

**ACTS
AND
RESOLVES**

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1977

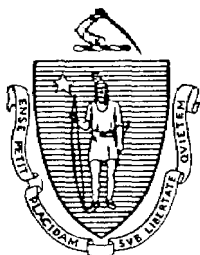
TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

PAUL GUZZI

Secretary of the Commonwealth




BATEMAN & SLADE, INC.
15 SCHOOL STREET
BOSTON

ACTS AND RESOLVES

OF

MASSACHUSETTS

1977

 The General Court, which was chosen November 2, 1976, assembled on Wednesday, the fifth day of January, 1977, for its first annual session.

The oaths of office were taken and subscribed by His Excellency MICHAEL S. DUKAKIS and His Honor THOMAS P. O'NEILL, III, on Thursday, the sixth day of January, in the presence of the two Houses assembled in convention.

ACTS.

Chap. 1. AN ACT VALIDATING CERTAIN PROCEEDINGS TAKEN AT CERTAIN TOWN MEETINGS IN THE TOWNS OF FRANKLIN AND MEDWAY CONCERNING THE CHARLES RIVER POLLUTION CONTROL DISTRICT.

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

SECTION 1. The proceedings taken by the town of Franklin at an election held at a town meeting held on the thirteenth day of March, nineteen hundred and seventy-three and by the town of Medway at a town meeting held on the fifth day of March, nineteen hundred and seventy-three establishing the Charles River pollution control district under the provisions of section twenty-eight of chapter twenty-one of the General Laws are in all respects validated and confirmed, notwithstanding any failure of said towns to comply with the provisions of said section twenty-eight.

SECTION 2. The proceedings taken by the Charles River pollution control district on the thirteenth day of January, nineteen hundred and seventy-six by vote authorizing the borrowing of twenty-five million dollars are hereby, in all respects, validated and confirmed.

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

Approved February 1, 1977.

Chap. 2. AN ACT PERMITTING THE TOWN OF NEEDHAM TO SUBMIT THE QUESTION OF ACCEPTING THE OPERATION, HOLDING OR CONDUCTING OF THE GAME COMMONLY CALLED BEANO TO THE VOTERS THEREOF DURING THE YEAR NINETEEN HUNDRED AND SEVENTY-SEVEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section four of chapter four hundred and eighty-six of the acts of nineteen hundred and seventy-one to the contrary, the selectmen of the town of Needham are hereby authorized to place the following question upon the official ballot to be used for the election of town officers at the next annual town election:-

“Shall licenses be granted in this town for the operation, holding or conducting of the game commonly called beano?”

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If a majority of the votes cast in answer to said question is in the affirmative, said town shall be taken to have authorized the operation, holding or conducting of a game commonly called beano in accordance with the provisions of sections fifty-two and fifty-three of chapter one hundred and forty-seven of the General Laws, for the period ending December thirty-first, nineteen hundred and seventy-nine.

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

Approved February 8, 1977.

Chap. 3. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS AND VETERANS' ORGANIZATIONS IN THE TOWN OF NEEDHAM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twelve of chapter one hundred and thirty-eight of the General Laws, licenses may be granted in the town of Needham for the sale in said town, until the end of calendar year nineteen hundred and seventy-eight, of all alcoholic beverages to be drunk on the premises of nationally chartered fraternal corporations and veterans' organizations as defined and limited in said section twelve, notwithstanding any provisions of said section twelve to the contrary and of clubs, which are not organized for commercial purposes as defined and limited in section one of said chapter one hundred and thirty-eight, notwithstanding any provisions of said section one to the contrary. Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

SECTION 2. The following question shall be placed upon the official ballot to be used for the election of town officers at the next annual town meeting of the town of Needham:

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

YES	
NO	

If a majority of the votes cast in said town in answer to said question is in the affirmative, said town shall be taken to have authorized, until the end of calendar year nineteen hundred and

seventy-eight, the sale in said town of all alcoholic beverages to be drunk on the premises of nationally chartered fraternal corporations and veterans' organizations as defined and limited in section twelve of chapter one hundred and thirty-eight of the General Laws, notwithstanding any provisions of said section twelve to the contrary, and of clubs which are not organized for commercial purposes as defined and limited in section one of said chapter one hundred and thirty-eight, notwithstanding any provisions of said section one to the contrary. Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

SECTION 3. The state secretary shall cause the following question to be placed on the official ballot to be used in the town of Needham at the biennial state election to be held in the year nineteen hundred and seventy-eight and at each biennial state election thereafter until the voters of said town have voted in the affirmative three consecutive times or in the negative three consecutive times:

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

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If a majority of the votes cast in said town in answer to said question is in the affirmative, said town shall be taken to have authorized, for the two calendar years next succeeding, the sale in said town of all alcoholic beverages to be drunk on the premises of nationally chartered fraternal corporations and veterans' organizations as defined and limited in section twelve of chapter one hundred and thirty-eight of the General Laws, notwithstanding any provisions of said section twelve to the contrary, and of clubs which are not organized for commercial purposes as defined and limited in section one of said chapter one hundred and thirty-eight, notwithstanding any provisions of said section one to the contrary. Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

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

Approved February 8, 1977.

Chap. 4. AN ACT INCREASING THE CHARGE FOR MAILING COPIES OF THE BULLETINS OF COMMITTEE HEARINGS OF THE GENERAL COURT AND OF COPIES OF ALL PRINTED AND NUMBERED BILLS, RESOLVES AND OTHER DOCUMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to help defray the cost and mailing of legislative documents, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 5 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 1 of chapter 22 of the acts of 1970, and inserting in place thereof the following sentence:- On receipt of fifty dollars from each applicant therefor the sergeant-at-arms shall mail to him copies of these bulletins.

SECTION 2. Section 13 of said chapter 5 is hereby amended by striking out the first sentence, as appearing in section 2 of said chapter 22, and inserting in place thereof the following sentence:- The sergeant-at-arms shall, as soon as they are published, mail copies of all printed and numbered bills, resolves and other documents pending before committees of the general court to towns and persons who subscribe therefor and pay in advance the sum of fifty dollars.

Approved February 11, 1977.

Chap. 5. AN ACT DIRECTING THE MAYOR OF THE CITY OF LYNN TO SUBMIT TO THE STATE SECRETARY CORRECTED GEOGRAPHIC CHANGES IN THE CENSUS REPORT FOR NINETEEN HUNDRED AND SEVENTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn is hereby authorized and directed, within fifteen days of the effective date of this act, to make corrective changes in the boundaries of precinct 1 and 2 of ward 1 and precinct 1 of ward 7 of said city which were established pursuant to section one of chapter fifty-four of the General Laws; provided that no change in the number of inhabitants of said precincts results from such change of boundaries.

SECTION 2. The precincts established under the provisions of section one shall, for the purpose of reporting the census of in-

habitants in each ward and precinct of the city of Lynn required by the constitution, take effect retroactively to the day established by section seven of chapter nine of the General Laws as the state decennial day of the year nineteen hundred and seventy-five; and shall be reported by the mayor of the city of Lynn forthwith to the state secretary and shall be used for the purposes of forming representative, senatorial and councillor districts beginning January first, nineteen hundred and seventy-nine.

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

Approved February 16, 1977.

Chap. 6. AN ACT AUTHORIZING THE ATHOL-ROYALSTON REGIONAL SCHOOL DISTRICT TO HOLD ANNUAL DISTRICT WIDE ELECTIONS WITH RESIDENCY REQUIREMENTS AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT AND IN THE MEMBER TOWNS OF ATHOL AND ROYALSTON.

Be it enacted, etc., as follows:

SECTION 1. Athol-Royalston regional school district consisting of the member towns of Athol and Royalston may by amendment to its regional school district agreement provide that members of its regional district school committee may be elected from the district at an annual district wide election called by said district. Said amendment may provide for residency requirements relating to the composition of the regional district school committee. Said amendment may further provide for the duties to be performed by the secretary and other officials of said district and by the clerks, registrars of voters and other officials of said member towns with respect to the annual district election, which duties may be the same as, or similar to, the duties performed for town elections.

SECTION 2. The amendment to its regional school district agreement proposed by the regional district school committee by the vote passed on September first, nineteen hundred and seventy-six, containing provisions authorized by section one of this act is hereby validated and confirmed.

SECTION 3. The proceedings taken by the regional district school committee of said district on September first, nineteen hundred and seventy-six, and at town meetings held in the town of Athol on October eighteenth, nineteen hundred and seventy-six, and the town of Royalston on October twenty-ninth, nine-

teen hundred and seventy-six, at which said amendment was considered are hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of the posting of the warrant for said meetings and the time said proceedings were taken by the regional district school committee.

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

Approved February 18, 1977.

Chap. 7. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF PLYMOUTH MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

Section 1 of chapter 76 of the acts of 1950, as most recently amended by section 1 of chapter 217 of the acts of 1970, is hereby further amended by striking out, in line 2, the word "thirty" and inserting in place thereof the word:- fifty,- so as to read as follows:-

Section 1. The town of Plymouth may, by a majority vote, appropriate each year a sum not exceeding fifty thousand dollars for advertising the advantages of the town and for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the selectmen.

Approved February 18, 1977.

Chap. 8. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO RENEW CERTAIN STATE AND ANTICIPATION NOTES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section six A of chapter forty-four of the General Laws 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 state aid anticipation notes of the city, in the amount of one hundred and twenty thousand dollars payable in not more than two years from their dates, in order to pay the state aid anticipation notes of the city originally dated November tenth, nineteen hundred and seventy-two, in the amount of five hundred and eighty-one thousand dollars which were renewed on May ninth, nineteen hundred and seventy-three, renewed on November ninth, nine-

teen hundred and seventy-three, renewed on March first, nineteen hundred and seventy-four, renewed on February twenty-eighth, nineteen hundred and seventy-five, and most recently renewed on February twenty-sixth, nineteen hundred and seventy-six, which are payable February twenty-fifth, nineteen hundred and seventy-seven.

Notes issued under this act 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 issued under this act to the maturity of any note issued to renew or pay the same debt shall not exceed two years. Indebtedness incurred under this act may exceed the statutory limit of indebtedness.

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

Approved February 22, 1977.

Chap. 9. 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 federal aid anticipation notes of the city, in the amount of forty-two thousand eight hundred dollars, payable in not more than one year from their dates, in order to pay the federal aid anticipation notes of the city dated March first, nineteen hundred and seventy-two, in the amount of two hundred and forty-eight thousand four hundred dollars which were renewed on November eighth, nineteen hundred and seventy-four, renewed on February twenty-eighth, nineteen hundred and seventy-five, and renewed in the amount of two hundred and seventeen thousand eight hundred dollars on February twenty-seventh, nineteen hundred and seventy-six, and most recently renewed on March twenty-sixth, nineteen hundred and seventy-six, and which are payable February twenty-fifth, nineteen hundred and seventy-seven. 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 22, 1977.

Chap. 10. AN ACT RELATIVE TO BALANCES ON OPEN END CREDIT PLANS.

