A, first paragraph amended, 1938, 216 § 1; heading revised, 1938, 216 § 2.

SECT. 117B added, under caption, 1963, 259 § 1 (authorizing the issuance of combination policies of credit insurance).

SECT. 118, paragraph added, 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. 120B added, 1974, 374 § 1 (prohibiting the refusal of the issuance of life insurance policies for the sole reason of blindness). (See 1974, 374 § 5.)

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 1943, 227 § 6; paragraph added 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, 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, provision 4, sentence added, 1938, 362 § 3; provision revised, 1939, 170; 1941, 456; last paragraph stricken out and three new paragraphs inserted, 1938, 362 § 4; first 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 1 revised, 1954, 285; provision 4 amended, 1956, 533 § 2; provision 4A inserted, 1955, 169; revised, 1959, 209 § 2; provision 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, 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 paragraphs inserted, 1938, 209 § 1; section revised, 1943, 227 § 3; subdivision 5 revised, 1961, 368 § 7; subdivision 6 revised, 1960, 323 § 2; amended, 1973, 1145 § 4; 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 case surrender values on policies of industrial life insurance issued in the commonwealth); repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 149, first paragraph amended, 1954, 318; section revised, 1960, 568 § 3; fourth paragraph revised, 1966, 83.

SECTS. 149A-149D added, 1946, 455 (providing that certain unclaimed funds held by domestic life insurance companies be paid into the state treasury).

SECT. 149A revised, 1950, 523 § 1.

SECT. 149B amended, 1950, 523 § 2; sentence inserted after first sentence, 1962, 474 § 1.

SECT. 149C amended, 1950, 523 § 3.

SECT. 149D, last sentence revised, 1949, 694 § 1; stricken out and two sentences inserted, 1950, 523 § 4; section revised, 1957, 372 § 4; two sentences added, 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. 152, fourth sentence revised, 1973, 600 § 2.

SECT. 152A added, 1941, 716 § 4 (relative to the issue by certain foreign mutual insurance companies of non-assessable policies); sentence added, 1943, 247 § 3; amended, 1947, 257; sentence added, 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, 1939, 315; section revised, 1941, 451; first paragraph amended, 1952, 146; revised, 1961, 134.

SECT. 160 amended, 1973, 683 § 1.

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).

SECT. 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, 1941, 502; revised, 1943, 85; six paragraphs added, 1971, 961; seven paragraphs added, 1973, 1056. (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); paragraph added, 1974, 486. (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, first paragraph amended, 1973, 925 § 61; second and third paragraphs stricken out and new paragraph inserted, 1941, 635 § 1; paragraph inserted after first paragraph, 1969, 144; paragraph added, 1941, 635 § 2. (See 1973, 925 § 84.)

SECT. 178 amended, 1941, 450 § 2.

SECT. 179, sentence added, 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, 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); amended, 1973, 925 § 60. (See 1973, 925 § 84.)

SECT. 187F added, 1963, 796 (regulating the cancellation of certain insurance during a period of strike of insurance agents).

SECT. 187G added, 1973, 454 (providing for reinstatement of certain life insurance policies lapsing during insurance agents' authorized strike).

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, 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, 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.

SECT. 193P added, 1973, 378 § 2 (requiring certain notice of an insurer's intent not to renew or reissue a fire protection policy).

SECT. 193P added, 1973, 553 (providing for acquisition of minority interests in subsidiary domestic insurance companies); stricken out, 1973, 1098.

SECTS. 193Q-193R added, 1973, 1098 (authorizing the acquisition of minority interests in subsidiary domestic insurance companies and the group marketing of automobile and homeowner insurance).

SECT. 195 added, 1973, 966 (requiring contributions from the fire insurance companies to certain fire protection costs).

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 (*a*) amended, 1974, 53 § 3; subsection (*f*) added, 1955, 384 § 9.

SECT. 7, subsection (*c*) added, 1974, 53 § 4.

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.

SECT. 3A amended, 1973, 683 § 2.

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, 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. 9, second paragraph amended, 1973, 925 § 62; paragraph added, 1974, 374 § 2. (See 1973, 925 § 84; 1974, 374 § 5.)

SECT. 18, first paragraph amended, 1973, 925 § 63; second paragraph stricken out, 1960, 321 § 1. (See 1973, 925 § 84.)

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. 31, sentence added, 1974, 374 § 3. (See 1974, 374 § 5.)

SECT. 35, subsection (1) amended, 1971, 538.

SECT. 40, first sentence amended, 1960, 238; 1961, 493 § 26; 1968, 328 § 1; 1970, 446 § 1; two sentences added, 1966, 229.

SECT. 41, paragraph (*a*) of subsection (6) revised, 1960, 321 § 4.

SECT. 44, last sentence stricken out, 1960, 468.

SECT. 50 amended, 1963, 521 § 2.

Chapter 176A. — Non-Profit Hospital Service Corporations.

New chapter inserted, 1936, 409.

Chapter stricken out and new chapter 176A (with new title) inserted, 1950, 766 § 1. (See 1950, 766 § 2-4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 176A, as so inserted:

SECT. 1, paragraph added, 1951, 687; section revised, 1953, 287 § 1; second paragraph revised, 1972, 703; paragraph inserted after third paragraph, 1955, 499; 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, 1968, 432 § 2; fifth and sixth paragraphs revised, 1968, 492 § 19; section amended, striking out all after the third paragraph and twelve paragraphs added, 1969, 874 § 1; fourth paragraph amended, 1974, 812 § 2; sixth paragraph amended, 1974, 812 § 3. (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*), clause (2) revised, 1953, 287 § 5; clause (5) added, 1955, 404; revised, 1956, 192 § 1; clause (6) added, 1974, 732 § 1. (See 1956, 192 § 2.)

SECT. 8A added, 1973, 1174 §§ 3, 4. (See 1973, 1174 § 7.)

SECT. 8B added, 1974, 785 § 2 (extending the coverage of certain accident and sickness insurance to certain newborn infants). (See 1974, 785 § 4.)

SECT. 10, first paragraph revised, 1953, 287 § 6; paragraph inserted after first paragraph, 1973, 1221 §§ 3, 4. (See 1973, 1221 § 7.)

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. 18A added, 1973, 455 § 1 (regulating the assets includable in a non-profit hospital's financial accounting).

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, 1948, 359; amended, 1953, 143; paragraph added, 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. 4A added, 1973, 1174 §§ 5, 6 (providing for the inclusion of expenses arising from nervous and mental conditions in certain medical service agreements). (See 1973, 1174 § 7.)

SECT. 4A added, 1973, 1221 §§ 5, 6 (providing for the inclusion of alcoholism treatment in certain medical service agreements). (See 1973, 1221 § 7.)

SECT. 4B added, 1974, 785 § 3 (extending the coverage of certain accident and sickness insurance to certain newborn infants). (See 1974, 785 § 4.)

SECT. 6, first sentence revised, 1960, 307 § 2; paragraph (*d*) added, 1957, 115 § 1; paragraph (*e*) added, 1974, 732 § 2. (See 1957, 115 § 2.)

SECT. 7 amended, 1971, 434 § 1.

SECT. 8A added, 1973, 455 § 2 (regulating the assets includable in medical service corporation's account of financial condition).

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.

SECT. 1, clause (*a*) amended, 1974, 473.

Chapter 176E. — Dental Service Corporations.

New chapter inserted, 1962, 714.

SECT. 4, first paragraph revised, 1968, 241.

SECT. 8A added, 1973, 455 § 3 (regulating assets includable in dental service corporation's account of financial condition).

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. 6 amended, 1974, 374 § 4. (See 1974, 374 § 5.)

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. 6 amended, 1973, 658 § 1.

SECT. 6A amended, 1973, 658 § 2. (See 1973, 658 § 5.)

SECT. 7 amended, 1955, 170; revised, 1960, 19; sentence inserted after first sentence, 1962, 77; sentence added, 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. 10A revised, 1973, 658 § 3.

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; revised, 1973, 1078 § 2C. (See 1973, 1078 § 8.)

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); amended, 1973, 113.

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; section revised, 1973, 1078 § 3. (See 1973, 1078 § 8.)

SECT. 17H added, 1973, 1140 § 17 (providing for certain payroll deductions for public transportation). (See 1973, 1140 § 30.)

SECT. 20, paragraph added, 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.

Chapter stricken out and new chapter inserted 1973, 844 § 1. (See 1973, 844 § 4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1972.

The following references are to chapter 181, as so inserted:

SECT. 3 revised, 1973, 1209 § 1. (See 1973, 1209 § 2.)
SECT. 8 amended, 1973, 1114 § 21. (See 1973, 1114 § 351.)

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; 1973, 205.
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); amended, 1973, 185 § 1. (See 1971, 684 § 2; 1973, 185 § 2.)

SECT. 59 added, 1972, 412 § 1 (regulating the imposition of late charges in mortgage transactions). (See 1972, 412 § 2.)

SECT. 60 added, 1973, 115 (regulating interest rate increases on certain mortgage loans.)

SECT. 61 added, 1973, 299 § 1 (requiring mortgagees to pay interest on certain real estate tax deposits). (See 1973, 299 § 2.)

SECT. 62 added, 1974, 104 (further regulating payment of taxes to cities and towns by mortgagees).

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; 1973, 554.

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, 1954, 395 § 1; paragraph added, 1973, 210 § 1. (See 1973, 210 § 2.)

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. 18, paragraph added, 1973, 778 § 1.

SECT. 19 amended, 1956, 258 § 1; three paragraphs added, 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; paragraph added, 1974, 527 § 2.

SECT. 28, paragraph added, 1974, 527 § 3.

SECTS. 31, 33 added, 1969, 666 § 5 (protecting conservation and preservation restrictions and providing for public restriction tract indexes at the registries).

SECT. 31, second paragraph amended, 1973, 1155 § 11.

SECT. 33, fifth paragraph amended, 1973, 602 § 2. (See 1973, 602 § 3.)

SECTS. 33A-33B added, 1973, 226 (abolishing the doctrine of worthier title to property).

SECT. 34 added, 1973, 199 (protecting purchasers of real estate from trustees).

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; 1973, 1114 § 22; 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; 1973, 1114 § 23; 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); revised, 1973, 1114 § 24; 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; 1973, 1114 § 351.)

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. 7 amended, 1973, 705 § 1.

SECT. 10A revised, 1948, 664 § 3; 1953, 601.

SECT. 11 amended, 1954, 308; 1956, 519.

SECT. 12, sentence added, 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; 1973, 428 § 2, 856 § 1; 1974, 558 § 1. (See 1946, 427 § 3, 554 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1955, 733 §§ 4, 5; 1963, 742 § 2; 1966, 699 § 1; 1969, 845 § 12; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)
SECT. 15 revised, 1973, 1114 § 25. (See 1973, 1114 § 351.)
SECT. 15A added, 1963, 74 § 1 (relative to equity practice in the land court); repealed, 1973, 1114 § 26. (See 1973, 1114 § 351.)
SECTS. 18-19 repealed, 1973, 1114 § 27. (See 1973, 1114 § 351.)
SECT. 21 revised, 1973, 1114 § 28. (See 1973, 1114 § 351.)
SECT. 23 revised, 1973, 1114 § 29. (See 1973, 1114 § 351.)
SECT. 25 revised, 1973, 1114 § 30. (See 1973, 1114 § 351.)
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); amended, 1973, 1114 § 31. (See 1973, 1114 § 351.)
SECT. 26 amended, 1971, 423 § 2.
SECT. 28, second sentence revised, 1971, 423 § 3.
SECT. 40 amended, 1937, 118.
SECT. 46, clause Sixth added, 1963, 242 § 2.
SECT. 47, second and third sentences stricken out and sentence inserted, 1971, 423 § 4.
SECT. 48, paragraph added, 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.)
SECT. 86 amended, 1973, 1114 § 32. (See 1973, 1114 § 351.)
SECT. 89 revised, 1973, 1114 § 33. (See 1973, 1114 § 351.)
SECT. 97 revised, 1973, 1114 § 34. (See 1973, 1114 § 351.)
SECT. 99 amended, 1973, 137.

Chapter 185A. — Housing Court of the City of Boston, Jurisdiction and Powers.

New chapter inserted, 1971, 843 § 1. (See 1971, 843 § 27.)