Be it enacted, etc., as follows:

Section 6D of chapter 140C of the General Laws, inserted by chapter 192 of the acts of 1976, is hereby amended by striking out the second, third and fourth paragraphs and inserting in place thereof the following three paragraphs:-

The creditor of such account shall clearly and conspicuously disclose to the customer in the periodic statement or in a statement accompanying the periodic statement for either the billing cycle in which the credit balance first occurs and is due and owing to the customer or the next succeeding billing cycle the following information to the extent applicable: (a) The amount of the credit balance at the end of the applicable billing cycle; (b) That such credit balance represents money owed to the customer; (c) That the customer has the right to make charges against such credit balance or to obtain a cash refund of such balance upon request; (d) That a check will be mailed to the customer, within thirty days after the expiration of the aforesaid six-month period, in the amount then remaining in such credit balance, if no charge has been made against such credit balance or a refund has not been requested and the amount of such credit balance is then equal to or in excess of one dollar. If the creditor discloses the credit balance more than once, the additional disclosures shall also be made in at least one other periodic statement or in a statement accompanying another periodic statement for a billing cycle within the aforesaid six-month period.

A creditor shall mail or deliver, within thirty days after the expiration of the six-month period following the closing of the billing cycle in which a credit balance first occurs and is due and owing to the customer, the entire amount of such credit balance if the amount thereof remaining at the expiration of said six-month period is equal to or in excess of one dollar, and any creditor who does not refund the entire amount of such credit balance, as required hereby, shall pay to the customer interest thereon at the annual percentage rate of eighteen per cent.

This section shall not apply to an open end credit plan or other charge account under which it is contemplated by the agreement establishing the account that periodic payments made to the account will from time to time result in a credit balance from which the creditor is to make future payments on behalf of the customer, or to an open end credit plan which provides that proceeds of loans thereunder are to be deposited to a bank account of the customer from which the customer may withdraw funds from time to time.

Approved February 22, 1977.

Chap. 11. AN ACT DESIGNATING THE RECREATION AREA TO BE CONSTRUCTED BY THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT IN THE TOWN OF WEYMOUTH AS THE CAPTAIN WILLIAM K. WEBB MEMORIAL PARK, AND THE OBSERVATION TOWER TO BE CONSTRUCTED BY SAID DEPARTMENT IN SAID RECREATION AREA AS THE JOHN H. COLE MEMORIAL TOWER.

Be it enacted, etc., as follows:

SECTION 1. The recreation area to be constructed by the department of environmental management in the town of Weymouth shall, upon completion, be designated and known as the Captain William K. Webb Memorial park, in memory of Captain William K. Webb, a former police captain in the town of Weymouth. A suitable marker bearing said designation shall be erected and maintained at said park by said department.

SECTION 2. The observation tower to be constructed in the town of Weymouth by the department of environmental management in the recreation area stated in section one, shall, upon completion, be known as the John H. Cole Memorial tower, in memory of John H. Cole, a life-long Weymouth resident and former town meeting member in said town. A suitable marker bearing said designation shall be erected and maintained at said observation tower by said department.

Approved February 22, 1977.

Chap. 12. AN ACT AUTHORIZING THE TOWN OF METHUEN TO PAY CERTAIN SUMS OF MONEY TO CERTAIN PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The town of Methuen is hereby authorized to appropriate a sum of money, not to exceed three thousand and

fourteen dollars and fifty-three cents and after such appropriation, the treasurer of said town is authorized to pay to William Chateaufneuf, a retired highway laborer of said town, one hundred and eleven dollars and fifty-two cents, an amount which he is entitled to as retroactive pay for the year nineteen hundred and seventy-five; to Carl Graichen, a retired police officer of said town, six hundred and eighty-five dollars and sixty-one cents, being the amount which he is entitled to as retroactive pay for the year nineteen hundred and seventy-five; to Joseph Mahoney, a retired fire fighter of said town, three hundred and seventy-nine dollars and seventy-four cents, being the amount which he is entitled to as retroactive pay for the year nineteen hundred and seventy-five; to Harry Hall, a retired fire fighter for said town, one hundred and nine dollars and seventy-eight cents, being the amount which he is entitled to as retroactive pay for the year nineteen hundred and seventy-five, and to Harry Hall, a retired fire fighter of said town, one thousand seven hundred and twenty-seven dollars and eighty-eight cents, being the amount which he is entitled to as retroactive noncontributory pension payment for the year nineteen hundred and seventy-five, all the aforementioned payments being legally unenforceable against said town.

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

Approved February 25, 1977.

Chap. 13. AN ACT FURTHER REGULATING THE TAKING OF LOBSTERS BY DIVING.

Be it enacted, etc., as follows:

Section 38A of chapter 130 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 32 of the acts of 1975, and inserting in place thereof the following paragraph:-

No person or persons shall take or attempt to take, by diving, lobsters, or edible crabs from the coastal waters, unless he displays his lobster license number upon his air tank, and for each person diving alone or for each group of divers upon the surface of said waters, in the area where the person or persons is taking or attempting to take lobsters and edible crabs, a floating marker shall be displayed with the license number of each person diving alone or in the case of any group of divers the license number of every person taking or attempting to take lobsters shall be displayed. Said number on a floating marker shall be

displayed in the form of a single panel not less than twelve inches in height and width and shall be buoyed in an upright position. The marker shall have a white background with the licensee's number, or in the case of a group the licensees' numbers, displayed on both sides thereof by black numerals of a size prescribed by regulation of the director.

Approved February 25, 1977.

Chap. 14. AN ACT VALIDATING CERTAIN SPECIAL TOWN MEETINGS CALLED IN THE YEAR NINETEEN HUNDRED AND SEVENTY-SIX.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section ten of chapter thirty-nine of the General Laws, as most recently amended by section one of chapter two hundred and seventy-two of the acts of nineteen hundred and seventy-six, the proceedings at any special town meeting the warrant for which was issued between September first, nineteen hundred and seventy-six, and November second, nineteen hundred and seventy-six, shall be valid provided that seven days notice of any such meeting had been given.

Approved March 1, 1977.

EMERGENCY LETTER — March 7, 1977 @ 2:37 P.M.

Chap. 15. AN ACT INCREASING THE AMOUNT OF SHARES OR DEPOSITS CREDIT UNIONS MAY ACCEPT.

Be it enacted, etc., as follows:

Section 10 of chapter 171 of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended by chapter 52 of the acts of 1976, and inserting in place thereof the following three sentences:- Every member of a credit union shall hold one share and may hold shares or make deposits or both in his own name to an amount not exceeding fourteen thousand dollars in the aggregate and he may jointly with another member hold shares or make deposits or both to an amount not exceeding, in the aggregate, twenty-eight thousand dollars, exclusive of club deposits. A member of a credit union 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-three thousand dollars in the aggregate, and, may jointly with another member hold shares or

make deposits or both to an amount not exceeding, in the aggregate, forty-six thousand dollars, exclusive of club deposits. A member of a credit union 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 thirty-three thousand dollars in the aggregate provided that he has no other account, and he may jointly with another member hold shares or make deposits or both to an amount not exceeding, in the aggregate, sixty-six thousand dollars, exclusive of club deposits.

Approved March 4, 1977.

Chap. 16. AN ACT PERMITTING CREDIT UNIONS TO ACCEPT AS SHARES OR DEPOSITS CERTAIN LEGACIES OR DISTRIBUTIVE SHARES OF DECEASED PERSONS.

Be it enacted, etc., as follows:

Section 27A of chapter 206 of the General Laws is hereby amended by striking out the first sentence, as amended by section 3 of chapter 168 of the acts of 1968, and inserting in place thereof the following sentence:- Whenever payment of a legacy or distributive share cannot be made to the person entitled thereto, or such person may not receive or have the opportunity to obtain said legacy or distributive share, the court, on petition of an interested party or in its discretion, may order that the money be deposited in a savings bank or other like institution, or in savings accounts in a trust company, or deposited in a deposit or share account in a credit union located in the commonwealth, or invested in the manner provided in section twenty-five, and disposed of in the manner provided in section twenty-eight.

Approved March 4, 1977.

Chap. 17. AN ACT PERMITTING CREDIT UNIONS TO ACCEPT CERTAIN UNCLAIMED MONEYS AS SHARES OR DEPOSITS.

Be it enacted, etc., as follows:

Section 25 of chapter 206 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 168 of the acts of 1963, and inserting in place thereof the following sentence:- If money which a decree of a probate court has ordered to be paid over remains for six months unclaimed, the executor, administrator, guardian, conservator or trustee who was ordered to pay the same may

deposit it in a savings bank or other like institution, or in savings accounts in a trust company, or on paid-up shares and accounts of and in co-operative banks, or invest it in bank stock or other stocks, or in share or deposit accounts of credit unions located in the commonwealth or in share accounts of a federal savings and loan association or a savings and loan association located in the commonwealth, as the probate court orders, to accumulate for the benefit of the person entitled thereto.

Approved March 4, 1977.

Chap. 18. AN ACT PERMITTING CREDIT UNIONS TO ACCEPT AS SHARES OR DEPOSITS CERTAIN SPECIFIED FUNDS.

Be it enacted, etc., as follows:

Section 27 of chapter 206 of the General Laws is hereby amended by striking out the first sentence, as amended by section 2 of chapter 68 of the acts of 1963, and inserting in place thereof the following sentence: - If an executor, administrator, guardian, conservator or trustee has money which he considers it advisable to deposit in a savings bank, or in savings accounts in a trust company, or on paid-up shares and accounts of and in a co-operative bank, or with which he considers it advisable to purchase shares or make deposits in a credit union located in the commonwealth or to purchase share accounts of a federal savings and loan association or a savings and loan association located in the commonwealth, in the name of the judge of probate, for the benefit of any person, he may apply to the probate court by which he was appointed for leave so to do, and the court may in its discretion, without notice, direct such money to be so deposited, or such purchase to be made.

Approved March 4, 1977.

Chap. 19. AN ACT INCREASING THE TERM WITHIN WHICH PERSONAL LOANS MADE BY CREDIT UNIONS SHALL BE REPAYED.

Be it enacted, etc., as follows:

Subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 420 of the acts of 1971, and inserting in place thereof the following paragraph:-

Each personal loan shall be payable within forty-eight months from the date of the note except that if such a loan is secured by shares or by satisfactory collateral of the type set forth under the provisions of paragraph five, it may be payable within one hundred and twenty months from the date of the note. All such loans shall be paid or renewed on or before the due date.

Approved March 4, 1977.

Chap. 20. AN ACT INCREASING THE AGGREGATE AMOUNT OF MONEY CREDIT UNIONS MAY GRANT ON REAL ESTATE MORTGAGES AT NINETY PER CENT OF THE VALUE OF THE REAL ESTATE.

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 fifth sentence, as appearing in section 6 of chapter 420 of the acts of 1971, and inserting in place thereof the following sentence:- The aggregate amount which any credit union may make or acquire under this subsection shall not exceed fifteen per cent of the aggregate balance of the shares, deposits, guaranty fund, reserve fund, and undivided earnings of such credit union.

Approved March 4, 1977.

Chap. 21. AN ACT INCREASING THE AMOUNT OF MONEY CREDIT UNIONS MAY ACCEPT AS CLUB DEPOSITS.

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 57 of the acts of 1974, 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 four thousand dollars, and may pay interest or dividends thereon in the amount decided by the board of directors, but at no higher rate than that paid on its regular deposits or as regular dividends on shares.

Approved March 4, 1977.

Chap. 22. AN ACT INCREASING THE AMOUNT OF MONEY CERTAIN CREDIT UNIONS MAY GRANT ON REAL ESTATE MORTGAGES.

Be it enacted, etc., as follows:

Paragraph (8) of subsection (b) of subdivision (B) of section 24 of chapter 171 of the General Laws, as most recently amended by chapter 54 of the acts of 1974, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

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

Approved March 4, 1977.

Chap. 23. AN ACT PERMITTING CREDIT UNIONS TO GRANT SECOND MORTGAGES ON RESIDENTIAL REAL ESTATE.

Be it enacted, etc., as follows:

Subsection (a) of subdivision (B) of section 24 of chapter 171 of the General Laws, as appearing in section 6 of chapter 420 of the acts of 1971, is hereby amended by adding after paragraph 6 the following paragraph:-

7. A credit union may make or acquire a loan secured by a second mortgage on residential real estate for noncommercial or nonbusiness purposes to an amount which, when added to the balance due on the first mortgage does not exceed eighty per cent of the value of the real estate as determined by the credit committee or ten thousand dollars, whichever is the lesser. Such loan shall be repaid within a period of not more than ten years from the date of the note. The aggregate amount of loans made by such credit union pursuant to this paragraph shall not exceed ten per cent of its assets.

Approved March 4, 1977.

Chap. 24. AN ACT RELATIVE TO THE METHOD OF PAYMENT ON OPEN END LOANS TO MEMBERS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

The second paragraph of subdivision (G) of section 24 of chapter 171 of the General Laws, as appearing in section 2 of

chapter 339 of the acts of 1974, is hereby amended by striking out the third sentence.

Approved March 4, 1977.

Chap. 25. AN ACT INCREASING THE AMOUNT OF SALARY THAT MAY BE PAID TO CERTAIN RELATIVES OF DECEASED COUNTY EMPLOYEES.

Be it enacted, etc., as follows:

The first sentence of section 19B of chapter 35 of the General Laws, as most recently amended by section 2 of chapter 562 of the acts of 1954, is hereby further amended by striking out, in line 5, the word "five" and inserting in place thereof the word: -twenty-five.

Approved March 4, 1977.

Chap. 26. AN ACT INCREASING THE TERMS OF TRUSTEES OF SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. Section 21A of chapter 15 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 529 of the acts of 1970, and inserting in place thereof the following sentence: - Each such trustee shall be appointed for a term of five years and until his successor shall be duly appointed and qualified, except that any person appointed to fill a vacancy shall serve only for the unexpired term.

SECTION 2. At the expiration of the four terms of the trustees of Southeastern Massachusetts University which terminate in the year nineteen hundred and seventy-six, the governor shall appoint three trustees to a term of five years and one trustee to a term of three years. At the expiration of the five terms of the trustees which terminate in the year nineteen hundred and seventy-seven, the governor shall appoint three trustees to a term of five years, one trustee to a term of three years and one trustee to a term of two years. At the expiration of the five terms of the trustees which terminate in the year nineteen hundred and seventy-eight, the governor shall appoint three trustees to a term of five years and two trustees to a term of two years. At the expiration of the term of the trustee which terminates in the year nineteen hundred and seventy-nine, the governor shall appoint a trustee to a term of five years. At the expiration of the terms

described in this section, the governor shall appoint trustees to a term of five years.

Approved March 4, 1977.

EMERGENCY LETTER — March 7, 1977 @ 2:39 P.M.

Chap. 27. AN ACT VALIDATING ACTS AND PROCEEDINGS OF A SPECIAL TOWN MEETING OF THE TOWN OF MILLIS HELD IN THE MONTH OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SIX.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the second special town meeting held in the town of Millis on November eighth, nineteen hundred and seventy-six, and at adjourned sessions thereof and all acts done in pursuance thereof are hereby ratified, validated and confirmed to the same extent as if said meeting was held in accordance with the by-laws of said town and in accordance with the provisions of section ten of chapter thirty-nine of the General Laws.

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

Approved March 8, 1977.

Chap. 28. AN ACT AUTHORIZING SAVINGS BANKS, CO-OPERATIVE BANKS, CREDIT UNIONS AND TRUST COMPANIES TO MAKE LOANS FOR CERTAIN ENERGY SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 10 of section 35 of chapter 168 of the General Laws, as most recently amended by chapter 303 of the acts of 1970, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Such loan shall not exceed five thousand dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of real estate; provided, however, that such corporation may make such loan in an amount not to exceed seven thousand dollars if at least two thousand dollars of such loan is for the purposes of financing the purchasing and installation of a solar or wind-powered system or heat pump system, if such loan is for a period not to exceed ten years and is secured by a mortgage on the real estate in which the said solar or wind-powered system or heat pump system is installed, to be recorded in the appropriate registry of deeds.

SECTION 2. Subsection 6 of section 26 of chapter 170 of the General Laws, as most recently amended by chapter 311 of the acts of 1970, is hereby further amended by inserting after the first sentence the following sentence:- Such corporation may make such loan in an amount not to exceed seven thousand dollars if at least two thousand dollars of such loan is for the purposes of financing the purchase and installation of a solar or wind-powered system or heat pump system, if such loan is for a period not to exceed ten years and is secured by a mortgage on the real estate in which the said solar or wind-powered system or heat pump system is installed, to be recorded in the appropriate registry of deeds.

SECTION 3. Subdivision (D) of section 24 of chapter 171 of the General Laws, as most recently amended by section 1 of chapter 60 of the acts of 1976, is hereby further amended by inserting after the third sentence the following sentence:- Such corporation may make such loan in an amount not to exceed nine thousand five hundred dollars if at least two thousand dollars of such loan is for the purposes of financing the purchase and installation of a solar or wind-powered system or heat pump system, if such loan is for a period not to exceed ten years and is secured by a mortgage on the real estate in which the said solar or wind-powered system or heat pump system is installed, to be recorded in the appropriate registry of deeds.

SECTION 4. Section 55 of chapter 172 of the General Laws is hereby amended by adding after subsection C the following subsection:-

D. Any such corporation may make a loan in an amount not to exceed seven thousand dollars, if at least two thousand of such loan is for the purpose of financing the purchase and installation of a solar or wind-powered system or heat pump system, if such loan is for a period not to exceed ten years and is secured by a mortgage on the real estate in which the said solar or wind-powered system or heat pump system is installed, to be recorded in the appropriate registry of deeds.

SECTION 5. Nothing in this act shall be construed to prohibit the making of any loan otherwise authorized by any provision of the General Laws.

Approved March 8, 1977.

EMERGENCY LETTER — March 8, 1977 @ 4:06 P.M.

Chap. 29. 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 twelve months or more prior to the passage of chapter three hundred and sixty-three of the acts of nineteen hundred and seventy-six, as appear on a list on file with the director of accounts totaling sixty thousand nine hundred and seventy-six dollars and ninety-four 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 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 March 11, 1977.

Chap. 30. AN ACT INCREASING THE FEE FOR USERS OF SHELLFISH PURIFICATION PLANTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide immediately more revenue for the operation and maintenance of shellfish purification plants and to reduce the assessment of cities and towns for the deficit of said plants, therefore 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 77 of chapter 130 of the General Laws is hereby amended by striking out the first sentence, as amended by section

219 of chapter 706 of the acts of 1975, and inserting in place thereof the following sentence:- For the purpose of partially defraying the costs of the operation and maintenance of shellfish purification plants, the department of fisheries, wildlife and recreational vehicles shall charge the users of said service the sum of one dollar and fifty cents per one-half bushel.

Approved March 11, 1977.

Chap. 31. AN ACT AUTHORIZING THE ACQUISITION OF LAND AND EASEMENTS IN THE TOWN OF MARBLEHEAD BY THE SOUTH ESSEX SEWERAGE DISTRICT FOR THE CONSTRUCTION OF CERTAIN SEWERAGE FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The South Essex Sewerage District is hereby authorized to acquire from the town of Marblehead by grant or deed of conveyance, which said town is hereby authorized to make, or to acquire by eminent domain under the provisions of chapter seventy-nine of the General Laws through the South Essex Sewerage Board, acting on behalf of said district, certain parcels of land hereinafter described, for the construction, laying, maintenance and operation of new and enlarged main sewers, pumping stations and other related sewerage works as shall be required to convey sewage from said town to the sewage treatment plant of the district in the city of Salem. Said lands are bounded and described as follows:

(A) A certain parcel of land in Marblehead which is presently held by the Town of Marblehead for playground purposes, bounded and described as follows:

NORTHEASTERLY by Ocean Avenue, 15.32 feet, 31.98 feet, 12.20 feet and 40.50 feet, respectively;

SOUTHEASTERLY by Lot 5A, as shown on Plan #7692-I, and Lot 41, as shown on plan hereinafter mentioned 125 feet;

SOUTHWESTERLY by said Lot 41, 99.02 feet; and

NORTHWESTERLY by Lot 6D; as shown on Plan #7692-C, 114.94 feet.

All of the boundaries are determined by the Court to be located on Plan numbered 7692-R, drawn by George H. Clark, Jr., Town Engineer, dated June 25, 1975, as modified and approved by the Court, filed in the Land Registration Office, and the above described land is shown as Lot 40 on last mentioned plan.

(B) A permanent easement 20 feet in width through, across, over and under certain land in Marblehead, known as “Gerry Playground”, which is presently held by the Town of Marblehead for playground purposes, said easement being bounded and described as follows:

A 20 foot sewer easement as shown on a plan entitled “Marblehead, Mass. Sewer Easement, Town of Marblehead To South Essex Sewerage District, Scale 1” = 100’, June 10, 1975, W. T. Foss Co., Engineers”, and more particularly described as follows:

Beginning at a point on West Shore Drive 10 feet, more or less, northeasterly from the Southwesterly corner of said playground thence running in a generally Southwesterly direction on several courses, as shown on said plan, 590 feet, more or less; 110 feet, more or less; 305 feet, more or less; 200 feet, more or less, and 390 feet, more or less, respectively, to the mean high water mark; thence Northeasterly more than 20 feet to a point; thence turning and running in a generally Northeasterly direction on several courses, as shown on said plan, 370 feet, more or less; 195 feet, more or less; 305 feet, more or less; 118 feet, more or less and 590 feet, more or less, respectively, to West Shore Drive; thence running Southwesterly by West Shore Drive, 20 feet, more or less, to the point of beginning.

Containing 31,720 square feet, more or less, according to said plan.

Together with a 20 foot sewer easement through, across, over and under the land, beach and flats adjoining the 20 foot easement described above and lying between the high and low water marks.