SECT. 2, amended, 1974, 700 § 4.
SECT. 3, first paragraph amended, 1974, 669 § 3; revised, 1974, 700 § 1; second paragraph revised, 1973, 1114 § 35; amended, 1974, 700 § 2. (See 1973, 1114 § 351.)
SECT. 4 amended, 1974, 700 § 5.
SECT. 5 amended, 1974, 700 § 6.
SECT. 8 revised, 1974, 700 § 3.
SECT. 10 amended, 1974, 700 § 7.
SECT. 11 amended, 1974, 700 § 8.
SECT. 12 amended, 1974, 700 § 9.
SECT. 13 amended, 1974, 700 § 10.
SECT. 14 amended, 1974, 700 § 11.
SECT. 15 amended, 1974, 700 § 12.

SECT. 16 amended, 1974, 700 § 13.
SECT. 18 amended, 1974, 700 § 14.
SECT. 19 amended, 1974, 700 § 15.
SECT. 20 revised, 1973, 1114 § 36. (See 1973, 1114 § 351.)
SECT. 21 repealed, 1973, 1114 § 37. (See 1973, 1114 § 351.)
SECT. 22, first paragraph amended, 1973, 1114 § 38. (See 1973, 1114 § 351.)
SECTS. 23-24 revised, 1973, 1114 § 39. (See 1973, 1114 § 351.)
SECT. 24 revised, 1974, 700 § 16.
SECT. 25 repealed, 1973, 1114 § 40. (See 1973, 1114 § 351.)
SECT. 26 revised, 1973, 1114 § 41; repealed, 1974, 700 § 17. (See 1973, 1114 § 351.)
SECT. 27 repealed, 1973, 1114 § 42. (See 1973, 1114 § 351.)
SECTS. 28-29 revised, 1973, 1114 § 43; repealed, 1974, 700 § 17. (See 1973, 1114 § 351.)

Chapter 185B. — Housing Court of the County of Hampden, Jurisdiction and Powers.

New chapter inserted, 1973, 591 § 1. (See 1973, 591 § 22.)

SECT. 3, first paragraph amended, 1974, 78 § 2.
SECT. 9 amended, 1974, 726 § 1A. (See 1974, 726 § 2.)

Chapter 186. — Estates for Years and at Will.

SECT. 11, sentence added, 1974, 320 § 1.
SECT. 12 revised, 1946, 202; amended, 1973, 256 § 1; amended, 1974, 320 § 2.
SECT. 13 amended, 1973, 256 § 2, 416.
SECT. 14 revised, 1950, 495; amended, 1957, 114; revised, 1973, 778 § 2; amended, 1974, 192 § 1. (See 1974, 192 § 5.)
SECT. 15 added, 1945, 445 § 1 (making void certain provisions of leases and rental agreements pertaining to real property); amended, 1974, 575 § 1. (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; second paragraph amended, 1973, 430 § 11. (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); amended, 1974, 192 § 2. (See 1974, 192 § 5.)
SECT. 15E added, 1972, 157 (precluding a certain defense in actions by lessees, tenants or occupants against property owners); amended, 1974, 192 § 3. (See 1974, 192 § 5.)
SECT. 15F added, 1974, 575 § 2 (providing that certain provisions of rental agreements shall be deemed against public policy and void).
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; amended, 1973, 858 § 3; 1974, 192 § 4. (See 1974, 192 § 5.)

SECT. 19 added, 1972, 665 (requiring landlords to correct an unsafe condition following receipt of notice thereof from a tenant).

Chapter 187. — Easements.

SECT. 5 added, 1973, 918 (providing for public utility services in certain easements).

Chapter 188. — Homesteads.

SECT. 1 amended, 1939, 32 § 1; 1970, 119 § 1; 1973, 487 § 1; 1974, 750 § 1. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5.)

SECT. 4 amended, 1973, 925 § 64. (See 1973, 925 § 84.)

SECT. 7 revised, 1971, 423 § 6.

SECT. 7A repealed, 1971, 423 § 7.

SECT. 9 amended, 1939, 32 § 2; 1970, 119 § 2; 1973, 487 § 2; 1974, 750 § 2. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 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. 6 revised, 1973, 925 § 65. (See 1973, 925 § 84.)

SECT. 14 amended, 1973, 925 § 66. (See 1973, 925 § 84.)

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, 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. 8 revised, 1973, 925 § 67. (See 1973, 925 § 84.)

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.

SECT. 17 revised, 1973, 495.

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, 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; 1973, 1210 § 30; paragraph added, 1955, 413 § 1. (See 1955, 413 § 2; 1956, 317 § 3; 1958, 163 § 2; 1970, 888 § 31; 1973, 1210 § 39.)

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); amended, 1973, 430 § 11A; 1974, 234. (See 1973, 430 § 14.)

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; amended, 1974, 845 § 2. (See 1945, 728 § 4.)

SECT. 2 revised, 1958, 120 § 1. (See 1958, 120 § 2.)

SECT. 4 revised, 1973, 925 § 68. (See 1973, 925 § 84.)

SECT. 5, last sentence stricken out, 1961, 171.

SECT. 6 amended, 1941, 194 § 13; revised, 1956, 314 § 2; amended, 1974, 845 § 3.

SECT. 6A added, 1974, 845 § 4 (providing for the appointment of guardians for certain mentally retarded persons).

SECT. 7 amended, 1941, 194 § 14; revised, 1956, 314 § 3; amended, 1974, 845 § 5.

SECT. 8 amended, 1974, 260 § 27.

SECT. 12 revised, 1956, 314 § 4; amended, 1974, 845 § 6.

SECT. 13, sentence added, 1934, 204 § 1; section amended, 1941, 194 § 15; revised, 1956, 314 § 5; amended, 1974, 845 § 7.

SECT. 13A added, 1941, 325 (providing for the removal of a permanent guardian of an insane person); revised, 1956, 314 § 6; 1974, 845 § 8.

SECT. 14 amended, 1941, 194 § 16; revised, 1956, 314 § 7; amended, 1974, 260 § 28.

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. 16B added, 1974, 845 § 9 (providing for the appointment of conservators for certain mentally retarded persons).

SECT. 18, sentence added, 1934, 204 § 2.

SECT. 19 revised, 1974, 845 § 10.

SECT. 20, see 1945, 338 § 3; section revised, 1956, 314 § 8; 1974, 845 § 11.

SECT. 21 revised, 1945, 728 § 3; amended, 1953, 571 § 3; second sentence revised, 1954, 330; first sentence amended, 1974, 260 § 29. (See 1945, 728 § 4.)

SECT. 22 revised, 1956, 314 § 9; amended, 1974, 845 § 12.

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; amended, 1974, 845 § 13.

SECT. 43 revised, 1956, 314 § 14; amended, 1974, 845 § 14.

SECT. 43A revised, 1956, 314 § 15; amended, 1974, 845 § 15.

SECT. 44 amended, 1971, 423 § 13.

SECT. 45, sentence added, 1945, 338 § 2; section revised, 1956, 314 § 16; amended, 1974, 845 § 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, 1952, 174 § 2; section revised, 1956, 314 § 17; first sentence amended, 1961, 493 § 30; section revised, 1972, 442; amended, 1974, 845 § 17.

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 (*d*) revised, 1973, 925 § 69; subsection (*e*) amended, 1962, 271 § 5; subsection (*h*) amended, 1973, 925 § 70; subsection (*j*) added, 1962, 271 § 6; revised, 1974, 779. (See 1973, 925 § 84.)

SECT. 7, subsection (*d*) amended, 1973, 925 § 71. (See 1973, 925 § 84.)

SECT. 8, subsection (*a*) revised, 1973, 925 § 72. (See 1973, 925 § 84.)

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; 1974, 260 § 30.

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.)

SECT. 37 added, 1973, 677 (providing that a probate court decree to sell real or personal property also authorizes other action).

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.)

SECTS. 4A-4B added, 1973, 652 (regulating fiduciaries in the conduct of their trust business).

SECT. 12, sentence added, 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, 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, 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. 2 revised, 1973, 669 § 1. (See 1973, 669 § 3.)

SECTS. 5-6 revised, 1973, 669 § 2. (See 1973, 669 § 3.)

SECT. 7 amended, 1941, 194 § 18; revised, 1956, 314 § 18; 1974, 845 § 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, 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, 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, 1943, 168 § 2; stricken out, 1970, 127; paragraph added, 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; paragraph inserted after first paragraph, 1974, 134.

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; 1973, 1201.

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; 1973, 740; revised, 1974, 358 § 1. (See 1967, 585 § 2; 1974, 358 § 3.)

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECT. 5 revised, 1964, 344; 1969, 162.

SECT. 6 revised, 1973, 415.

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. 18, first sentence revised, 1974, 313; sentence added, 1974, 231.

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, 1934, 181 § 1. (See 1934, 181 § 2.)

SECT. 22, sentence added, 1962, 433; section revised, 1974, 358 § 2. (See 1974, 358 § 3.)

SECT. 23 revised, 1973, 379.

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. 34 revised, 1974, 565.

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. 7 amended, 1974, 147 § 1.

SECT. 8 amended, 1974, 147 § 2.

SECT. 9 amended, 1974, 147 § 3.
SECT. 10 revised, 1948, 550 § 42; repealed, 1974, 147 § 4.
SECT. 11 repealed, 1974, 147 § 4.
SECT. 13 revised, 1974, 147 § 5.
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; 1973, 487 § 3; 1974, 750 § 3. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5.)
SECTS. 22-23 repealed, 1971, 423 § 18.
SECT. 24 revised, 1971, 423 § 19.
SECT. 32, sentence added, 1938, 136; section revised, 1968, 370; 1974, 230.
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; paragraph added, 1974, 397; (affected, 1973, 560).
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, 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, 1943, 155 § 1; same paragraph revised, 1955, 107 § 1; paragraph added, 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, 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, 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; amended, 1974, 260 § 31.

SECT. 13, first paragraph amended, 1948, 247; revised, 1966, 342 § 1; paragraph added, 1943, 155 § 2.

SECT. 14 revised, 1966, 342 § 2.

Chapter 211. — The Supreme Judicial Court.

SECT. 3, first paragraph revised, 1973, 1114 § 44; paragraph added, 1956, 707 § 1. (See 1973, 1114 § 351.)

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; 1973, 1114 § 45. (See 1973, 1114 § 351.)

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; first paragraph revised, 1973, 1114 § 46. (See 1973, 1114 § 351.)

SECT. 5 revised, 1973, 1114 § 47. (See 1973, 1114 § 351.)

SECT. 8 revised, 1973, 1114 § 48. (See 1973, 1114 § 351.)

SECT. 10 revised, 1973, 1114 § 49. (See 1973, 1114 § 351.)

SECT. 11 revised, 1933, 300 § 1; 1960, 207 § 1; repealed, 1973, 1114 § 50. (See 1933, 300 § 4; 1973, 1114 § 351.)

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; 1973, 428 § 3, 856 § 2; amended, 1974, 558 § 2. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1955, 733 §§ 4, 5; 1956, 333; 1957, 246 §§ 1, 2, 755 § 2; 1966, 699 § 11; 1969, 845 § 12; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)

Chapter 211A. — Appeals Court.

New Chapter inserted, 1972, 740 § 1.

SECT. 2, first sentence revised, 1973, 428 § 4, 856 § 3; 1974, 558 § 3. (See 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)

SECT. 6 revised, 1974, 784.

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. 3 amended, 1973, 1114 § 51. (See 1973, 1114 § 351.)
SECT. 6 amended, 1953, 319 § 24. (See 1953, 319 §§ 39, 40.)
SECT. 8 revised, 1973, 1114 § 52. (See 1973, 1114 § 351.)
SECT. 10 repealed, 1973, 1114 § 53. (See 1973, 1114 § 351.)
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); amended, 1973, 1114 § 54. (For prior temporary legislation, see 1927, 306; 1928, 228.) (See 1973, 1114 § 351.)
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; third paragraph revised, 1973, 1114 § 55. (See 1954, 668 § 2; 1956, 472 § 2; 1961, 535 §§ 2-6; 1966, 695 § 2; 1973, 1114 § 351.)
SECT. 14C repealed, 1973, 1114 § 56. (See 1973, 1114 § 351.)
SECT. 14E, first sentence amended, 1952, 477; revised, 1963, 772 § 1; amended, 1970, 728; 1973, 428 § 5, 856 § 4; 1974, 558 § 4. (See 1963, 772 § 3; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)
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, 135 § 1; sentence added, 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); revised, 1973, 1114 § 57. (See 1935, 229 § 2; 1973, 1114 § 351.)
SECT. 27 revised, 1946, 544 § 2; 1951, 742 § 2; 1955, 733 § 2; 1963, 741 § 1; 1966, 699 § 3; 1969, 845 § 3; 1973, 428 § 6, 856 § 5; amended, 1974, 558 § 5. (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; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)
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); revised, 1973, 1114 § 58. (See 1973, 1114 § 351.)