(C) Permanent easements through, across, over and under certain land in Marblehead presently held by the Town of Marblehead for sewer purposes said easements being shown on a Plan entitled “Marblehead, Mass., Sewer Easement, Town of Marblehead to South Essex Sewerage District, Scale 1” = 100’, June 23, 1975, W. T. Foss Co., Engineers”, and more particularly described as follows:

(1) Beginning at the Northwesterly corner thereof at a point on the southerly side of Pleasant Street thence running in a generally Southwesterly direction on two courses, as shown on said plan, 350 feet and 190 feet, respectively; thence turning and running Southeasterly, 40 feet, as shown on said plan; thence turning and running in a generally Northeasterly direction on two courses, as shown on said plan, 190 feet and 372 feet, respec-

tively to Pleasant Street; thence running by Pleasant Street, as shown on said plan, 43 feet, to the point of beginning.

Containing 21,880 square feet, more or less, according to said plan.

(2) Beginning at the Southwesterly corner thereof at a point on the northerly side of Pleasant Street thence running in a generally Northerly direction on three courses, as shown on said plan, 420 feet, 330 feet and 107 feet, respectively, to Maverick Street; thence turning and running Southeasterly by Maverick Street, 47 feet, as shown on said plan; thence turning and running in a general Southerly direction on three courses, as shown on said plan, 110 feet, 284 feet and 424 feet, respectively to Pleasant Street; thence turning and running Southwesterly by Pleasant Street, as shown on said plan, 43 feet to the point of beginning.

Containing 40,800 square feet, more or less, according to said plan.

(3) Beginning at the Southwesterly corner thereof at a point on the Northerly side of Maverick Street and thence running in a generally Northerly direction on two courses, as shown on said plan 132 feet and 145 feet, respectively; thence turning and running Easterly, as shown on said plan, 10 feet; thence turning and running in a generally Northeasterly direction on three courses, as shown on said plan, 180 feet, 175 feet and 620 feet, respectively; thence turning and running Northeasterly, as shown on said plan, 50 feet to Village Street; thence turning and running Southeasterly by Village Street, as shown on said plan, 23 feet; thence turning and running more Southeasterly, as shown on said plan, 40 feet; thence turning and running in a generally Southwesterly direction, on three courses, as shown on said plan, 625 feet, 175 feet and 175 feet, respectively; thence turning and running Easterly, as shown on said plan, 10 feet; thence turning and running in a generally Southerly direction in two courses, as shown on said plan, 140 feet and 161 feet to Maverick Street; thence turning and running Northeasterly by Maverick Street, 47 feet, to the point of beginning.

Containing 26,180 square feet, more or less, according to said plan.

SECTION 2. All property, real or personal, or any easements, owned by the town of Marblehead and located within said town, as described in section one of this act, acquired by eminent domain or otherwise or transferred to the district by said town for the purpose of conveying sewage, and constructed, maintained and operated for the sole use of said town, shall, when no longer

needed for such purpose, be transferred by the South Essex Sewerage Board to said town, and said board shall execute, acknowledge and deliver such instruments as said town, acting through its board of selectmen, may determine necessary to effect such transfer of title as directed by section seven of chapter six hundred and forty-three of the acts of nineteen hundred and seventy-two.

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

Approved March 11, 1977.

Chap. 32. AN ACT AUTHORIZING THE UTILIZATION OF REMOTE, AUTOMATED, UNMANNED FACILITIES BY CREDIT UNIONS FOR THE DISBURSEMENT OF FUNDS BY ELECTRONIC PROCESSING.

Be it enacted, etc., as follows:

Section 65 of chapter 167 of the General Laws, as appearing in chapter 222 of the acts of 1974, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Notwithstanding the provisions of section six of chapter one hundred and sixty-eight, any bank or credit union 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, cooperative banks or credit unions, purchase, install, operate, lease, use or share with any other bank, credit union, 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.

Approved March 11, 1977.

Chap. 33. AN ACT AUTHORIZING THE COUNTY OF NORFOLK TO ACQUIRE CERTAIN OTHER PUBLIC LANDS IN THE TOWN OF RANDOLPH FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

For the purpose of widening a portion of Oak street in the town of Randolph, the Norfolk county commissioners are hereby authorized to acquire by eminent domain under the provisions of

chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the water reservoir lands now owned by the town of Braintree hereinafter described, and to divert said reservoir lands from their present public use to highway use.

Said lands to be acquired and diverted are shown on a plan entitled, "Plan and Profile showing the Relocation and Widening of Oak Street, Randolph between Oakland Street and a point about 150 feet easterly of Paine Road," dated December 10, 1974 and recorded with the registry of deeds in Norfolk County in plan book 247, plans numbered 1110A of 1974 to 1110F of 1974, inclusive, and more particularly described as follows:-

Parcel No. 19. 16,700 square feet, more or less, and a slope easement as shown on said plans.

Parcel No. 19A. 7,733 square feet, more or less, as shown on said plans.

Parcel No. 56. 40 square feet, more or less, and a slope easement as shown on said plans.

Approved March 11, 1977.

Chap. 34. AN ACT RELATIVE TO PERSONAL LOANS MADE BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Subsection 8 of section 26 of chapter 170 of the General Laws, as most recently amended by section 2 of chapter 332 of the acts of 1973, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:- The total obligation of any one person to any such corporation outstanding at any one time in this class of investment shall not exceed nine thousand dollars, exclusive of interest or discount, provided that the excess of such total obligation over four thousand five hundred dollars shall be secured by a first lien on property of the borrower having a fair market value at least equal to the amount of such excess obligation; 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 March 11, 1977.

Chap. 35. AN ACT FURTHER REGULATING THE OUTSIDE WIDTH OF MOTOR BUSES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90 of the General Laws is hereby amended by inserting after the definition of "Automobile" the following definition:-

"Bus or motor bus", any motor vehicle operated upon a public way in any city or town for the carriage of passengers for hire in such a manner as to afford a means of transportation similar to that afforded by a railway company by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for hire as a business between fixed and regular termini, or transporting passengers for hire under a charter license, special service or school service permit issued by the department.

SECTION 2. Section 19 of said chapter 90 is hereby amended by striking out the first sentence, as most recently amended by chapter 307 of the acts of 1969, and inserting in place thereof the following sentence:- No motor vehicle or trailer, the outside width of which is more than ninety-six inches or in the case of a motor bus one hundred and two inches or the extreme overall length of which is more than thirty-three feet or, in the case of a truck, thirty-five feet, or in the case of a motor bus, forty feet, shall be operated on any way without a special permit so to operate from the board or officer having charge of such way or, in case of a state highway or a way determined by the department of public works to be a through route, from said department; provided, that such width may be exceeded by the lateral projection of pneumatic tires beyond the rims of the wheels for such distance on either side of the vehicle or trailer as will not increase its outside width above one hundred and two inches; provided, that such width may be further exceeded by the lateral projection of mirrors or other devices on semitrailer units, truck trailer combinations, tractors, commercial vehicles having a registered gross weight in excess of ten thousand pounds, a bus or a school bus, so long as such mirrors or other devices will not increase the outside width of such vehicles above one hundred and twelve inches and provided such mirrors or other devices are so mounted as not to constitute a hazard to pedestrians on or adjacent to any public way; and provided, further, that the extreme overall length of a semitrailer unit, wherever used, may exceed thirty-three feet but not fifty-five feet, and that such length of any other motor vehicle, or any trailer, when used for the

transportation of poles or single units of lumber or metal, may exceed thirty-three feet but not sixty feet, except as authorized by a special permit granted as aforesaid.

Approved March 11, 1977.

Chap. 36. AN ACT ALLOWING TIME OFF WITHOUT LOSS OF PAY FOR DELEGATES TO STATE CONVENTIONS OF THE PROFESSIONAL FIRE FIGHTERS OF MASSACHUSETTS, AFL-CIO-CLC.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 57B, inserted by section 1 of chapter 285 of the acts of 1959, and inserting in place thereof the following section:-

Section 57B. Members of the fire department in any city, town, or fire district adopting this section may be excused from duty for not more than four days in any year without loss of pay while in attendance as an official delegate to the Professional Fire Fighters of Massachusetts, AFL-CIO-CLC convention held within the commonwealth.

Approved March 11, 1977.

Chap. 37. AN ACT PROVIDING FOR A PROCLAMATION TO BE ISSUED BY THE GOVERNOR FOR THE OBSERVANCE OF JULY FOURTH AS INDEPENDENCE DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15CC, inserted by chapter 67 of the acts of 1976, the following section:-

Section 15DD. The governor shall annually issue a proclamation calling for a proper observance of July fourth as Independence Day, in commemoration of the adoption of the Declaration of Independence by the Continental Congress of 1776 and recommending that said day be observed in an appropriate manner by the people.

Approved March 11, 1977.

Chap. 38. AN ACT AUTHORIZING THE TOWN OF HARWICH TO WITHDRAW FROM THE OLD KING'S HIGHWAY REGIONAL HISTORIC DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 470 of the acts of 1973 is hereby amended by striking out section 2, as amended by section 1 of chapter 273 of the acts of 1976, and inserting in place thereof the following section:-

Section 2. Establishment of the Old King's Highway Regional Historic District. There is hereby established in Barnstable county a regional historic district, to be known as the Old King's Highway Regional Historic District, hereinafter called the district, bounded and described as follows:-

Beginning at a point on the foreshores of Cape Cod Bay at the mean low water line, and on the boundary line between the town of Bourne, Barnstable county and the town of Plymouth, Plymouth county; thence southwesterly by said boundary line between the towns of Bourne and Plymouth to a point where said boundary line intersects with the center line of the layout of the state highway known as route 3; thence in a southerly direction by said center line of route 3 traversing the Sagamore rotary at its center and continuing along the center line of the Sagamore bridge, so called, spanning the waterway known as the Cape Cod Canal; thence continuing by the center line of the state highway layout of route 6-Mid-Cape Highway, in a southerly, southeasterly, easterly, and northeasterly direction, traversing the towns of Bourne, Sandwich, Barnstable, Yarmouth, and Dennis to the boundary line between the town of Dennis and the town of Harwich; thence northwesterly by said boundary line between the towns of Dennis and Harwich to the boundary line of the town of Brewster, thence northeasterly, northerly and easterly by the boundary line between the town of Brewster and the town of Harwich to the said center line of said Route 6 - Mid-Cape highway; thence continuing by the said center line of said Route 6 Mid-Cape highway, in a northeasterly and northerly direction, traversing the towns of Brewster and Orleans, crossing above or below and intersecting, various public ways, ancient ways, rivers, streams, lakes, inlets, bays, and various appurtenances, to a point lying at the center of the state highway rotary layout at Eastham, Barnstable County, Massachusetts where said route 6 intersects with route 6A; thence in a northwesterly and southwesterly direction along the boundary line between the towns of Eastham and Orleans to a point on the

foreshores of Cape Cod Bay where the Eastham, Orleans town boundary intersects the mean low water line; thence in a southwesterly, westerly, northwesterly, northerly, northeasterly, easterly and southeasterly direction along the mean low water line of Cape Cod Bay traversing all inlets, streams, rivers at their entrance to Cape Cod Bay to the point of beginning, meaning and intending to include all islands along the foreshores of Cape Cod Bay to a distance of three nautical miles from the shores thereof, and every bank, flat, marsh, meadow, swamp and island within the Great Marshes so called, lying within the town of Barnstable.