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; revised, 1973, 1114 § 59. (See 1973, 1114 § 351.)

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.

SECTS. 1C-1D repealed, 1973, 1114 § 60. (See 1973, 1114 § 351.)

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); stricken out, 1973, 1114 § 61. (See 1973, 1114 § 351.)

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 (former title, Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts).

Chapter stricken out, and new chapter 214 (with new title) inserted, 1973, 1114 § 62. (See 1973, 1114 § 351.)

For prior changes see Table of Changes contained in Acts and Resolves of 1972 and in 1973, 591 §§ 3, 4, 941.

The following references are to Chapter 214, as so inserted:

SECT. 1B added, 1974, 193 § 1 (establishing the right of privacy and the remedy to enforce that right). (See 1974, 193 § 2.)

SECT. 10B added, 1974, 562 § 2 (regulating the requirements of notice to heirs, next of kin and residuary devisees and legatees in proceedings for application of charitable gifts cy pres and permitting deviation from the terms of a charitable gift). (See 1974, 562 § 3.)

Chapter 215. — Probate Courts.

SECT. 3, first sentence amended, 1962, 567 § 2, 722 § 6; sentence added, 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; stricken out, 1954, 556 § 2; section revised, 1963, 820 § 1; second paragraph, last sentence amended, 1970, 888 § 24; section revised, 1973, 1114 § 63. (See 1954, 556 § 10; 1963, 820 § 2; 1970, 888 § 31; 1973, 1114 § 351.)

SECT. 6A revised, 1973, 1114 § 64. (See 1973, 1114 § 351.)

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, 1945, 469 § 1; stricken out, 1947, 360; section revised, 1973, 1114 § 65. (See 1945, 469 § 2; 1946, 88, 610 § 1; 1947, 97 § 1; 1973, 1114 § 351.)

SECT. 9A added, 1960, 179 (permitting certain fiduciaries to act during the appeal period); revised, 1973, 473.

SECT. 10 revised, 1973, 1114 § 66. (See 1973, 1114 § 351.)
SECT. 11 amended, 1947, 365 § 3.
SECT. 12 repealed, 1973, 1114 § 67. (See 1973, 1114 § 351.)
SECT. 13 amended, 1973, 1114 § 68. (See 1973, 1114 § 351.)
SECT. 15 revised, 1960, 207 § 3.
SECT. 16 amended, 1973, 1114 § 69. (See 1973, 1114 § 351.)
SECT. 18, two sentences added, 1964, 631 § 1. (See 1964, 631 § 2.)
SECT. 21 repealed, 1973, 1114 § 70. (See 1973, 1114 § 351.)
SECT. 30A amended, 1934, 330; revised, 1956, 664; 1963, 819 § 1.
SECT. 34, sentence added, 1971, 275; section amended, 1973, 1114 § 71. (See 1973, 1114 § 351.)
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, 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, 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; revised, 1973, 728.
SECT. 41A added, 1974, 232 (permitting executors or administrators to distribute certain funds of estates to parents of minors).
SECT. 42, sentence added, 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; 1973, 719; 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 216. — Courts of Insolvency.

SECT. 14 amended, 1973, 705 § 2.

Chapter 217. — Judges and Registers of Probate and Insolvency.

For legislation relative to abolition of office of special judge of probate and insolvency on the death, resignation or removal of the incumbent, see 1937, 408 § 8.

For legislation providing special retirement rights for the judges of probate for the counties of Dukes and Nantucket, see 1951, 760.

SECT. 1 amended, 1935, 434 § 1; revised, 1949, 716 § 1, 738 § 1.

SECT. 2 amended, 1934, 290; 1935, 434 § 2; first sentence revised, 1949, 716 § 2, 717, 738 § 2; 1960, 817 § 1; 1964, 675; 1973, 1129.

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, 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, 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); revised, 1973, 812.

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; amended, 1974, 435. (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); revised, 1973, 895.

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; 1974, 646. (See 1945, 475 § 2.)

SECT. 29, sentence added, 1958, 539.

SECTS. 29A and 29B added, 1974, 597 (providing for the appointment of a deputy assistant register and clerk for the probate courts for Dukes county and Nantucket county).

SECT. 30 revised, 1935, 143 § 1;* 1935, 313 § 1; 1936, 252 § 1; 1941, 226 § 1; paragraph added, 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

*Void for non-acceptance.

messengers for the probate court of Norfolk county); amended, 1974, 446.

SECT. 32C added, 1973, 904 (authorizing the appointment of a messenger in the probate court of Bristol 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; 1973, 428 § 7, 856 § 6; 1974, 558 § 6. (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; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)

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; 1973, 428 § 8, 856 § 7; 1974, 558 § 6A. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3; 1969, 845 § 12; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)

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, 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 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; amended, 1973, 356 § 1; revised, 1973, 959 § 1; second paragraph amended, 1966, 699 § 6; second sentence revised, 1969, 845 § 6; 1973, 428 § 9, 856 § 8; 1974, 558 § 7; fourth paragraph revised, 1971, 688; amended, 1972, 702; first sentence revised, 1973, 428 § 10, 856 § 9; 1974, 558 § 8. (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; 1973, 356 § 3, 428 § 19, 856 § 17; 1974, 558 § 20.)

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; 1973, 219; 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; section revised, 1973, 75 § 1; amended, 1973, 75 § 2; first paragraph amended, 1973, 1001, §§ 1, 1A; second paragraph amended, 1973, 796 § 1, 994 § 1, 1001 § 2; third paragraph amended, 1973, 796 § 2, 994 § 3, 1001 § 3; fourth paragraph amended, 1973, 796 § 3, 994 § 2, 1001 § 4; fifth paragraph amended, 1973, 796 § 4; revised, 1973, 1001 § 5; sixth paragraph amended, 1973, 796 § 5, 1001 § 6; seventh paragraph amended, 1973, 796 § 6; eighth paragraph stricken out, 1973, 1001 § 7; ninth paragraph amended, 1973, 1001 § 8; paragraph inserted after ninth paragraph, 1973, 1001 § 9; tenth paragraph amended, 1973, 436, section revised, 1973, 1223; 1974, 148 § 1.

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; revised, 1971, 717 § 2; 1973, 1125; 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, 1956, 738 § 12. (See 1956, 738 §§ 13, 14.)

SECT. 19 amended, 1934, 387 § 1, 1943, 296 § 1; sentence added, 1954, 556 § 3; section revised, 1954, 616 § 1; 1958, 369 § 1; sentence added, 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. 20, first sentence revised, 1973, 1114 § 72. (See 1973, 1114 § 351.)

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; 1973, 577, 748 § 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; revised, 1973, 748 § 2; first paragraph amended, 1974, 166 § 1; fourth paragraph amended, 1974, 166 § 2.

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; amended, 1973, 585. (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, 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 to 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, 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; first paragraph

amended, 1974, 148 § 2; second paragraph revised, 1974, 534. (See 1936, 282 § 3; 1963, 810 § 21.)

SECT. 58A added, 1974, 146 § 1 (creating the position of administrative assistant for intergovernmental relations for the Boston juvenile court). (See 1974, 146 § 2.)

SECT. 59, paragraph added, 1948, 248 § 1; section revised, 1969, 859 § 16A.

SECT. 60, first sentence amended, 1962, 722 § 9; section revised, 1964, 308 § 11; 1965, 659 § 6; 1969, 859 § 17. (See 1964, 308 § 13.)

SECT. 61, first sentence revised, 1971, 82 § 1; second sentence revised, 1971, 704.

SECT. 62 amended,* 1932, 235 § 1; revised,* 1932, 247 § 1; amended, 1935, 71 § 1; 1937, 298; revised, 1939, 305; amended, 1941, 309 § 3, 348; 1945, 294; 1946, 264 § 1, 300; 1949, 668; 1953, 138 § 1; 1955, 633 § 1; revised, 1957, 601 § 1; 1962, 455; revised, 1963, 564; 1964, 639, 699; 1965, 550, 802; amended, 1967, 441; revised, 1967, 604, 834; sentence added at end, 1968, 366; section amended, 1968, 475; revised, 1968, 585, 677, 764; 1969, 38, 841; amended, 1969, 881; 1970, 93 § 1; first sentence amended, 1971, 10, 58, revised, 1971, 114, 153, amended, 1971, 566 § 1; second sentence revised, 1971, 44, 82 § 2; section revised, 1971, 774; first sentence revised, 1971, 898; amended, 1971, 916; revised, 1972, 56; second sentence revised, 1971, 834; section revised and section 62A added, 1972, 211; clause (1) revised, 1972, 649 § 1; clause (3) amended, 1973, 1027 § 1; clause (4) stricken out, 1973, 1027 § 2; clause (5) amended, 1972, 443 § 1; 1973, 1027 § 3; clause (6) amended, 1972, 649 § 2; 1973, 1027 § 4; clause (7) amended, 1972, 443 § 2, 649 § 3; 1973, 1027 § 5; clause (8) amended, 1972, 649 § 4; 1973, 1027 § 6; second paragraph amended, 1972, 605 § 1; section revised, 1974, 731. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2; 1970, 93 § 2; 1971, 566 § 2; 1972, 605 § 2.)

SECT. 62A added, 1972, 211 (providing for additional court officers in the municipal court of the city of Boston); revised, 1974, 509.

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; 1973, 428 § 11, 856 § 10; revised, 1974, 558 § 9. (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; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)

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, 844 § 1; 1973, 887 § 1; 1974, 558 § 9A. (See 1946,

*Void for non-acceptance.

512 § 3, 609 § 3; 1963, 774 §§ 2, 3; 1964, 479 § 1; 1966, 539 § 2; 1969, 854 § 2; 1970, 245 § 4; 1971, 884 § 3; 1973, 887 § 2; 1974, 558 § 20.)

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; 1973, 428 § 12, 856 § 11; 1974, 558 § 10. (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; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)

SECT. 76A added, 1969, 859 § 19 (relative to the compensation of the justices of the Worcester and Springfield juvenile courts); revised, 1972, 731 § 18; 1973, 428 § 13, 856 § 12; 1974, 558 § 11, 741 § 1. (See 1973, 428 § 19, 856 § 17; 1974, 558 § 20, 741 § 3.)

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; 1973, 219; revised, 1973, 428 § 14, 856 § 13; 1974, 558 § 12; amended, 1974, 760 § 1; second paragraph, second sentence revised, 1970, 247. (See 1948, 656 §§ 2, 3; 1949, 805 § 3; 1951, 768 § 3B; 1952, 114; 1953, 298, 380; 1956, 738 §§ 13, 14; 1957, 125; 1958, 675 §§ 3, 4; 1960, 745 § 3, 746 § 3, 796 § 3; 1961, 379 §§ 2, 3, 612 § 5; 1963, 810 § 22; 1966, 699 § 11; 1969, 845 § 12; 1972, 446 § 7; 1973, 428 § 19, 856 § 17; 1974, 558 § 20, 760 § 3.)

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; 1973, 428 § 15, 856 § 14; 1974, 558 § 13. (See 1969, 845 § 12; 1973, 428 § 19, 856 § 17; 1974, 558 § 20.)

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; revised, 1973, 428 § 16, 856 § 15; 1974, 558 § 14; amended, 1974, 760 § 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; 1973, 428 § 19, 856 § 17; 1974, 558 § 20, 760 § 3.)

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; 1973, 219; section revised, 1973, 540 § 1; paragraph (1) amended, 1973, 813 §§ 1, 2, 894 §§ 1, 2; 1974, 161 §§ 1, 2; revised, 1974, 634. (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, 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, 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 the 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. 13A revised, 1973, 1114 § 73. (See 1973, 1114 § 351.)

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; 1973, 1010. (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; 1973, 1094; fifth paragraph revised, 1971, 293; 1974, 612; sixth paragraph revised, 1969, 31; paragraph inserted after sixth paragraph, 1967, 764 § 1; revised, 1973, 1055. (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; revised, 1973, 1114 § 74. (See 1964, 710 § 2; 1973, 1114 § 351.)

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; 1973, 1114 § 75. (See 1949, 774 § 5; 1973, 1114 § 351.)

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); revised, 1973, 1114 § 76. (See 1973, 1114 § 351.)

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); revised, 1974, 538.

SECT. 6I added, 1973, 384 (providing for the designation of a certain assistant clerk of courts for the county of Plymouth to perform certain equity duties).

SECT. 6J added, 1973, 710 (providing for the designation of a certain assistant clerk of courts for the county of Plymouth to perform certain criminal duties).

SECT. 6K added, 1974, 130 (providing for the designation of an assistant clerk of the courts for the county of Hampden to perform the duties of clerk pertaining to equity proceedings in the superior court of said county).

SECT. 6L added, 1974, 165 (providing for the designation of an assistant clerk of the courts to perform certain duties of the clerk in the superior court for the county of Hampden).

SECT. 12 revised, 1937, 219 § 4; 1939, 214 § 6.

SECT. 19 revised, 1973, 1114 § 77. (See 1973, 1114 § 351.)

SECT. 21 repealed, 1973, 1114 § 78. (See 1973, 1114 § 351.)

SECT. 22 revised, 1973, 1114 § 79. (See 1973, 1114 § 351.)

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; paragraph added, 1973, 705 § 3. (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, 1970, 369. (See 1960, 565 § 2; 1962, 366 § 2.)

SECT. 34E added, 1973, 893 (providing for legal assistance to the indigent mentally ill).

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, first sentence revised, 1973, 925 § 73; 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; 1973, 925 § 84.)

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, 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. 56, first sentence revised, 1973, 1114 § 80. (See 1973, 1114 § 351.)

SECT. 58 amended, 1932, 40 § 1; 1973, 1114 § 81.

SECT. 60 repealed, 1932, 40 § 2.

SECT. 61 revised, 1973, 1114 § 82. (See 1973, 1114 § 351.)

SECT. 62 revised, 1973, 1114 § 82. (See 1973, 1114 § 351.)

SECT. 62A revised, 1973, 1114 § 82. (See 1973, 1114 § 351.)

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; paragraph added, 1973, 363 § 1. (See 1973, 363 § 3.)

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; 1973, 1057. (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; revised, 1973, 363 § 2. (See 1935, 182 §§ 5, 6; 1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2; 1963, 766 §§ 2, 3; 1966, 463 § 5; 1970, 20 § 3; 1973, 363 § 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. 82, sentence added, 1973, 562.

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; first paragraph amended, 1973, 988 § 1; 1974, 631, 726 § 1; second paragraph amended, 1973, 988 § 2. (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; 1973, 988 § 3; 1974, 726 § 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. 1 revised, 1973, 1114 § 83. (See 1973, 1114 § 351.)

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 districts courts). (See 1935, 483 §§ 2, 3.) Section stricken out and new sections 2A-2C inserted, 1943, 369 § 1 (relative to the trial and disposi-

tion of certain actions and proceedings pending at 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. 4 revised, 1973, 1114 § 84. (See 1973, 1114 § 351.)

SECT. 8A added, 1947, 488 § 6 (relative to transitory actions by or against subscribers to a reciprocal or inter-insurance exchange).

SECT. 15 revised, 1973, 1114 § 85. (See 1973, 1114 § 351.)

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).

SECTS. 16-20, inclusive, stricken out and sections 16, 16A, 17, 18, 19, 20 inserted, 1973, 1114 § 86. (See 1973, 1114 § 351.)

SECTS. 21-22 repealed, 1973, 1114 § 87. (See 1973, 1114 § 351.)

SECT. 24 amended, 1938, 115 § 2; sentence inserted after second sentence, 1957, 312 § 1; repealed, 1973, 1114 § 87. (See 1973, 1114 § 351.)

SECT. 25, sentence inserted after first sentence, 1957, 312 § 2; section revised, 1961, 375 § 1. (See 1961, 375 § 2.)

SECTS. 26-27 revised, 1973, 1114 § 88. (See 1973, 1114 § 351.)

SECT. 28 amended, 1973, 1114 § 89. (See 1973, 1114 § 351.)

SECT. 31A added, 1973, 467 (prohibiting service of a writ or summons upon a defendant while he is exercising his right to vote).

SECTS. 29-32, inclusive, stricken out and sections 29, 30, 31, 31A, 32 inserted, 1973, 1114 § 90. (See 1973, 1114 § 351.)

SECT. 31 amended, 1974, 748.

SECT. 33 repealed, 1973, 1114 § 91. (See 1973, 1114 § 351.)

SECTS. 35-36 revised, 1973, 1114 § 92. (See 1973, 1114 § 351.)

SECT. 37, last sentence stricken out and paragraph added, 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. 41 repealed, 1973, 1114 § 93. (See 1973, 1114 § 351.)

SECT. 42 amended, 1937, 295 § 1; 1973, 1114 § 94. (See 1973, 1114 § 351.)

SECT. 42A added, 1943, 234 § 1 (relative to the amount for which attachments may be made on liquidated claims). (See 1943, 234 § 3.)

SECT. 43 amended, 1973, 1114 § 95. (See 1973, 1114 § 351.)

SECT. 44 revised, 1973, 1114 § 96. (See 1973, 1114 § 351.)

SECT. 44A added, 1937, 295 § 2 (further regulating the attachment of motor vehicles on mesne process in actions of contract); revised, 1973, 1114 § 97. (See 1973, 1114 § 351.)

SECT. 45 amended, 1973, 1114 § 98. (See 1973, 1114 § 351.)

SECT. 45A, sentence added, 1954, 181.

SECT. 46 revised, 1973, 1114 § 99. (See 1973, 1114 § 351.)

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; revised, 1973, 1114 § 100. (See 1957, 765 §§ 18, 21; 1973, 1114 § 351.)

SECT. 51 revised, 1948, 550 § 43.

SECT. 56 revised, 1973, 1114 § 101. (See 1973, 1114 § 351.)

SECT. 59 revised, 1973, 1114 § 102. (See 1973, 1114 § 351.)

SECTS. 60-61 repealed, 1973, 1114 § 103. (See 1973, 1114 § 351.)

SECT. 62, sentence added, 1947, 105.

SECT. 63 revised, 1973, 1114 § 104. (See 1973, 1114 § 351.)

SECT. 65 revised, 1953, 338 § 1; second sentence revised, 1961, 501. (See 1953, 338 § 5.)

SECT. 67 amended, 1973, 673.

SECT. 68 revised, 1973, 1114 § 105. (See 1973, 1114 § 351.)

SECT. 71 revised, 1973, 1114 § 106. (See 1973, 1114 § 351.)

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; 1973, 1114 § 107. (See 1943, 298 § 10; 1973, 1114 § 351.)

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.)

SECTS. 84-85 revised, 1973, 1114 § 108. (See 1973, 1114 § 351.)

SECT. 86A amended, 1971, 843 § 5; 1973, 591 § 4; revised, 1973, 1114 § 109. (See 1971, 843 § 27; 1973, 591 § 22, 1114 § 351.)

SECTS. 94-95 revised, 1973, 1114 § 110. (See 1973, 1114 § 351.)

SECT. 96 repealed, 1973, 1114 § 111. (See 1973, 1114 § 351.)

SECT. 97 amended, 1973, 1114 § 112. (See 1973, 1114 § 351.)

SECTS. 99-100 revised, 1973, 1114 § 113. (See 1973, 1114 § 351.)

SECT. 109 amended, 1973, 1114 § 114. (See 1973, 1114 § 351.)

SECT. 114 amended, 1938, 325 § 1; revised, 1943, 234 § 2; amended, 1973, 1114 § 115. (See 1938, 325 § 2; 1943, 234 § 3; 1973, 1114 § 351.)

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. 115 revised, 1973, 1114 § 116. (See 1973, 1114 § 351.)

SECT. 115A revised, 1972, 179 § 1; 1973, 1114 § 116. (See 1972, 179 § 3; 1973, 1114 § 351.)

SECT. 115B added, 1972, 179 § 2 (further regulating the dissolution of attachments); amended, 1973, 1114 § 116A. (See 1972, 179 § 3; 1973, 1114 § 351.)

SECT. 117 amended, 1973, 1114 § 117. (See 1973, 1114 § 351.)

SECT. 118 amended, 1973, 1114 § 118. (See 1973, 1114 § 351.)

SECTS. 119-121 revised, 1973, 1114 § 119. (See 1973, 1114 § 351.)

SECT. 125 revised, 1973, 1114 § 120. (See 1973, 1114 § 351.)

SECTS. 127-128 revised, 1973, 1114 § 121. (See 1973, 1114 § 351.)
SECT. 130 revised, 1973, 1114 § 122. (See 1973, 1114 § 351.)
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. 1, paragraph added, 1973, 567.
SECT. 6, first sentence amended, 1971, 843 § 6; 1973, 591 § 5; fifth sentence amended, 1972, 255. (See 1971, 843 § 27; 1973, 591 § 22.)
SECT. 12 amended, 1945, 101 § 1.
SECT. 14 revised, 1974, 414 § 1.
SECT. 15 amended, 1974, 414 § 2.
SECT. 16 amended, 1943, 292 § 1; revised, 1974, 414 § 3. (See 1943, 292 § 2.)
SECT. 18, first paragraph amended, 1974, 414 § 4; paragraph inserted after first paragraph, 1946, 177.
SECTS. 19-22 revised, 1974, 414 § 5.
SECT. 27 repealed, 1970, 888 § 26. (See 1970, 888 § 31.)

Chapter 226. — Bail.

SECT. 18 repealed, 1973, 1114 § 123. (See 1973, 1114 § 351.)
SECT. 23 amended, 1945, 101 § 2.

Chapter 227. — Proceedings against Absent Defendants and upon Insufficient Service.

SECT. 1 amended, 1949, 612 § 1; revised, 1973, 1114 § 124. (See 1973, 1114 § 351.)
SECT. 3 revised, 1973, 1114 § 125. (See 1973, 1114 § 351.)
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; amended, 1973, 1114 § 126. (See 1973, 1114 § 351.)
SECT. 6 amended, 1973, 1114 § 127. (See 1973, 1114 § 351.)
SECT. 7 amended, 1971, 843 § 7; 1973, 591 § 6, 1114 § 128. (See 1971, 843 § 27; 1973, 591 § 22, 1114 § 351.)
SECT. 8 amended, 1971, 843 § 8; 1973, 591 § 7; revised, 1971, 1114 § 129. (See 1971, 843 § 27; 1973, 591 § 22, 1114 § 351.)
SECT. 9 amended, 1973, 1114 § 130. (See 1973, 1114 § 351.)
SECTS. 11-13 revised, 1973, 1114 § 131. (See 1973, 1114 § 351.)
SECT. 16-17 revised, 1973, 1114 § 132. (See 1973, 1114 § 351.)

Chapter 228. — Survival of Actions and Death and Disabilities of Parties.

SECT. 1 revised, 1934, 300 § 1. (See 1934, 300 § 2.)
SECT. 4 amended, 1973, 1114 § 133. (See 1973, 1114 § 351.)
SECT. 4A added, 1973, 1114 § 134 (regulating the substitution of executors and administrators by certain courts). (See 1973, 1114 § 351.)
SECT. 5 amended, 1933, 221 § 7; revised, 1937, 406 § 1; amended,

1950, 391; revised, 1973, 1114 § 135. Affected, 1938, 16. (See 1933, 221 § 8; 1973, 1114 § 351.)

SECTS. 5A-5C added, 1973, 1114 § 136 (further regulating civil actions against executors and administrators of estates). (See 1973, 1114 § 351.)

SECT. 8 amended, 1973, 1114 § 137. (See 1973, 1114 § 351.)

SECT. 9 amended, 1973, 1114 § 138. (See 1973, 1114 § 351.)

SECT. 10 amended, 1973, 1114 § 139. (See 1973, 1114 § 351.)

SECTS. 11-12 revised, 1973, 1114 § 140. (See 1973, 1114 § 351.)

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; section revised, 1973, 699 § 1; amended, 1973, 957 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10; 1962, 306 § 2; 1965, 683 § 2; 1967, 662 § 2; 1973, 699 § 2, 957 § 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; 1973, 1114 § 141. (See 1946, 614 § 7; 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10; 1973, 1114 § 351.)

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; revised, 1973, 1114 § 142. (See 1973, 1114 § 351.)