SECTION 2. Section 3 of said chapter 470 is hereby amended by striking out the definition of "Town", as amended by section 2 of said chapter 273, and inserting in place thereof the following definition:-

"Town" - the individual regional town of Bourne, Sandwich, Barnstable, Yarmouth, Dennis, Brewster or Orleans.

SECTION 3. Section 4 of said chapter 470 is hereby amended by striking out the first paragraph, as amended by section 3 of said chapter 273, and inserting in place thereof the following paragraph:-

Establishment and Organization of the Old King's Highway Regional Historic District Commission. - There is hereby established the Old King's Highway Regional Historic District Commission, hereinafter called the commission, consisting of seven members, each of whom shall be a chairman of a member town historic district committee of the following towns: Bourne, Sandwich, Barnstable, Yarmouth, Dennis, Brewster and Orleans.

SECTION 3A. Said section 4 of said chapter 470 is hereby amended by striking out the third paragraph, as amended by section 3A of said chapter 273, and inserting in place thereof the following paragraph:-

Four members of the commission shall constitute a quorum.

SECTION 4. The town of Harwich shall be responsible for all expenses of the district up to the date of acceptance of this act by said town that may be determined by the commission established under authority of chapter four hundred and seventy of the acts of nineteen hundred and seventy-five and in accordance with the amount apportioned as the share of the town of Harwich.

SECTION 5. This act shall be submitted for acceptance to the voters of the town of Harwich at the next annual town election or a special town election, whichever occurs first, in the form of the following question which shall be placed upon the official ballot

at such election: "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act authorizing the town of Harwich to withdraw from the Old King's Highway Regional Historic District', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative this act shall take full effect, but not otherwise.

Approved March 11, 1977.

Chap. 39. AN ACT PROVIDING THAT THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF DARTMOUTH SHALL BE EXEMPT FROM CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 545 of the acts of 1976 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. Section two of this act shall be submitted for acceptance to the voters of the town of Dartmouth 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-six, entitled 'An Act providing that the office of chief of police of the town of Dartmouth shall be exempt from civil service law and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then section two shall thereupon take full effect, but not otherwise.

SECTION 2. Said chapter 545 is hereby further amended by adding the following section:-

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

Approved March 11, 1977.

Chap. 40. AN ACT PROVIDING FOR THE MEMBERSHIP OF THE TOWN OF STERLING IN THE CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT.

Be it enacted, etc., as follows:

Section 1 of chapter 583 of the acts of 1973 is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 489 of the acts of 1975, and inserting in place thereof the following paragraph:-

The area in Middlesex and Worcester Counties including the city of Marlborough, hereinafter called the city, and the towns of Acton, Ashland, Ayer, Berlin, Billerica, Bolton, Boxborough, Boylston, Carlisle, Chelmsford, Clinton, Grafton, Groton, Harvard, Holliston, Hopedale, Hopkinton, Hudson, Lancaster, Littleton, Milford, Northborough, Northbridge, Sherborn, Shirley, Shrewsbury, Southborough, Sterling, Stow, Tewksbury, Upton, Westborough and Westford, is hereby constituted a mosquito control project under section five A of chapter two hundred and fifty-two of the General Laws to the same extent as if so constituted by the state reclamation board acting under said section five A and the improvements herein authorized shall be undertaken under the identifying name of the Central Massachusetts Mosquito Control Project, hereinafter called the project.

Approved March 11, 1977.

Chap. 41. AN ACT AUTHORIZING THE TOWN OF MARION TO BORROW MONEY FOR THE CONSTRUCTION OF HOUSING FOR ELDERLY PERSONS OF LOW INCOME.

Be it enacted, etc., as follows:

SECTION 1. The town of Marion, hereinafter called the town, is authorized to make appropriations for the construction, operation, acquisition, and maintenance of a building and related facilities to provide housing for elderly persons of low income.

SECTION 2. The town may raise any appropriation for the construction or acquisition of such a building, including site acquisition and the original equipping and furnishing thereof by borrowing from time to time such sums as may be necessary, not exceeding in the aggregate, three hundred thousand dollars and may issue bonds and notes therefor, which shall bear on their face the words, Town of Marion Elderly Housing Loan, Act of 1977. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty-five years from their dates. Such borrowing shall not be included in the limit of indebtedness prescribed by section ten of chapter forty-four of the General Laws.

SECTION 3. The construction or acquisition, operation and maintenance of the building authorized by this act shall be undertaken by the town, acting by and through a housing committee of five members. Members of the housing committee shall be appointed by a board consisting of the chairman of the board of selectmen and the moderator. Of the initial appointments, one

shall be designated for a one year term and two for a two year term and two for a three year term; thereafter all appointments shall be for three years and until a successor is appointed and qualified. The housing committee may, with the approval of the board of selectmen, establish rents, which need not be uniform, and make such rules and regulations concerning use, occupancy, maintenance and other necessary matters relating to the building as it shall deem proper. All revenues of the building shall be town funds and the housing committee shall, except as otherwise provided by law, expend only such funds as are appropriated for it by the town.

SECTION 4. Without limiting the power of the town, as granted by section one of this act, all action taken by the town of Marion to appropriate three hundred thousand dollars for the housing purposes encompassed by this act and to authorize the issuance of bonds and notes of the town to raise such appropriation is hereby ratified and confirmed as if this act had been in effect at the time such action was taken.

SECTION 5. This act shall take effect upon passage.

Approved March 15, 1977.

Chap. 42. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, ect., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the county commissioners of Norfolk county are hereby authorized to approve for payment and to pay, subject to appropriation, and after such appropriation, the county treasurer of said county is hereby authorized to pay, such unpaid bills incurred by said county during the nineteen hundred and seventy-two - nineteen hundred and seventy-three and the nineteen hundred and seventy-three - nineteen hundred and seventy-four fiscal years totaling fifty-one thousand five hundred and thirty-three dollars and sixty-five cents as appearing on a list on file in the division of accounts in the department of corporations and taxation and which bills are legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer under the authority of this act unless and until a certificate has been signed and filed with the treasurer of said county stating under the penalties of perjury, that the goods and services for which said

bill was submitted were ordered by an official or employee of said county and that the goods so ordered were actually received by said county or that the services were actually 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 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 March 15, 1977.

Chap. 43. AN ACT PROHIBITING THE USE OF HOG CHOLERA VACCINE.

Be it enacted, etc., as follows:

Chapter 129 of the General Laws is hereby amended by inserting after section 40 the following section:-

Section 40A. No person shall use, sell, expose for sale, deliver, give away, have in his possession, introduce or deliver for introduction into commerce any hog cholera vaccine.

Approved March 18, 1977.

EMERGENCY LETTER — March 21, 1977 @ 4:17 P.M.

Chap. 44. AN ACT AUTHORIZING THE TREASURER OF PLYMOUTH COUNTY TO INDEMNIFY THE CLERK OF THE THIRD DISTRICT COURT OF PLYMOUTH FOR CERTAIN LOSSES.

Be it enacted, etc., as follows:

The county treasurer of Plymouth county is hereby authorized to pay from any available funds a sum not exceeding one hundred and thirty-two dollars and twenty-six cents to the clerk of the third district court of Plymouth to indemnify him for losses sustained by him resulting from funds being stolen from the office of the clerk by persons unknown on May seventeenth, nineteen hundred and seventy-six and August twenty-third, nineteen hundred and seventy-six. If after such payment such clerk receives any sum in reduction of such loss, he shall pay over the same to said county.

Approved March 18, 1977.

Chap. 45. AN ACT AUTHORIZING THE TREASURER OF PLYMOUTH COUNTY TO INDEMNIFY THE CHIEF PROBATION OFFICER OF THE THIRD DISTRICT COURT OF PLYMOUTH FOR A CERTAIN LOSS.

Be it enacted, etc., as follows:

The county treasurer of Plymouth county is hereby authorized to pay from any available funds a sum not exceeding two hundred and sixty-seven dollars and sixty-five cents to the chief probation officer of the third district court of Plymouth to indemnify him for a loss sustained by him resulting from funds being stolen from his office by persons unknown on April fourteenth, nineteen hundred and seventy-six. If after such payment such officer receives any sum in reduction of such loss, he shall pay over the same to said county.

Approved March 18, 1977.

Chap. 46. AN ACT INCREASING THE AMOUNT CO-OPERATIVE BANKS MAY LOAN ON PARTICIPATION LOANS.

Be it enacted, etc., as follows:

Subsection 4 of section 23 of chapter 170 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by section 1 of chapter 550 of the acts of 1975, and inserting in place thereof the following sentence:- The amount which, notwithstanding the provisions of section twenty-four, any such corporation may invest in a participation loan shall not exceed one and one-quarter per cent of its deposits, or seventy-five thousand dollars, whichever is greater, and the aggregate balance of principal of all such participation loans not insured by the federal housing administrator outstanding at any one time shall not exceed twenty per cent of the total deposits of such corporation; provided, however, that with respect to any participation with the Federal Home Loan Mortgage Corporation, as to which said Corporation has at the time of closing the loan entered into a binding written commitment to participate, the amount deemed invested for the purpose of the foregoing shall be the amount of the investment which will remain as an investment of the corporation after the Federal Home Loan Mortgage Corporation fulfills its commitment.

Approved March 18, 1977.

Chap. 47. AN ACT MAKING CERTAIN PROVISIONS OF LAW RELATIVE TO THE CREDIT UNION EMPLOYEES RETIREMENT ASSOCIATION CONFORM TO FEDERAL LAW.

Be it enacted, etc., as follows:

Section 31 of chapter 171 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 1 of chapter 327 of the acts of 1972, and inserting in place thereof the following paragraph:-

A credit union may contribute for the benefit of its eligible employees who become members of the association for their past and current services. The contribution by a credit union shall not in any year exceed the sum of the employer contributions, plus the lesser of the employees contributions in excess of six per cent of compensation or one-half of the employee's contributions. The maximum current service contribution of a credit union shall not exceed fifteen per cent of an employee's compensation nor shall it be less than the contribution an employee is required to make as a condition for receiving benefits under the association. A credit union may not require an employee to contribute more than five per cent of his current compensation as a condition for receiving benefits and the combined contributions of a credit union and an employee on account of service of the employee after he becomes a member of the association shall not exceed fifteen per cent of the compensation of the employee from the date he is first an eligible employee to the date he terminates employment. A credit union may make contributions to the account of employees who have credited service prior to the date current service contributions are made for their benefit. Such contributions on account of prior service shall not be greater than the amount required to provide the employee with an annuity for life at age sixty-five of two per cent of the average annual compensation he received during the five years prior to the date he first became a member of the association for each year of service he had prior to such date. For purposes of determining the past service contribution, years of service in excess of twenty-five or prior to age thirty will not be credited years of service. Contributions for current service and past service shall be determined on the same basis for all similarly situated employees of each credit union.

Approved March 18, 1977.

Chap. 48. AN ACT EXTENDING THE TIME WITHIN WHICH MONTHLY ACCOUNTS OF COUNTY RECEIPTS AND EXPENDITURES SHALL BE RENDERED BY COUNTY TREASURERS TO COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

Chapter 35 of the General Laws is hereby amended by striking out section 36, as most recently amended by chapter 82 of the acts of 1974, and inserting in place thereof the following section:-

Section 36. On or before the fifteenth 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 March 18, 1977.