Chapter 230. — Actions By and Against Executors and Administrators.

SECT. 3 amended, 1973, 1114 § 143. (See 1973, 1114 § 351.)

SECT. 4 amended, 1973, 1114 § 144. (See 1973, 1114 § 351.)

SECT. 5 amended, 1934, 116; revised, 1973, 1114 § 145. (See 1973, 1114 § 351.)

SECTS. 10-13 revised, 1973, 1114 § 146. (See 1973, 1114 § 351.)

Chapter 231. — Pleading and Practice.

Notice (in brackets) following title revised, 1973, 1114 § 146A. (See 1973, 1114 § 351.)

SECT. 1 revised, 1973, 1114 § 147. (See 1973, 1114 § 351.)

SECT. 1A added, 1951, 403 (relative to the commencement of actions arising out of tort and contract); revised, 1973, 1114 § 148. (See 1973, 1114 § 351.)

SECTS. 2-4 revised, 1973, 1114 § 149. (See 1973, 1114 § 351.)

SECT. 4A added, 1943, 350 § 1 (providing for the joinder of parties in one action in certain cases); first sentence revised, 1973, 1114 § 150; sentence inserted after first sentence, 1947, 408 § 1. (See 1943, 350 §§ 3, 4; 1947, 408 § 2; 1973, 1114 § 351.)

SECT. 4B added, 1964, 696 (permitting impleader in civil cases); amended, 1968, 324; revised, 1973, 494; amended, 1973, 1114 § 151. (See 1973, 1114 § 351.)

SECT. 5 amended, 1945, 141 § 2; revised, 1973, 1114 § 152. (See 1973, 1114 § 351.)

SECT. 6 revised, 1973, 1114 § 153. (See 1973, 1114 § 351.)

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); revised, 1973, 1114 § 154. (See 1939, 372 § 2; 1973, 1114 § 351.)

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; revised, 1973, 1114 § 155; amended, 1974, 224 § 1. (See 1946, 212 § 3; 1973, 1114 § 351.)

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); revised, 1973, 1114 § 156; amended, 1974, 224 § 2. (See 1973, 1114 § 351.)

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, amended, 1939, 67 § 1; 1973, 1114 § 157. (See 1939, 67 § 2; 1973, 1114 § 351.)

SECT. 8 repealed, 1973, 1114 § 158. (See 1973, 1114 § 351.)

SECTS. 9-17 revised, 1973, 1114 § 159. (See 1973, 1114 § 351.)

SECT. 18 amended, 1973, 1114 § 160; (See 1973, 1114 § 351.)

SECTS. 19-28 revised, 1973, 1114 § 161. (See 1973, 1114 § 351.)

SECT. 29 revised, 1960, 263; 1973, 1114 § 162. (See 1973, 1114 § 351.)

SECT. 30 amended, 1949, 179; revised, 1973, 1114 § 163. (See 1973, 1114 § 351.)

SECTS. 31-39 revised, 1973, 1114 § 164. (See 1973, 1114 § 351.)

SECT. 40 amended, 1973, 1114 § 165. (See 1973, 1114 § 351.)

SECT. 41 amended, 1973, 1114 § 166. (See 1973, 1114 § 351.)

SECTS. 42-43 revised, 1973, 1114 § 167. (See 1973, 1114 § 351.)

SECT. 46 repealed, 1973, 1114 § 168. (See 1973, 1114 § 351.)

SECTS. 49-54 revised, 1973, 1114 § 169. (See 1973, 1114 § 351.)

SECT. 55 amended, 1935, 318 § 6; 1971, 843 § 9; 1973, 591 § 8; repealed, 1973, 1114 § 170. (See 1935, 318 § 8; 1971, 843 § 27; 1973, 591 § 22, 1114 § 351.)

SECTS. 56-58 revised, 1973, 1114 § 171. (See 1973, 1114 § 351.)

SECT. 58A amended, 1973, 1114 § 172. (See 1973, 1114 § 351.)

SECT. 59, sentence inserted after fourth sentence, 1955, 359; section and caption preceding it stricken out and section under new caption inserted, 1955, 674 § 1; paragraph added, 1965, 491 § 1; section revised, 1973, 1114 § 173. (See 1973, 1114 § 351.)

SECT. 59A stricken out and section under new caption inserted, 1955, 674 § 2; revised, 1973, 1114 § 174. (See 1973, 1114 § 351.)

SECT. 59B, first sentence revised, 1973, 1114 § 175. (See 1973, 1114 § 351.)

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; 1973, 1114 § 176. (See 1935, 118 § 2; 1973, 1114 § 351.)

SECT. 59D added, 1952, 139 (providing speedy trials of certain actions under election laws); amended, 1973, 1114 § 177. (See 1973, 1114 § 351.)

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; 1973, 591 § 9; repealed, 1973, 1114 § 178. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECT. 60A amended, 1971, 843 § 11; 1973, 591 § 10; repealed, 1973, 1114 § 178. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECT. 61, first sentence revised, 1973, 1114 § 179. (See 1973, 1114 § 351.)

SECT. 62, sentence added, 1958, 270.

SECT. 63 amended, 1932, 84 § 1.

SECT. 64 amended, 1966, 432.

SECT. 68 amended, 1973, 1114 § 180. (See 1973, 1114 § 351.)

SECT. 69 amended, 1932, 177 § 1; revised, 1946, 450; first sentence revised, 1973, 1114 § 181. (See 1932, 177 § 2; 1973, 1114 § 351.)

SECTS. 70 and 71 revised, 1973, 1114 § 182. (See 1973, 1114 § 351.)

SECT. 72 amended, 1958, 50; revised, 1973, 1114 § 183. (See 1973, 1114 § 351.)

SECT. 73 repealed, 1932, 180 § 40.

SECTS. 74-76 revised, 1973, 1114 § 184. (See 1973, 1114 § 351.)

SECT. 77 repealed, 1973, 1114 § 185. (See 1973, 1114 § 351.)

SECT. 78 repealed, 1932, 180 § 40.

SECT. 79 amended, 1973, 1114 § 186. (See 1973, 1114 § 351.)

SECT. 80 repealed, 1973, 1114 § 187. (See 1973, 1114 § 351.)

SECT. 82 revised, 1973, 1114 § 188. (See 1973, 1114 § 351.)

SECT. 84 repealed, 1973, 1114 § 189. (See 1973, 1114 § 351.)

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; 1973, 1123 § 1. (See 1947, 386 § 2; 1952, 533 § 2; 1969, 761 § 2; 1973, 1123 § 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. 85O added, 1973, 925 § 74 (authorizing persons eighteen years of age or older to enter into contracts). (See 1973, 925 § 84.)

SECTS. 86-88 revised, 1973, 1114 § 190. (See 1973, 1114 § 351.)

SECT. 90 amended, 1973, 1114 § 191. (See 1973, 1114 § 351.)

SECT. 91 revised, 1943, 365 § 1; 1973, 1114 § 192. (See 1943, 365 § 2; 1973, 1114 § 351.)

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.

SECTS. 95 and 96 revised, 1973, 1114 § 193. (See 1973, 1114 § 351.)

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. 97 amended, 1973, 313; revised, 1973, 1114 § 193. (See 1973, 1114 § 351.)

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; 1973, 1114 § 194; 1974, 437 § 1; 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; paragraph amended, 1973, 1114 § 195; fourth paragraph, sentence inserted after first sentence, 1967, 767 § 3. (See 1958, 369 § 4; 1967, 767 § 4; 1973, 1114 § 351.)

SECT. 104 amended, 1950, 500 § 2; revised, 1956, 302 § 1; 1960, 352 § 1; 1965, 377; amended, 1974, 437 § 2.

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; 1973, 472. (See 1943, 296 § 6.)

SECT. 108, first paragraph, first sentence revised, 1967, 852 § 2; paragraph amended, 1973, 568; sentence inserted after fifth sentence, 1958, 300; second paragraph revised, 1939, 382; amended, 1948, 322; revised, 1949, 683; 1973, 940; second sentence of third paragraph

revised, 1933, 255 § 1; 1962, 287; first sentence amended, 1973, 1114 § 196; section amended, 1971, 867 § 2. (See 1933, 255 § 2; 1973, 1114 § 351.)

SECT. 109 amended, 1973, 1114 § 197. (See 1973, 1114 § 351.)

SECT. 110 revised, 1973, 1114 § 198. (See 1973, 1114 § 351.)

SECT. 111 amended, 1971, 843 § 12; 1973, 591 § 11; revised, 1973, 1114 § 199. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECT. 112 revised, 1973, 1114 § 200. (See 1973, 1114 § 351.)

SECTS. 112A and 112B added, 1973, 1114 § 201 (relative to proceedings before the appeals or supreme judicial court). (See 1973, 1114 § 351.)

SECT. 113, two sentences added, 1945, 328; section amended, 1971, 843 § 13; 1973, 591 § 12; revised, 1973, 1114 § 202. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECT. 114 revised, 1973, 1114 § 202. (See 1973, 1114 § 351.)

SECT. 115 amended, 1939, 451 § 63; revised, 1973, 1114 § 202. (See 1973, 1114 § 351.)

SECT. 116 revised, 1973, 1114 § 202. (See 1973, 1114 § 351.)

SECT. 117 revised, 1960, 207 § 4; 1973, 1114 § 202. (See 1973, 1114 § 351.)

SECT. 118 revised, 1960, 207 § 5; 1973, 1114 § 202. (See 1973, 1114 § 351.)

SECT. 119 amended, 1971, 843 § 14; 1973, 591 § 13; revised, 1973, 1114 § 202. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECTS. 120-123 repealed, 1973, 1114 § 203. (See 1973, 1114 § 351.)

SECTS. 124 and 125 revised, 1973, 1114 § 204. (See 1973, 1114 § 351.)

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. 126 repealed, 1973, 1114 § 205. (See 1973, 1114 § 351.)

SECT. 127, sentence added, 1945, 578 § 1; revised, 1967, 139. (See 1945, 578 § 3.)

SECT. 128 amended, 1945, 578 § 2; repealed, 1973, 1114 § 205. (See 1945, 578 § 3; 1973, 1114 § 351.)

SECT. 129 repealed, 1973, 1114 § 205. (See 1973, 1114 § 351.)

SECT. 131 repealed, 1973, 1114 § 205. (See 1973, 1114 § 351.)

SECT. 132 amended, 1973, 1114 § 206. (See 1973, 1114 § 351.)

SECT. 133 amended, 1933, 300 § 2; 1971, 843 § 15; 1973, 591 § 14; repealed, 1973, 1114 § 205. (See 1933, 300 § 4; 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECT. 134 repealed, 1973, 1114 § 205. (See 1973, 1114 § 351.)

SECT. 135, first paragraph amended, 1971, 843 § 16; 1973, 591 § 15; two paragraphs inserted after first paragraph, 1941, 187 § 1; last paragraph amended, 1959, 109; 1960, 171; section repealed, 1973, 1114 § 205. (See 1941, 187 § 2; 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECTS. 136 and 137 repealed, 1973, 1114 § 205. (See 1973, 1114 § 351.)

SECTS. 138-140 revised, 1973, 1114 § 207. (See 1973, 1114 § 351.)

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 acci-

dent 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; revised, 1973, 1114 § 208. (See 1933, 300 § 4; 1934, 387 § 5; 1943, 296 § 6, 350 §§ 3, 4; 1946, 212 § 3; 1954, 606 § 5; 1958, 369 § 4; 1973, 1114 § 351.)

SECT. 142 amended, 1935, 318 § 7; revised, 1973, 1114 § 208. (See 1935, 318 § 8; 1973, 1114 § 351.)

SECT. 143 revised, 1973, 1114 § 208. (See 1973, 1114 § 351.)

SECT. 144 amended, 1965, 123; 1971, 785 § 1B; revised, 1973, 1114 § 208. (See 1973, 1114 § 351.)

SECT. 145 amended, 1939, 451 § 64; 1953, 104; revised, 1973, 1114 § 208. (See 1973, 1114 § 351.)

SECT. 146, paragraph added, 1965, 491 § 2; section revised, 1973, 1114 § 208. (See 1973, 1114 § 351.)

SECT. 146A added, 1971, 843 § 17 (establishing those sections which apply to civil actions before the Boston housing court); amended, 1973, 591 § 16; revised, 1973, 1114 § 208. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECT. 147, form 8 repealed, 1938, 350 § 2; first paragraph revised, 1956, 313; form 32 revised, 1973, 925 § 75. (See 1973, 925 § 84.)

Chapter 231A. — Procedure for Declaratory Judgments.

New chapter inserted, 1945, 582 § 1. (See 1945, 582 § 5.)

SECT. 2, first paragraph amended, 1974, 630 § 1.

SECT. 3 amended, 1974, 630 § 2.

SECT. 5, paragraph added, 1974, 630 § 3.

SECTS. 6 and 7 revised, 1973, 1114 § 209. (See 1973, 1114 § 351.)

SECT. 8, two paragraphs added, 1974, 630 § 4.

Chapter 231B. — Contribution among Joint Tortfeasors.

New chapter inserted, 1962, 730 § 1. (See 1962, 730 §§ 2, 3.)

Chapter 232. — Set-off and Tender.

SECT. 1 revised, 1973, 1114 § 210. (See 1973, 1114 § 351.)

SECT. 9 amended, 1971, 843 § 18; 1973, 591 § 17; revised, 1973, 1114 § 211. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351.)

SECTS. 12-14 repealed, 1973, 1114 § 212. (See 1973, 1114 § 351.)

Chapter 232A. — Tender.

New chapter inserted, 1973, 1114 § 213. (See 1973, 1114 § 351.)

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. 19 revised, 1973, 964.

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); clause (*e*) revised, 1974, 240.

SECTS. 20C-20I added, 1970, 408 (authorizing the granting of immunity to witnesses under certain conditions).

SECT. 21, paragraph Second revised, 1950, 426; paragraph Fourth added, 1974, 502.

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. 24 revised, 1973, 1114 § 214. (See 1973, 1114 § 351.)

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. 65A revised, 1973, 1114 § 215. (See 1973, 1114 § 351.)

SECT. 67 revised, 1973, 1114 § 216. (See 1973, 1114 § 351.)

SECT. 75, sentence added, 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; second paragraph amended, 1974, 225. (See 1943, 233 § 2; 1946, 473 § 2; 1957, 206 § 2.)

SECT. 79A added, 1941, 662 § 2 (relative to the use in evidence of photographic and microphotographic records and copies); amended, 1948, 154.

SECT. 79B added, 1947, 385 § 1 (making admissible in evidence in civil cases certain publicly issued compilations of facts and statistics). (See 1947, 385 § 2.)

SECT. 79C added, 1949, 183 § 1 (making admissible in evidence in cases of contract or tort for malpractice certain statements of recognized experts contained in certain publications); revised, 1965, 425. (See 1949, 183 § 2.)

SECT. 79D added, 1949, 240 (making admissible in evidence certain copies of newspapers and documents made by the photographic or microphotographic process).

SECT. 79E added, 1952, 120 (relative to the admissibility in evidence of business and public records); amended, 1955, 125; first sentence revised, 1962, 90; section revised, 1965, 661; first sentence revised, 1968, 372.

SECT. 79F added, 1952, 476 (relating to proof of the existence of a public way); revised, 1965, 303; 1967, 266.

SECT. 79G added, 1958, 323 (making certain bills for services of physicians, dentists and certain hospitals admissible in evidence in actions of tort for personal injuries); first sentence revised, 1974, 442.

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; 1973, 582 §§ 1, 2, 925 § 76. (See 1935, 257 § 12; 1949, 347 § 5; 1973, 925 § 84.)

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; first paragraph amended, 1973, 1059. (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).

SECT. 24A amended, 1973, 397 § 1.

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; 1973, 397 § 2; third sentence amended, 1949, 347 § 4. (See 1949, 347 § 5.)

SECT. 26B amended, 1965, 355 § 1; 1967, 285. (See 1965, 355 § 2.)

SECT. 28 amended, 1973, 919.

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. 1 repealed, 1973, 1114 § 217. (See 1973, 1114 § 351.)

SECTS. 4 and 5 revised, 1973, 1114 § 218. (See 1973, 1114 § 351.)

SECT. 8 revised, 1973, 1114 § 219. (See 1973, 1114 § 351.)

SECT. 11 revised, 1973, 1114 § 220. (See 1973, 1114 § 351.)

SECT. 14 revised, 1965, 328.

SECT. 16 revised, 1973, 1114 § 221. (See 1973, 1114 § 351.)

SECT. 17, paragraph added, 1948, 113.

SECTS. 19-21 revised, 1973, 1114 § 222. (See 1973, 1114 § 351.)

SECT. 23A added, under caption, 1966, 638 (providing for the recognition by the courts of Massachusetts of money judgments of foreign states).

SECT. 24 revised, 1973, 1114 § 223. (See 1973, 1114 § 351.)

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; revised, 1973, 487 § 4; 1974, 750 § 4. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5.)

SECTS. 38-40 revised, 1973, 1114 § 224. (See 1973, 1114 § 351.)

SECT. 41, second sentence revised, 1973, 1114 § 225. (See 1973, 1114 § 351.)

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. 51 revised, 1973, 1114 § 226. (See 1973, 1114 § 351.)

SECT. 55 repealed, 1971, 423 § 20.

Chapter 237. — Writs of Entry.

SECTS. 1-18 revised, 1973, 1114 § 227. (See 1973, 1114 § 351.)

SECT. 19 repealed, 1973, 1114 § 228. (See 1973, 1114 § 351.)

SECTS. 20-22 revised, 1973, 1114 § 229. (See 1973, 1114 § 351.)

SECT. 23 amended, 1973, 1114 § 230. (See 1973, 1114 § 351.)

SECT. 24 amended, 1973, 1114 § 231. (See 1973, 1114 § 351.)

SECTS. 25-31 revised, 1973, 1114 § 232. (See 1973, 1114 § 351.)

SECT. 32 amended, 1973, 1114 § 233. (See 1973, 1114 § 351.)

SECTS. 33-38 revised, 1973, 1114 § 234. (See 1973, 1114 § 351.)
SECT. 39 amended, 1973, 1114 § 235. (See 1973, 1114 § 351.)
SECT. 41 revised, 1973, 1114 § 236. (See 1973, 1114 § 351.)
SECTS. 43 and 44 revised, 1973, 1114 § 237. (See 1973, 1114 § 351.)

Chapter 238. — Writs of Dower.

SECT. 1 amended, 1973, 1114 § 238. (See 1973, 1114 § 351.)
SECT. 8 revised, 1973, 1114 § 239. (See 1973, 1114 § 351.)
SECT. 10 revised, 1973, 1114 § 240. (See 1973, 1114 § 351.)

Chapter 239. — Summary Process for Possession of Land.

SECT. 1 amended, 1941, 242 § 1; first sentence amended, 1952, 151 § 1; 1953, 106.
SECT. 1A added, 1973, 778 § 3 (regulating evictions by lessors of residential land or tenements).
SECT. 2 amended, 1973, 488.
SECT. 2A amended, 1973, 858 § 4.
SECT. 8A, first sentence amended, 1973, 1007 § 3; paragraph inserted after second paragraph, 1973, 471.
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, 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; first paragraph amended, 1969, 355; 1973, 1007 § 3; 1974, 269 §§ 1, 2; paragraph inserted after second paragraph, 1973, 471.
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.

SECT. 6 revised, 1973, 1114 § 241. (See 1973, 1114 § 351.)
SECT. 7 amended, 1973, 1114 § 242. (See 1973, 1114 § 351.)
SECT. 8 amended, 1973, 1114 § 243. (See 1973, 1114 § 351.)
SECT. 10 revised, 1973, 1114 § 244. (See 1973, 1114 § 351.)
SECTS. 10A-10C added, 1961, 448 § 3 (providing proceedings in equity with respect to protecting land titles from uncertain and obsolete restrictions).
SECTS. 10A-10B revised, 1973, 1114 § 245. (See 1973, 1114 § 351.)
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).

SECT. 29 revised, 1973, 1114 § 246. (See 1973, 1114 § 351.)

Chapter 241. — Partition of Land.

SECT. 8, third sentence revised, 1974, 181.

SECT. 34 revised, 1950, 64 § 2; 1954, 312 § 2; 1963, 168 § 4.

Chapter 243. — Actions for Private Nuisances.

SECT. 5 revised, 1973, 1114 § 247. (See 1973, 1114 § 351.)

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. 4 amended, 1973, 1114 § 248. (See 1973, 1114 § 351.)

SECT. 8 amended, 1973, 1114 § 249. (See 1973, 1114 § 351.)

SECT. 13 amended, 1971, 423 § 21.

SECT. 15, sentence added, 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.)

SECTS. 26-29 revised, 1973, 1114 § 250. (See 1973, 1114 § 351.)

SECT. 32 revised, 1973, 1114 § 251. (See 1973, 1114 § 351.)

SECT. 36 amended, 1973, 1114 § 252. (See 1973, 1114 § 351.)

SECT. 40 amended, 1973, 1114 § 253. (See 1973, 1114 § 351.)

Chapter 245. — Informations by the Commonwealth.

SECT. 1 revised, 1973, 1114 § 254. (See 1973, 1114 § 351.)

SECT. 3 repealed, 1973, 1114 § 255. (See 1973, 1114 § 351.)

SECT. 4 amended, 1973, 1114 § 256. (See 1973, 1114 § 351.)

SECT. 5 amended, 1973, 1114 § 257. (See 1973, 1114 § 351.)

SECTS. 8-11 revised, 1973, 1114 § 258. (See 1973, 1114 § 351.)

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. 1 amended, 1973, 1114 § 259. (See 1973, 1114 § 351.)

SECTS. 2-3 revised, 1973, 1114 § 260. (See 1973, 1114 § 351.)

SECT. 4A amended, 1973, 1114 § 261. (See 1973, 1114 § 351.)

SECT. 5 revised, 1973, 1114 § 262. (See 1973, 1114 § 351.)

SECT. 6 amended, 1973, 1114 § 263. (See 1973, 1114 § 352.)

SECTS. 8-10 revised, 1973, 1114 § 264. (See 1973, 1114 § 353.)

SECT. 14 amended, 1973, 1114 § 265. (See 1973, 1114 § 354.)

SECTS. 15 revised, 1970, 116.

SECT. 19 amended, 1973, 1114 § 266. (See 1973, 1114 § 351.)

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); amended, 1973, 1114 § 267. (See 1973, 1114 § 351.)

SECT. 26 revised, 1973, 1114 § 268. (See 1973, 1114 § 351.)

SECT. 27 amended, 1973, 1114 § 269. (See 1973, 1114 § 351.)

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. 29 revised, 1973, 1114 § 270. (See 1973, 1114 § 351.)

SECT. 32, paragraph First revised, 1959, 187 § 2; 1114 § 271; paragraph Eighth added, 1938, 343; revised, 1950, 260, 558; 1954, 467; 1960, 235; amended, 1973, 1114 § 272. (See 1959, 187 § 3; 1973, 1114 § 351.)

SECT. 34 amended, 1973, 1114 § 273. (See 1973, 1114 § 351.)

SECT. 38 revised, 1973, 1114 § 274. (See 1973, 1114 § 351.)

SECTS. 45-50 revised, 1973, 1114 § 275. (See 1973, 1114 § 351.)

SECT. 52 amended, 1973, 1114 § 276. (See 1973, 1114 § 351.)

SECT. 53 amended, 1973, 1114 § 277. (See 1973, 1114 § 351.)

SECT. 56 amended, 1973, 1114 § 278. (See 1973, 1114 § 351.)

SECT. 58 amended, 1973, 1114 § 279. (See 1973, 1114 § 351.)

SECT. 64 amended, 1973, 1114 § 280. (See 1973, 1114 § 351.)

SECT. 65 amended, 1973, 1114 § 281. (See 1973, 1114 § 351.)

SECTS. 71-73 revised, 1973, 1114 § 282. (See 1973, 1114 § 351.)

SECT. 77 revised, 1973, 1114 § 283. (See 1973, 1114 § 351.)

SECT. 78 amended, 1973, 1114 § 284. (See 1973, 1114 § 351.)

SECT. 79 amended, 1973, 1114 § 285. (See 1973, 1114 § 351.)

SECT. 80 amended, 1973, 1114 § 286. (See 1973, 1114 § 351.)

SECT. 81 revised, 1973, 1114 § 287. (See 1973, 1114 § 351.)

Chapter 249. — Audita Querela, Certiorari, Mandamus and Quo Warranto.

SECT. 1 amended, 1973, 1114 § 288. (See 1973, 1114 § 351.)