Chap. 49. AN ACT FURTHER CLARIFYING REPORTING REQUIREMENTS BY TRUST COMPANIES.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by striking out section 36, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following section:-

Section 36. Every trust company shall at such times as the commissioner orders, but not exceeding five times in any calendar year and within thirty days after the day designated in the order, make a return in the form of a trial balance to the commissioner.

The return shall be signed and sworn to by an officer designated by the board of directors and by at least three directors, and shall show the condition of the trust company at the close of business on the day designated. It shall be made on a form furnished by the commissioner and shall specify the different kinds of assets and liabilities.

The return shall be published by and at the expense of the trust company, at such times and in such manner as the commissioner may require, in a newspaper published in the city or town where the principal office of the trust company is located, or, if there is no such newspaper, in a newspaper published in the city or town nearest to such principal office.

Approved March 18, 1977.

Chap. 50. AN ACT EXTENDING THE TIME WITHIN WHICH COUNTY TREASURERS MAY PAY CLAIMS AGAINST THEIR COUNTIES.

Be it enacted, etc., as follows:

Section 10 of chapter 35 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:- He shall pay all claims against his county within thirty days after their allowance.

Approved March 18, 1977.

Chap. 51. AN ACT INCREASING THE AMOUNT OF TRUST FUNDS CITIES AND TOWNS MAY INVEST.

Be it enacted, etc., as follows:

Section 54 of chapter 44 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 299 of the acts of 1971, and inserting in place thereof the following sentence:- Trust funds, including cemetery perpetual care funds, unless otherwise provided or directed by the donor thereof, shall be placed at interest in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation, or national banks, or invested by cities and towns in paid-up shares and accounts of and in co-operative banks, or in shares of savings and loan associations or in shares or savings deposits of federal savings and loan associations doing business in the commonwealth to an amount not exceeding fifty thousand dollars, or in bonds or notes which are legal investments for savings banks.

Approved March 18, 1977.

Chap. 52. AN ACT FURTHER REGULATING THE DISCLOSURE OF CONSUMER CREDIT COSTS AND TERMS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to regulate the disclosure of consumer credit costs and terms, therefore 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 is hereby amended by inserting after subsection (g) the following subsection:-

(g $\frac{1}{2}$) "Card issuer", any person who issues a credit card, or the agent of such person with respect to such card.

SECTION 2. Said section 1 of said chapter 140C is hereby further amended by striking out subsection (j), as appearing in section 1 of chapter 517 of the acts of 1969, and inserting in place thereof the following subsection:-

(j) "Consumer credit", credit offered or extended to a natural person, in which the money, property, or service which is the subject of the transaction is primarily for personal, family, household, or agricultural purposes. Consumer loan is one type of consumer credit.

SECTION 3. Said section 1 of said chapter 140C is hereby further amended by striking out subsection (k $\frac{1}{2}$), inserted by section 2 of chapter 273 of the acts of 1973, and inserting in place thereof the following subsection:-

(k $\frac{1}{2}$) "Credit card", any card, plate, coupon book, or other single credit device existing for the purpose of being used from time to time upon presentation to obtain money, property, labor, or services on credit. The term does not include a note, check, draft, money order or other like negotiable instrument.

SECTION 4. Said section 1 of said chapter 140C is hereby further amended by striking out subsection (l), as appearing in section 1 of chapter 517 of the acts of 1969, and inserting in place thereof the following subsection:-

(l) "Creditor", a person who in the ordinary course of business regularly extends or arranges for the extension of consumer credit, or offers to extend or arrange for the extension of such credit, which is payable by agreement in more than four instalments, or for which the payment of a finance charge is or may be required, whether in connection with loans, sales of property or services, or otherwise. For purposes of the requirements of clauses (5), (6) and (7) of subsection (a) of section six, clauses (1), (2), (3) and (8) of subsection (b) of section six, subsection (c) of section six, subsection (e) of section six, section six A, subsection (b) of section six B, section six E of this chapter and, section twelve E and section twelve F of chapter two hundred and fifty-five, the term creditor shall also include card issuers, whether or not the payment of a finance charge is or may be required. For purposes of the requirements of subsection (i) of section three and

subsection (b) of section six B of this chapter the term creditor shall include any person who honors a credit card.

SECTION 5. Said section 1 of said chapter 140C is hereby further amended by striking out subsection (n), as so appearing, and inserting in place thereof the following subsection:-

(n) "Customer", a cardholder or a natural person to whom consumer credit is offered or to whom it is or will be extended, and includes a comaker, endorser, guarantor, or surety for such natural person who is or may be obligated to repay the extension of consumer credit.

SECTION 6. Said section 1 of said chapter 140C is hereby further amended by striking out subsection (r), as so appearing, and inserting in place thereof the following subsection:-

(r) "Open end credit", consumer credit extended on an account pursuant to a plan under which (1) the creditor may permit the customer to make purchases or obtain loans, from time to time, directly from the creditor or indirectly by use of a credit card, check, or other device, as the plan may provide; (2) the customer has the privilege of paying the balance in full or in instalments; and (3) a finance charge may be computed by the creditor from time to time on an outstanding unpaid balance. For the purposes of the requirements of clauses (5), (6) and (7) of subsection (a) of section six, clauses (1), (2), (3) and (8) of subsection (b) of section six, subsection (c) of section six, subsection (e) of section six, section six A, clause 9 of subsection (b) of section six B, subsection (c) of section six B, section six C of this chapter, and section twelve F of chapter two hundred and fifty-five, the term includes consumer credit extended on an account by use of a credit card, whether or not a finance charge may be imposed. The term does not include negotiated advances under an open end real estate mortgage or a letter of credit.

SECTION 7. Section 3 of said chapter 140C is hereby amended by striking out subsection (i), added by section 2 of chapter 592 of the acts of 1975, and inserting in place thereof the following subsection:-

(i) Notwithstanding any other provision of this section, a discount which a creditor offers, allows, or otherwise makes available for the purpose of inducing payments for a purchase by cash, check, or similar means rather than by use of an open end credit card account, whether or not a credit card is physically used, is not a finance charge, provided that:-

(1) such discount does not exceed five per cent when computed or expressed as a percentage of the tag, posted, or adver-

tised price of the property or services which are the subject of the transaction;

(2) such discount is available to all prospective buyers, whether or not they are cardholders, and such fact is clearly and conspicuously disclosed by a sign or display posted at or near each public entrance to the seller's place of business wherein such discount is offered, and at all locations within the place of business where a purchase may be paid for; and

(3) if an offer of property or services is advertised in any medium or if offers are invited or accepted through the mail, over the telephone, or by means other than personal contact between the customer and the creditor offering such a discount, and if customers are allowed to pay by use of a credit card or its underlying account and such fact is disclosed in the advertisement, telephone contact, or in other correspondence, the availability of a discount for payments in cash must be clearly and conspicuously disclosed in any advertisement for such offerings and, in any case, before the transaction has been completed by use of the credit card or its underlying account.

With respect to any such discount for cash which is greater than five per cent, the total amount of such discount shall constitute a finance charge under subsection (a) to be disclosed in accordance with subsection (d) of section six.

The availability of any discount may be limited by the creditor offering such discount to certain types of property or services or to certain outlets maintained by that creditor provided that such limitations are clearly and conspicuously disclosed.

Notwithstanding anything contained in this subsection paragraph to the contrary, any amount added to the tag, posted, or advertised price of property or services offered by a creditor which is imposed by such creditor as a condition or consequence of the use of the credit card with respect to a transaction involving such property and services, shall be a finance charge subject to the requirements of this section and subsection (d) of section six.

SECTION 8. Section 5 of said chapter 140C is hereby further amended by striking out subsection (j), added by section 3 of said chapter 592.

SECTION 9. The first paragraph of subsection (b) of section 6 of said chapter 140C, as appearing in section 1 of chapter 517 of the acts of 1969, is hereby amended by striking out, in lines 5 and 6, the words "debit balance in excess of one dollar" and inserting in place thereof the words:- debit or credit balance in excess of one dollar, except as provided in section six D.

SECTION 10. Said subsection (b) of said section 6 of said chapter 140C, as so appearing, is hereby further amended by striking out clauses (1) to (3), inclusive, and inserting in place thereof the following three clauses:-

(1) The outstanding balance in the account at the beginning of the billing cycle, using the term "previous balance" and in the case of a credit balance, an appropriate identification as such.

(2) The information required by subsection (g).

(3) The amounts and dates of crediting to the account during the billing cycle for payments, using the term "payments" and for other credits including returns, rebates of finance charges, and adjustments, using the term "credits" and unless previously furnished a brief identification of each of the items included in such other credits except that the date of crediting to the customer's account need not be provided if a delay in crediting does not result in the imposition of any finance charges, late payment charges, or other charges for that billing cycle or a later billing cycle. Identification may be made on an accompanying slip or by symbol relating to an identification list printed on the statement, except that the date of crediting to the customer's account need not be provided if a delay in crediting does not result in the imposition of any finance charges, late payment charges or other charges for that billing cycle or a later billing cycle.

SECTION 11. Subsection (c) of said section 6 of said chapter 140C, as appearing in section 4 of chapter 802 of the acts of 1973, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) The information required to be disclosed under clause (2) of subsection (b) and itemization of the amounts and dates required to be disclosed under clause (3) of subsection (b) and of the amount of any finance charge required to be disclosed under clause (4) of subsection (b) may be made on the reverse side of the periodic statement or on a separate accompanying statement provided that the totals of the respective debits and credits under each of these clauses are disclosed on the face of the periodic statement.

SECTION 12. Subsection (d) of said section 6 of said chapter 140C, as amended by section 7 of chapter 592 of the acts of 1975, is hereby further amended by adding the following sentence:- The creditor of the open end account shall not separately consider any charge imposed under this subsection for purposes of the disclosure requirements of subsections (a) and (b).

SECTION 13. Said section 6 of said chapter 140C is hereby further amended by striking out subsection (f), as appearing in sec-

tion 1 of chapter 517 of the acts of 1969, and inserting in place thereof the following subsection:-

(f) If, subsequent to thirty days after delivering the disclosures required under subsection (a), a creditor of an open end credit account mails or delivers, other than as a renewal or resupply, a blank check, payee designated check, blank draft or order or other similar credit device other than a credit card, to an existing customer or cardholder for use in connection with such account, such device shall be accompanied by a single written statement setting forth clearly and conspicuously those disclosures of subsection (a) which specifically relate to the use of such device. Such disclosure statement shall either be limited to the disclosures of clauses (1), (2), (3), and (4) of subsection (a) or contain all disclosures required of such subsection with the pertinent disclosures clearly and conspicuously referenced on or accompanying that disclosure statement. Such disclosure statement shall not appear on any promotional material mailed or delivered at the same time. The requirements of this subsection shall not be applicable to checks to be used in conjunction with a checking account even though such checks may also activate a cash advance under an open end credit account.

SECTION 14. Said section 6 of said chapter 140C is hereby further amended by inserting after subsection (f) the following subsection:-

(g) (1) Each extension of credit for which an actual copy of the document evidencing the credit transaction, which does not include a so-called facsimile draft, accompanies the periodic statement on which the transaction is first reflected shall be identified by disclosing on the periodic statement, or on an accompanying statement or document, the amount of the transaction and, at the creditor's option, either the date of the transaction or the date the transaction is debited to the customer's account.

(2) Each extension of credit for which an actual copy of the document evidencing the credit transaction does not accompany the periodic statement shall be identified by disclosing on or with the periodic statement on which that credit transaction is first reflected at least:

(i) For transaction in which the creditor and the seller are the same person or related persons, the amount of the transaction, the date on which the transaction took place, and a brief identification of any property or services purchased or an identifying number or symbol reasonably unique for that transaction with that creditor which appears on the document evidencing the transaction given to the customer; provided, that, if the creditor

discloses such an identifying number or symbol, the absence of the identification of the property or services otherwise required must be treated as a billing error and as an erroneous billing under chapter ninety-three C, if the customer submits a proper written notice of a billing error relating to such absence, and the creditor must provide documentary evidence of the transaction to the customer free of charge whether or not the customer requests it. A person is not related to the creditor simply because the person and the creditor have an agreement or contract pursuant to which the person is authorized to honor the creditor's credit card under the terms specified in the agreement or contract. Franchised or licensed sellers of a creditor's product shall be considered to be related to the creditor. Sellers who assign or sell open end customer sales accounts to a creditor or arrange for such credit under an open end credit plan which allows the customer to use the credit only in transactions with that seller shall be considered related to the creditor.

With respect to transactions which are not billed in full on any single statement but for which precomputed instalments are billed periodically, the date the transaction takes place for purposes of this subsection shall be deemed to be the date on which the amount is debited to the customer's account.

For purposes of this subsection, designations such as merchandise or miscellaneous shall not be considered sufficient identification of property or services, but a reference to a department in a sales establishment which accurately conveys the identification of the type of property or services which are available in such department shall be sufficient. Identification may be made on an accompanying slip or by symbol relating to an identification list printed on the statement.

(ii) For the transactions in which the seller and the creditor are not the same person or related persons, the amount of the transaction, the date on which the transaction took place, and the seller's name and address, including the city and state or foreign country, using understandable and generally accepted abbreviations if the creditor desires, where the transaction took place.

(3) Notwithstanding the provisions of clauses (1) and (2), transactions such as cash advances or overdrafts or other checking plan transactions, shall be identified on or with the periodic statement upon which the transaction is first reflected by providing at least:-

(i) An actual copy of the document evidencing the transaction which shows the amount of the transaction and either the date of

the transaction, the date the transaction was debited to the customer's account, or the date placed on the document or instrument by the customer if the customer signed the document or instrument or

(ii) A description of the transaction, which characterizes it as a cash advance, loan, overdraft loan, or other designation as appropriate, and which includes the amount of the transaction and the date of the transaction or the date which appears on the document or instrument evidencing the transaction, if the customer signed the document or instrument. In cases in which an amount is debited to a customer's open end credit account under an overdraft checking plan, the date of debiting the open end credit account shall be considered the date of the transaction for purposes of this subclause.

(4) If, despite the maintenance of procedures reasonably adapted to procure the information required by clauses (1), (2), and (3) such information is unavailable to the creditor, the date of debiting the amount to the account shall be substituted for the date otherwise required, except that the date of debiting need not be provided if an actual copy of the document evidencing the transaction is provided with the periodic statement and the creditor shall disclose as much of the required information as is available and omit any information which is not available; provided, that if the customer submits a proper written notification of a billing error relating to the absence of the primarily required date or other information, such absence shall be treated as a billing error and as an erroneous billing under chapter ninety-three C, and, unless previously furnished with a periodic statement, documentary evidence of the transaction must be furnished whether or not the customer requests it, within the time period allowed in said chapter ninety-three C for resolution of a billing error, without charge to the customer.

(5) In any case in which a transaction occurs other than in the commonwealth:

(i) The creditor may disclose the date of debiting the amount of the transaction to the open end credit account in place of any other date required elsewhere in this subsection; and

(ii) The provisions of clause (4) shall apply and the creditor need not maintain procedures reasonably adapted to procure the information otherwise required by this subsection.

(6) In complying with the disclosure requirements clauses (1), (2), (3), or (4):

(i) The creditor may disclose the information supplied by the seller with respect to the date and amount of transactions for

which the creditor and the seller are not the same person or related persons.

(ii) With respect to disclosing the seller's address where the transaction took place for purposes of subclause (ii) of clause (2), the creditor may omit the address or provide an address or other suitable designation which will assist the customer in identifying the transaction or in relating the transaction, as reflected, to a document evidencing the transaction previously furnished when no address is readily available because the transaction took place at a location which is not fixed, in which case customer's home or a similar description is sufficient, or because the transaction was the result of a mail or telephone order, in which case telephone order, mail order, or similar description is sufficient; provided, that any such disclosure made or omitted shall not be for the purpose of circumvention or evasion of this chapter.

(iii) With regard to disclosing the seller's name for purposes of subclause (ii) of clause (2), disclosure of a seller's name which appears on the document evidencing the transaction, or a more complete spelling of such a name if the name is alphabetically abbreviated on the document evidencing the transaction, is sufficient for purposes of subclause (ii) of clause (2).

(7) As an alternative to the provisions of clauses (1) through (5), until October twenty-eighth, nineteen hundred and seventy-seven:

(i) The creditor may disclose the date of debiting the amount of the transaction to the customer's account for the date of the transaction or the date placed on the document evidencing a credit transaction or, due to operational limitations, either such date is unavailable to the creditor for purposes of billing; and the creditor may disclose an identifying number or symbol which appears on the document evidencing the credit transaction given to or used by the customer at the time of or in connection with the credit transaction in place of the seller's name and address or description of the property or services purchased if, due to operational limitations, such information is unavailable to the creditor for purposes of billing; or

(ii) The creditor may identify the transaction by disclosing such information as is reasonably available and treating the absence of the information required by clauses (1), (2), or (3), as applicable, as a billing error, as provided in chapter ninety-three C. If a customer submits a proper written notification of a billing error relating to the absence of such information and the information was, in fact, not disclosed as required by clauses (1), (2), (3), as applicable, the transaction shall be treated as an erroneous

billing under said chapter ninety-three C and documentary evidence of the transaction must be furnished whether or not the customer requests it, despite the provisions of said chapter ninety-three C within the time period allowed in said chapter ninety-three C for resolution of a billing error, without charge to the customer.

SECTION 15. Said chapter 140C is hereby amended by striking out section 6B, as most recently amended by chapter 469 of the acts of 1974, and inserting in place thereof the following section:-

Section 6B. (a) If a finance charge is imposed under an open credit plan on balances resulting from the sale of goods or services at retail made in reliance on a credit card the finance charge applicable to said balances for any cycle may not be computed on any new sale reflected for the first time in the account during the cycle but otherwise 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 sale 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.

(b) Regardless of the date of actual posting of a payment to an account, such payment shall be credited to the customer's account as of the date such payment is received by the creditor, and no finance charge, late payment charge, or other charge shall be imposed with respect to the amount of such payment which is properly received by the creditor on or before the time indicated by the creditor as necessary to avoid imposition thereof, provided that:

(1) If a creditor fails to post the customer's payment in time to avoid the imposition of finance charges, late payment charges, or other charges, the creditor shall adjust the customer's account so that the finance charges, late payment charges, or other charges are credited to the account during the customer's next billing cycle.

(2) For the purposes of this clause the creditor may specify on the periodic statement or on accompanying material reasonable requirements with respect to the form, amount, manner, location, and time for receipt of payments, except that:

(i) If no particular hour of the day has been clearly specified by the creditor as the time by which payment must be received by the creditor in order to credit the customer's account as of that

date, payments received prior to the close of business on that day must be credited as of that date;

(ii) If no location has been clearly specified as the location at which payment may be made, then payment at any location where the creditor conducts business shall be credited as of the date such payment is presented; and

(iii) If no particular manner of payment has been clearly specified, then payment by check, cash, money order, bank draft or other similar instrument in properly negotiable form shall constitute proper manner of payment.

(3) If the creditor accepts payment at locations other than those specified under subclause (ii) of clause (2) the creditor shall credit the customer's account promptly, in no case later than five days from the date of receipt, provided that the possibility of such delay is clearly disclosed to the customer on the periodic statement or on accompanying material.

(4) Payments need not be credited as of the date of receipt, but in any case must be credited promptly, if a delay in crediting does not result in the imposition of any finance charges, late payment charges, or other charges for that billing cycle or a later billing cycle.

(c) (1) When any creditor other than the card issuer accepts the return of property or forgives a debt for services which is to be reflected as a credit to the customer's open end credit account, he shall promptly, in no case later than seven business days from the date the return is accepted, transmit a statement with respect thereto to the card issuer.

(2) Upon receipt of a credit statement, the card issuer shall credit the customer's account promptly, in no case later than three business days from receipt of the refund statement, with the amount of the refund.

(3) If it is the policy of a creditor, other than a card issuer, to give cash refunds to cash customers, he must also give credit or cash refunds to credit card customers, unless he clearly and conspicuously discloses that he does not give credit or cash refunds for returns at the time the transaction is consummated.

(d) 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.

SECTION 16. Said chapter 140C is hereby further amended by inserting after section 6D, inserted by chapter 192 of the acts of 1976, the following section:-

Section 6E. (a) Whenever a customer mails or delivers payment to the creditor in excess of the new balance, as provided in clause (8) of subsection (b) of section six, to which the payment is to be applied, the creditor shall:

(i) Credit the customer's account with the total amount of the payment as specified in subsection (b) of section six B; or

(ii) Credit the customer's account with an amount equal to the total new balance as specified in subsection (b) of section six B and promptly, in no case later than five business days from the creditor's receipt of the payment, refund the excess amount.

(b) No card issuer may, by contracts or otherwise: (i) Prohibit any person from offering any cash discounts to all customers of such person, including cardholder customers, to induce such customers to pay by cash, check, or similar means rather than by use of a credit card or its underlying account for the purchase of property or services; or

(ii) Require any person who honors the card issuer's credit card to open or maintain a deposit account or procure any other service not essential to the operation of the credit card plan from the card issuer, its subsidiary, agent, or any other person as a condition of participation in a credit card plan.

SECTION 17. Section 7 of said chapter 140C is hereby amended by striking out subsection (a), as most recently amended by section 8 of chapter 592 of the acts of 1975, and inserting in place thereof the following subsection:-

(a) Any creditor when extending credit other than open end credit shall, in accordance with section five and to the extent applicable, make the disclosures required by this section with respect to any transaction consummated on or after July first, nineteen hundred and sixty-nine. Except as provided in this section, such disclosures shall be made before the transaction is consummated. At the time disclosures are made, the creditor shall furnish the customer with a duplicate of the instrument or a statement by which the required disclosures are made and on which the creditor is identified. All disclosures shall be made together on either (1) the note or other instrument evidencing the obligation on the same side of the page and above or adjacent to the place for the customer's signature; or (2) except as otherwise

provided in chapters two hundred and fifty-five B, two hundred and fifty-five C and two hundred and fifty D, one side of a separate statement which identifies the transaction.