SECT. 4 amended, 1943, 374 § 1; sentence added, 1953, 586 § 1; three sentences added, 1963, 661 § 1; section revised, 1973, 1114 § 289. (See 1939, 257; 1941, 28, 180; 1943, 374 §§ 3, 4; 1953, 586 § 2; 1973, 1114 § 351.)

SECT. 4A added, 1963, 661 § 2 (relative to the service of certain writs upon boards or commissions); amended, 1973, 1114 § 290. (See 1973, 1114 § 351.)

SECT. 5 amended, 1938, 202; 1943, 374 § 2; 1949, 176; revised, 1973, 1114 § 291. (See 1939, 257; 1941, 28, 180; 1943, 374 § 4; 1973, 1114 § 351.

SECTS. 6-9 revised, 1973, 1114 § 292. (See 1973, 1114 § 351.)

SECT. 10-12 repealed, 1973, 1114 § 293. (See 1973, 1114 § 351.)

Chapter 250. — Writs of Error, Vacating Judgment, Writs of Review.

SECT. 1 revised, 1973, 1114 § 294. (See 1973, 1114 § 351.)

SECTS. 3-8 repealed, 1973, 1114 § 295. (See 1973, 1114 § 351.)

SECT. 14 revised, 1973, 1114 § 296. (See 1973, 1114 § 351.)

SECT. 15 revised, 1972, 434; 1973, 1114 § 296. (See 1973, 1114 § 351.)

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).

SECTS. 21-22 revised, 1973, 1114 § 297. (See 1973, 1114 § 351.)

SECT. 24, sentence added, 1969, 290; stricken 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, 1960, 199.

SECT. 5B, first sentence revised, 1965; 699; fourth sentence revised, 1964, 550 § 2; section revised, 1974, 349 § 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 establishmnet 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. 4 revised, 1973, 1114 § 298. (See 1973, 1114 § 351.)

SECTS. 5-6 repealed, 1973, 1114 § 299. (See 1973, 1114 § 351.)

SECT. 7-9 revised, 1973, 1114 § 300. (See 1973, 1114 § 351.)

SECT. 10 amended, 1973, 1114 § 301. (See 1973, 1114 § 351.)

SECT. 11 revised, 1973, 1114 § 302. (See 1973, 1114 § 351.)

SECT. 12 amended, 1973, 1114 § 303. (See 1973, 1114 § 351.)

SECT. 13 amended, 1973, 1114 § 304. (See 1973, 1114 § 351.)

SECT. 14 amended, 1973, 1114 § 305. (See 1973, 1114 § 351.)

SECT. 18 revised, 1973, 1114 § 306. (See 1973, 1114 § 351.)

SECTS. 21-22 revised, 1973, 1114 § 307. (See 1973, 1114 § 351.)

SECT. 23 amended, 1973, 1114 § 308. (See 1973, 1114 § 351.)

SECT. 24 amended, 1973, 1114 § 309. (See 1973, 1114 § 351.)

SECT. 26 amended, 1973, 1114 § 310. (See 1973, 1114 § 351.)

SECT. 27 amended, 1973, 1114 § 311. (See 1973, 1114 § 351.)

SECTS. 28-30 revised, 1973, 1114 § 312. (See 1973, 1114 § 351.)

SECT. 31 repealed, 1973, 1114 § 313. (See 1973, 1114 § 351.)

SECT. 32 revised, 1973, 1114 § 314. (See 1973, 1114 § 351.)

SECT. 33 amended, 1970, 595 § 1.

SECTS. 35-38 stricken out and sections 35-38 inserted, 1970, 595 § 2.

SECT. 43 amended, 1973, 1114 § 315. (See 1973, 1114 § 351.)

SECTS. 44-49 stricken out and sections 44-49 inserted, 1970, 595 § 3.

SECT. 50 revised, 1973, 1114 § 316. (See 1973, 1114 § 351.)

SECT. 61 amended, 1973, 1114 § 317. (See 1973, 1114 § 351.)

Chapter 254. — Liens on Buildings and Land.

SECT. 2 amended, 1972, 774 § 6; 1973, 801 § 1. (See 1972, 774 § 12.)

SECT. 3 revised, 1972, 774 § 7. (See 1972, 774 § 12.)

SECT. 4, first paragraph amended, 1972, 774 § 8; third paragraph amended, 1973, 801 § 2; paragraph added, 1959, 594 § 2. (See 1972, 774 § 12.)

SECT. 5 amended, 1954, 461 § 2; first sentence revised, 1963, 493 § 3; section revised, 1973, 1114 § 318. (See 1954, 461 §§ 3, 4; 1972, 774 § 12; 1973, 1114 § 351.)

SECT. 7 revised, 1973, 801 § 3.

SECT. 11 amended, 1973, 1114 § 319. (See 1973, 1114 § 351.)

SECT. 12 revised, 1972, 774 § 9; amended, 1973, 801 § 4. (See 1972, 774 § 12.)

SECT. 14 revised, 1972, 774 § 10; amended, 1973, 1114 § 320. (See 1972, 774 § 12; 1973, 1114 § 351.)

SECT. 15 amended, 1973, 1114 § 321. (See 1973, 1114 § 351.)

SECT. 16 repealed, 1973, 1114 § 322. (See 1973, 1114 § 351.)

SECT. 20 revised, 1959, 594 § 1.

SECTS. 23-24 revised, 1973, 1114 § 323. (See 1973, 1114 § 351.)

SECT. 26 revised, 1973, 1114 § 324. (See 1973, 1114 § 351.)

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); amended, 1973, 1114 § 325. (See 1973, 1114 § 351.)

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); amended, 1973, 801 § 5. (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, 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, 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.

SECTS. 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 thereof); 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. 13I revised, 1973, 629 § 1; paragraph (*d*) revised, 1973, 1114 § 326. (See 1973, 629 § 6, 1114 § 351.)

SECT. 13J revised, 1973, 629 § 1. (See 1973, 629 § 6.)

SECT. 13K added, 1974, 460 (regulating the termination of certain personal service contracts).

SECT. 15 revised, 1948, 550 § 46.

SECT. 17 revised, 1973, 1114 § 327. (See 1973, 1114 § 351.)

SECTS. 18 and 19 repealed, 1973, 1114 § 328. (See 1973, 1114 § 351.)

SECT. 20 amended, 1973, 1114 § 329. (See 1973, 1114 § 351.)

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; 1973, 1114 § 330. (See 1973, 1114 § 351.)

SECT. 27 amended, 1950, 326 § 11; 1973, 1114 § 331. (See 1973, 1114 § 351.)

SECTS. 28 and 29 revised, 1973, 1114 § 332. (See 1973, 1114 § 351.)

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. 33 amended, 1973, 1114 § 333. (See 1973, 1114 § 351.)

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 amended, 1968, 190; 1973, 133.

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, second sentence revised, 1973, 1149 § 24; sixth sentence revised, 1969, 792 § 1. (See 1973, 1149 § 33.

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; revised, 1973, 1149 § 25. (See 1973, 1149 § 33.)

SECT. 5 amended, 1973, 1149 § 26. (See 1973, 1149 § 33.)

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; eigth 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; revised, 1973, 629 § 2. (See 1973, 629 § 6.)

SECT. 20B revised, 1973, 629 § 3. (See 1973, 629 § 6.)

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, 1066, 587 § 2; revised, 1968, 354 § 3; 1969, 517 § 17; definition of "Person" amended, 1973, 20 § 1. (See 1966, 587 § 7; 1968, 354 § 5.)

SECT. 2, first sentence amended, 1973, 20 § 2.

SECT. 3, first paragraph revised, 1969, 793 § 1; amended, 1973, 1149 § 27; fifth paragraph revised, 1969, 793 § 2. (See 1973, 1149 § 33.)

SECT. 5, paragraph inserted after second paragraph, 1966, 423 § 2.

SECT. 6, first paragraph, sentence added, 1969, 793 § 3; revised, 1972, 684 § 123; 1973, 1149 § 28. (See 1972, 684 § 136; 1973, 1149 § 33.)

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. 22, first paragraph amended, 1973, 512; 1974, 393.

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 "Gift certificate" inserted, 1973, 924 § 1; definition of "foods" revised, 1973, 924 § 1; definition of "Installment buyer" or "buyer" revised, 1973, 924 § 2; definition of "Installment seller" or "seller" revised, 1973, 924 § 2; definition of "Merchandise certificate" or "coupon" inserted, 1973, 924 § 2; 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; 1973, 924 § 3; definition of "Revolving credit agreement" amended, 1971, 341 § 2; revised, 1973, 924 § 4; 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; sixth sentence revised, 1973, 1149 § 29. (See 1973, 1149 § 33.)

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; revised, 1973, 1149 § 30. (See 1973, 1149 § 33.)

SECT. 5 amended, 1973, 114 § 31. (See 1973, 1149 § 33.)

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; subsection D added, 1974, 127.

SECTS. 11A and 11B added, 1973, 924 § 5 (regulating retail installment sales and services in connection with merchandise certificates and coupons).

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, 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; clauses (2) and (3) stricken out and clauses (2), (3) and (4) inserted, 1974, 137 § 1.

SECT. 18, subsection A amended, 1969, 517 § 44; subsection B revised, 1969, 517 § 45.

SECT. 18A added, 1974, 137 § 2 (further regulating the modification of retail installment sales agreements).

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; section revised, 1973, 629 § 4. (See 1973, 629 § 6.)

SECT. 22 revised, 1973, 629 § 5. (See 1973, 629 § 6.)

SECT. 22A added, 1968, 715 (relating to loan transactions made in avoidance of laws pertaining to retail installment 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; amended, 1973, 273 § 4; 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; section revised, 1973, 802 § 5; subsection G amended, 1974, 116 § 2. (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; 1973, 1114 § 334. (See 1973, 1114 § 351.)

SECT. 31, paragraph added, 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 256. — Recognizances for Debts.

SECT. 6 revised, 1973, 1114 § 335. (See 1973, 1114 § 351.)

SECT. 8 revised, 1973, 1114 § 336. (See 1973, 1114 § 351.)

Chapter 258. — Claims against the Commonwealth.

SECT. 1 revised, 1973, 1114 § 337. (See 1973, 1114 § 351.)

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. 1B, first sentence amended, 1973, 1114 § 338. (See 1973, 1114 § 351.)

SECT. 2 revised, 1973, 1114 § 339. (See 1973, 1114 § 351.)

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 doman 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); amended, 1973, 777 § 1. (See 1948, 274 § 3; 1973, 777 § 4.)

SECT. 2B added, 1968, 612 (further limiting time within which certain tort actions may be commenced); amended, 1973, 777 § 2. (See 1973, 777 § 4.)

SECT. 3A added, 1943, 566 § 1 (limiting the time which petitions founded upon claims against the commonwealth may be brought).

SECT. 4 amended, 1933, 318 § 5; 291 § 4; 1937, 385 § 9; first paragraph amended, 1955, 235 § 1; revised, 1960, 271; 1965, 302; amended, 1968, 94 § 1; 1973, 777 § 3; paragraph added 1943, 409 § 4. (See 1933, 318 § 9; 1934, 291 § 6; 1937, 385 § 10; 1955, 235 § 2; 1968, 94 § 2; 1973, 777 § 4.)

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, 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.

SECT. 32 revised, 1973, 1114 § 340. (See 1973, 1114 § 351.)

SECTS. 33-35 added, under caption, 1957, 370 (providing for a limitation of mortgage foreclosures and to protect land titles against obsolete mortgages).

SECT. 36 added, under caption, 1973, 1114 § 341 (providing for limitation of counterclaims). (See 1973, 1114 § 351.)

Chapter 261. — Costs in Civil Actions.

SECT. 4 amended, 1937, 44 § 1; revised, 1973, 1114 § 342. (See 1937, 44 § 2; 1943, 296 §§ 3, 6; 1973, 1114 § 351.)

SECT. 8 amended, 1971, 843 § 19; 1973, 591 § 18. (See 1971, 843 § 27; 1973, 591 § 22.)

SECT. 10 amended, 1973, 1114 § 343. (See 1973, 1114 § 351.)

SECT. 12 repealed, 1973, 1114 § 344. (See 1973, 1114 § 351.)

SECT. 13 revised, 1973, 1114 § 345. (See 1973, 1114 § 351.)

SECT. 23 revised, 1973, 1114 § 346. (See 1973, 1114 § 351.)

SECT. 25 repealed, 1973, 1114 § 347. (See 1973, 1114 § 351.)

SECT. 25A revised, 1957, 497; amended, 1965, 410.

SECTS. 27A-27G added, 1974, 694 § 3 (relative to fees and costs other than attorneys' fees incurred by certain indigent persons). (See 1974, 694 § 6.)

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; revised, 1973, 342; amended, 1974, 694 § 4; 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; 1974, 694 § 6.)

SECT. 5 amended, 1933, 201.

SECT. 8 revised, 1947, 135, paragraph added at end, 1954, 556 § 6; section revised, 1964, 594 § 1; subdivision A, clause (1) amended, 1973, 372; clause (17) amended, 1973, 195 § 1; clause (34) amended, 1973, 195

§ 2; clause (36) amended, 1973, 195 § 3; clause (39) amended, 1973, 195 § 4.

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, 1962, 514; revised, 1964, 458; first paragraph amended, 1973, 911.

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; 1973, 76; clause (44) revised, 1957, 17 § 3; clause (44A) added, 1961, 215 § 3; clause (46) stricken out, 1974, 147 § 6; 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 (65) stricken out, 1973, 1050 § 5 (see 1973, 1050 § 7); 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; amended, 1973, 1105. (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, 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, 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; 1973, 591 § 19. (See 1953, 319 §§ 39, 40; 1971, 843 § 27; 1973, 591 § 22.)

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; 1973, 591 § 20. (See 1933, 246 § 2; 1971, 843 § 27; 1973, 591 § 22.)

SECT. 8A amended, 1953, 319 § 29; revised, 1971, 843 § 22; amended, 1973, 591 § 21. (See 1953, 319 §§ 39, 40; 1971, 843 § 27; 1973, 591 § 22.)

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); revised, 1973, 839.

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. 13F added, 1973, 468 (providing a penalty for indecent assault and battery on a mentally retarded person.)

SECT. 13F added, 1973, 618 (providing a penalty for the commission of a felony for fire); stricken out and section 13G inserted, 1974, 302.

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. 18B added, 1974, 830 (imposing an additional penalty upon persons who use or possess a firearm while in the commission of a felony).

SECT. 21 revised, 1974, 462 § 1.

SECT. 22 revised, 1974, 474 § 1.

SECT. 22A added, 1955, 763 § 2 (providing a mandatory prison sentence for persons convicted of rape); amended, 1973, 925 § 77; revised, 1974, 474 § 2. (See 1973, 925 § 84.)

SECT. 23 revised, 1966, 291; 1974, 474 § 3.

SECT. 24 revised, 1974, 474 § 4.

SECT. 24A revised, 1974, 474 § 5.

SECT. 24B added, 1955, 763 § 3 (providing a mandatory prison sentence for persons convicted of assault with intent to commit rape); amended, 1973, 925 § 78; revised, 1974, 474 § 6. (See 1973, 925 § 84.)

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); amended, 1973, 432.

Chapter 266. — Crimes against Property.

SECT. 1 revised, 1932, 192 § 1; amended, 1948, 43 § 1; 1974, 281.

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; 1974, 462 § 2. (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); revised, 1973, 213.

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.

SECT. 37D added, 1973, 1156 (imposing penalties for publishing credit card numbering or coding systems).

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; amended, 1973, 624.

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, 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; 1973, 141.

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; paragraph added, 1974, 109.

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. 120D added, 1974, 537 § 1 (further regulating the removal of motor vehicles parked or standing on private ways or upon improved or enclosed property).

SECT. 121A added, 1973, 573 (imposing criminal penalties for certain trespasses involving motor vehicles and other powered devices); first sentence revised, 1974, 171.

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. 139A added, 1974, 434 (providing criminal penalties for the alteration or obliteration of identifying numbers of certain machines or devices or for the sale or attempted sale of such machines or devices).

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); stricken out and sections 141-141A added, 1973, 456 (providing a civil remedy and increasing the criminal penalty against persons tampering with automobile odometers).

SECT. 142 added, 1971, 36 (requiring scrap copper wire dealers to keep records of purchases).

SECT. 143 added, 1973, 979 (imposing a penalty for the unauthorized reproduction and transfer of sound recordings).

Chapter 267. — Forgery and Crimes against the Currency.

SECT. 1 amended, 1974, 369 § 1.
SECT. 8 amended, 1974, 369 § 2.
SECT. 10 amended, 1974, 369 § 3.
SECT. 12 amended, 1974, 369 § 4.
SECT. 13 amended, 1974, 369 § 5.
SECT. 14 amended, 1974, 369 § 6.

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; revised, 1973, 1062 § 1. (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; repealed, 1973, 1062 § 2. (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. 21B added, 1973, 870 (prohibiting mayors, city managers or town managers from demanding undated resignations from prospective employees).

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); revised, 1973, 775; amended, 1974, 330.

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 paragraph, first sentence amended, 1968, 737 §§ 11, 13; 1969, 799 § 14; paragraph revised, 1973, 588; paragraph added, 1968, 737 § 12; revised, 1969, 799 § 16; amended, 1971, 456 § 5; three paragraphs added 1968, 737 § 14; fourth paragraph stricken out, 1969, 799 § 15; fourth paragraph amended, 1972, 312 § 5; paragraph added, 1969, 441; 1971, 456 § 6; section revised, 1974, 649 § 2. (See 1936, 227 § 2; 1937, 250 § 2; 1968, 737 § 18; 1974, 649 § 3.)

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); revised, 1973, 892 § 9; 1974, 789.

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, 1957, 688 § 27.

SECT. 11C, amended and sentence added, 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, 688 (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); revised, 1973, 598. (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; third paragraph amended, 1973, 835 § 1; section revised, 1974, 39.

SECT. 16A added, 1971, 358 (providing an alternative noncriminal disposition of violations of the anti-litter laws); amended, 1973, 1107.

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); revised, 1973, 729 § 3.

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, 116 § 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); amended, 1973, 793 § 5.

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.

SECT. 50 added, 1973, 874 (regulating the sale of certain themes or papers and prohibiting the taking of certain examinations for another).

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. 21B added, 1973, 521 § 2 (providing that certain hospitals shall not be required to admit patients for certain purposes).
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, 1948, 328; section revised, 1959, 492 § 1; 1966, 418 § 1; 1974, 430 § 1.
SECT. 28A revised, 1959, 492 § 2; repealed, 1974, 430 § 2.
SECT. 28B revised, 1959, 492 § 2; amended, 1960, 311; repealed, 1974, 430 § 2.
SECT. 28C revised, 1974, 430 § 3.
SECT. 28D revised, 1974, 430 § 4.
SECT. 28E revised, 1974, 430 § 5.
SECT. 28F revised, 1974, 430 § 6.
SECT. 28G revised, 1974, 430 § 7.
SECT. 28H stricken out and sections 28H and 28I inserted, 1974, 430 § 8.
SECT. 29 revised, 1974, 430 § 9.
SECT. 30 stricken out and sections 30 and 30A inserted, 1956, 724 § 1. (See 1956, 724 § 2.)
SECT. 30 revised, 1974, 430 § 10.
SECT. 30A repealed, 1974, 430 § 11.
SECT. 30B added, 1961, 407 (providing for the forfeiture of obscene publications, prints, figures and records, and of other articles); repealed, 1974, 430 § 11.
SECT. 30C added, 1965, 233 (prohibiting certain tie-in sales in connection with the sale of books, periodicals and phonograph records); repealed, 1974, 430 § 11.
SECT. 31 amended, 1967, 364 § 1; last sentence revised, 1970, 348 § 1; amended, 1972, 802 § 62; section revised, 1974, 430 § 12. (See 1972, 802 § 77.)
SECT. 32 amended, 1967, 364 § 2; last sentence revised, 1970, 348 § 2; amended, 1972, 802 § 63; section revised, 1974, 430 § 13. (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); amended, 1973, 925 § 79. (See 1973, 925 § 84.)
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; amended, 1973, 1073 § 20.
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. 72 amended, 1974, 170.
SECT. 73 revised, 1958, 352; 1966, 312; amended, 1972, 552 § 2.
SECT. 73A added, 1973, 448 (authorizing the removal of gravestones and memorials for repair or reproduction).
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, 1957, 298 § 6.
SECT. 80D added, 1947, 168 (regulating the sale at retail of certain living baby chicks, ducklings and other fowl); revised, 1973, 88.
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, 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, 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. 20, first sentence amended, 1973, 925 § 80. (See 1973, 925 § 84.)

SECT. 21 amended, 1974, 260 § 32.

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, 1957, 74; same sentence stricken out, 1965, 17 § 2; sentence added, 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; 1973, 529 § 1.

SECT. 3 revised, 1968, 206 § 2; 1973, 529 § 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; amended, 1974, 508.

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 stricken out and new sections 11-20R inserted, under caption, 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. 24 revised, 1973, 566.

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; first sentence amended, 1973, 514.

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, 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, 1968, 691; second paragraph, first sentence revised, 1969, 88; paragraph added, 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; 1973, 925 § 81; 1974, 614. (See 1973, 925 § 84.)

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, 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; 1973, 1070; 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; 1973, 772 § 2; 1974, 558 § 15. (See 1970, 875 § 8; 1971, 909 § 5; 1972, 600 § 3; 1973, 772 § 4; 1974, 558 § 20.)

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; first paragraph amended, 1973, 533 § 2; paragraph inserted after first paragraph, 1973, 533 § 3; fourth paragraph amended, 1973, 1102 § 4; section revised, 1974, 525. (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. 100C added, 1973, 322 § 1 (relative to the sealing of files in certain criminal cases).

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 276A. — District Court Pretrial Diversion of Selected Offenders.

New chapter inserted, 1974, 781.

Chapter 277. — Indictments and Proceedings before Trial.

SECT. 1 amended, 1964, 326 § 1; revised, 1966, 235 § 1, 415 § 1; amended, 1973, 464 § 1. (See 1964, 326 §§ 3-5; 1966, 415 §§ 6, 7; 1973, 464 § 6.)

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. 2C added, 1973, 464 § 2 (providing that grand jurors in Hampden county serve for four months). (See 1973, 464 § 6.)

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; amended, 1973, 464 § 3. (See 1966, 415 §§ 6, 7; 1973, 464 § 6.)

SECT. 2B added, 1964, 326 § 2 (providing that grand jurors in Middlesex county shall serve for a term of six months). (See 1964, 326 §§ 3-5.)

SECT. 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. 39, definition of "Rape" revised, 1974, 474 § 7.

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. 1 amended, 1974, 228.

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; revised, 1973, 657; amended, 1974, 167.

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. 20 amended, 1974, 827 § 29.

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; section amended, 1973, 1114 § 348; first sentence revised, 1974, 540 § 1. (See 1973, 1114 § 351.)

SECTS. 31A-31C added, 1973, 1114 § 349 (relative to the signing and returning of certain exceptions). (See 1973, 1114 § 351.)

SECT. 32A added, 1964, 634 § 1 (allowing for the late entry of certain appeals).

SECT. 33 amended, 1933, 265; revised, 1973, 1114 § 350. (See 1973, 1114 § 351.)

SECTS. 33A and 33B revised, 1954, 187 § 1; 1955, 352 § 1. (See 1954, 187 § 2; 1955, 352 § 2.)

SECT. 33A, second paragraph amended, 1974, 540 § 2.

SECT. 33C, third sentence revised, 1974, 458 § 1.

SECT. 33D amended, 1974, 458 § 2.

SECT. 33E amended, 1939, 341; first paragraph amended, 1974, 457; 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; section revised, 1974, 300.

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 §§ 17, 123.)

SECT. 4A, sentence added, 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. 4, paragraph added, 1974, 694 § 5. (See 1974, 694 § 6.)

SECT. 6 revised, 1937, 251 § 1. (See 1937, 251 § 2.)

SECT. 6A added, 1973, 1228 § 2 (creating the law enforcement and criminal justice training fund); revised, 1974, 241 § 2; third paragraph amended, 1974, 581 § 4.

SECT. 16 amended, 1953, 319 § 38. (See 1953, 319 §§ 39, 40.)

The Commonwealth of Massachusetts

Office of the Secretary, Boston, March 14, 1975.

I hereby certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the index has been prepared under the direction of the Committees on Rules of the two branches of the General Court, in accordance with the provisions of section 51 of chapter 3 of the General Laws.

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

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