SECTION 18. Clause (8) of subsection (c) of said section 7 of said chapter 140C, as amended by section 2 of chapter 713 of the acts of 1974, is hereby further amended by striking out subclause (i) and inserting in place thereof the following subclause:-

(i) the total amount of the finance charge, using the term finance charge, and where the total charge consists of two or more types of charges, a description of the amount of each type, and.

SECTION 19. Subsection (d) of said section 7 of said chapter 140C is hereby amended by striking out clause (3), as amended by section 3 of said chapter 713, and inserting in place thereof the following clause:-

(3) The total amount of the finance charge, using the term finance charge, and where the total charge consists of two or more types of charges, a description of the amount of each type.

SECTION 20. Said section 7 of said chapter 140C is hereby further amended by striking out subsection (n), as appearing in section 1 of chapter 517 of the acts of 1969, and inserting in place thereof the following subsection:-

(n) (1) If a creditor transmits a periodic billing statement other than a delinquency notice, payment coupon book, or payment passbook, or a statement, billing, or advice relating exclusively to amounts to be paid by the customer as escrows for payment of taxes, insurance, and water, sewer, and land rents, it shall be set forth:

(i) The annual percentage rate or rates; and

(ii) The date by which, or the period, if any, within which payment must be made in order to avoid late payment or delinquency charges.

(iii) Any statement, notice, or reminder of payment due on any transaction payable in instalments which is mailed or delivered periodically to the customer in advance of the due date of the instalment shall be a periodic billing statement for the purpose of this clause.

(2) If the creditor is required to send a periodic statement under subsection (q), the requirements of clauses (1), (2), (3) and (8) of subsection (b) of section six and section six A shall be met, in addition to the disclosures required by this subsection.

SECTION 21. Said section 7 of said chapter 140C is hereby further amended by inserting after subsection (p), added by section 4 of chapter 229 of the acts of 1972, the following subsection:-

(q) In addition to the requirements of this section, consumer credit other than open end which is extended on an account by use of a credit card shall also be subject to the requirements of clauses (5), (6) and (7) of subsection (a), clauses (1), (2), (3) and (8) of subsection (b), subsection (c) of section six A, subsections (b) and (c) of section six B, section six C, section six E of this chapter, chapter ninety-three C and section twelve F of chapter two hundred and fifty-five.

SECTION 22. The first paragraph of section 12E of chapter 255 of the General Laws, as most recently amended by chapter 119 of the acts of 1976, is hereby further amended by striking out the definition of "Credit card" and inserting in place thereof the following definition:-

"Credit card", any card, plate, coupon book, or other single credit device existing for the purpose of being used from time to time upon presentation to obtain money, property, labor or services on credit.

SECTION 23. Said first paragraph of said section 12E of said chapter 255, as so amended, is hereby further amended by striking out the definition of "Accepted credit card" and inserting in place thereof the following definition:-

"Accepted credit card", any credit card which the cardholder has requested or applied for and received, or has signed, or has used, or has authorized another person to use, for the purpose of obtaining money, property, labor, or services on credit. Any credit card issued in renewal of, or in substitution for, an accepted credit card becomes an accepted credit card when received by the cardholder whether such card is issued by the same or a successor card issuer.

SECTION 24. Subsection C 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 clause (3) and inserting in place thereof the following clause:-

(3) (a) In the event that a finance charge is imposed, it shall be computed upon (i) the previous balance after all payments on account, returns and other credits made or given during the billing cycle shall have been first deducted; provided, however, that returns and other credits may be deducted only to the extent that the purchase to which the credit or return relates has been reflected in the previous balance; or (ii) the average daily balance determined by adding the daily balances on the account for each day in the billing cycle, excluding purchases, and dividing this total by the number of days in the billing cycle.

(b) Regardless of the date of actual posting of a payment to an account, such payment shall be credited to the customer's account as of the date such payment is received by the creditor, and no finance charge, late payment charge, or other charge shall be imposed with respect to the amount of such payment which is properly received by the creditor on or before the time indicated by the creditor as necessary to avoid imposition thereof, provided that:

(1) If a creditor fails to post the customer's payment in time to avoid the imposition of finance charges, late payment charges, or other charges, the creditor shall adjust the customer's account so that the finance charges, late payment charges, or other charges are credited to the account during the customer's next billing cycle.

(2) For the purposes of this subclause (b), the creditor may specify on the periodic statement or on accompanying material, reasonable requirements with respect to the form, amount, manner, location, and time for receipt or payments except that:

(i) If no particular hour of the day has been clearly specified by the creditor as the time by which payment must be received by the creditor in order to credit to the customer's account as of that date, payments received prior to the close of business on that day must be credited as of that date;

(ii) If no location has been clearly specified as the location at which payment may be made, the payment at any location where the creditor conducts business shall be credited as of the date such payment is presented; and

(iii) If no particular manner of payment has been clearly specified, then payment by check, cash, money order, bank draft or other similar instrument in properly negotiable form shall constitute proper manner of payment.

(3) If the creditor accepts payment at locations other than those specified under (ii) above, the creditor shall credit the customer's account promptly, in no case later than five days from the date of receipt, provided that the possibility of such delay is clearly disclosed to the customer on the periodic statement or on accompanying material.

(4) Payments need not be credited as of the date of receipt, but in any case must be credited promptly, if a delay in crediting does not result in the imposition of any finance charges, late payment charges, or other charges for that billing cycle or a later billing cycle.

(c) When any creditor other than the card issuer accepts the return of property or forgives a debt for services which is to be-

reflected as a credit to the customer's open end credit card account, he shall promptly, in no case later than seven business days from the date the return is accepted, transmit a statement with respect thereto to the card issuer.

Upon receipt of a credit statement, the card issuer shall credit the customer's account promptly, in no case later than three business days from receipt of the refund statement, with the amount of the refund.

If it is the policy of a creditor, other than a card issuer, to give cash refunds to cash customers, he must also give credit or cash refunds to credit card customers, unless he clearly and conspicuously discloses that he does not give credit or cash refunds for returns at the time the transaction is consummated.

SECTION 25. Subsection D of said section 27 of said chapter 255D, as so appearing, is hereby amended by striking out, in line 5, the words "outstanding debit balance" and inserting in place thereof the words:- debit or credit balance in excess of one dollar except as provided in section six D of chapter one hundred and forty C.

SECTION 26. Said subsection D of said section 27 of said chapter 255D, as so appearing, is hereby amended by striking out clauses (1) to (3), inclusive, and by inserting in place thereof the following three clauses:-

(1) The outstanding balance in the account at the beginning of the billing cycle, using the term previous balance and in the case of a credit balance, an appropriate identification as such.

(2) (a) In cases in which an actual copy of the document evidencing the credit transaction, which does not include a so-called facsimile draft, accompanies the periodic statement on which the transaction is debited to the amount of the transaction and either the date of the transaction or the date the transaction is debited to the customer's account;

(b) In cases in which an actual copy of the document evidencing the credit transaction does not accompany the periodic statement, then on or with the periodic statement on which the credit transaction is first reflected at least:

(i) The date on which the transaction took place, and the amount of the transaction.

With respect to transactions which are not billed in full on any single statement but for which precomputed instalments are billed periodically, the date the transaction takes place for purposes of this subclause shall be deemed to be the date on which the amount is debited to the customer's account; and

(ii) A brief identification of the property or services purchased in cases in which the creditor and the seller are not the same person or related persons, or the seller's name, as disclosed on the document evidencing the transaction provided to the customer, and the address, city and state or foreign country, using understandable and generally accepted abbreviations if the creditor so desires, where the transaction took place.

For purposes of this subclause, designations such as merchandise or miscellaneous shall not be considered sufficient identification of property or services, but a reference to a department in a sales establishment which accurately conveys the identification of the type of property or services which are available in such department shall be sufficient under this subclause. Identification may be made on an accompanying slip or by symbol relating to an identification list printed on the statement;

(c) In a case in which any of the information with regard to the date of the transaction, the date placed on a document signed by the customer, the description of the property and services purchased, or the seller's name and address as required by subclause (b) is not available to the creditor, an identifying number or symbol which appears on the document evidencing the credit transaction given to or used by the customer at the time of or in connection with the transaction. The provisions of this subclause shall not relieve the creditor of responsibility for maintaining procedures reasonably adapted to enable the creditor to obtain the primarily required information at the time the amount of the transaction is transmitted to the creditor for debiting to the customer's account;

(d) In complying with the disclosure requirements of subclauses (a), (b), and (c).

(i) In cases in which the creditor and the seller are not the same or related persons, the creditor may rely upon and disclose the information supplied by the seller with respect to the date and amount of the transaction. For purposes of this subclause, a person is not related to the creditor simply because he and the creditor have an agreement or contract pursuant to which he is authorized to honor the creditor's credit card under the terms specified in the agreement or contract. Franchised or licensed sellers of a creditor's product shall be considered to be related to the creditor. Sellers who assign or sell open end customer sales accounts to a creditor or arrange for such credit under an open end credit plan which allows the customer to use the credit only in transactions with that seller shall be considered related to the creditor.

(ii) Notwithstanding the provisions of subclause (c), until October twenty-eighth, nineteen hundred and seventy-seven, the date of debiting the amount of the transaction to the customer's account may be substituted for the date of the transaction or the date placed on the document evidencing a credit transaction when either such date is unavailable to the creditor; and an identifying number or symbol which appears on the document evidencing the credit transaction given to or used by the customer at the time of or in connection with the transaction may be substituted for the seller's name and address or description of the property or services purchased when such information is unavailable to the creditor.

(iii) The creditor shall disclose the date of each extension of credit or the date such extension of credit is debited to the account during the billing cycle, the amount of such extension of credit and, unless previously furnished, a brief identification of any goods or services purchased or other extension of credit. Identification may be made on an accompanying slip or by symbol relating to an identification list printed on the statement.

(iv) Whenever a buyer mails or delivers payment to the creditor in excess of the new balance, as provided in clause (8) of subsection D to which the payment is to be applied, the creditor shall credit the buyer's account with the total amount of the payment as specified in subclause (b) and promptly, in no case later than five business days from the creditor's receipt of the payment, refund the excess amount.

(3) The amounts and dates of crediting to the account during the billing cycle for payments, using the term payments, and for other credits including returns, rebates of finance charges, and adjustments, using the term credits, and unless previously furnished, a brief identification of each of the items included in such other credits. Identification may be made on an accompanying slip or by symbol relating to an identification list printed on the statement.

SECTION 27. Subsection E of said section 27 of said chapter 255D, as so appearing, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) The information required to be disclosed under clause (2) of subsection D and itemization of the amounts and dates required to be disclosed under clause (3) of subsection D and of the amount of any finance charge required to be disclosed under clause (4) of subsection D may be made on the reverse side of the periodic statement or on a separate accompanying statement,

provided that the totals of debits and credits are disclosed on the face of the period statement; and.

Approved March 21, 1977.

Chap. 53. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 11 of the acts of 1972 is hereby amended by striking out, in line 3, the word "sixty" and inserting in place thereof the words: - one hundred.

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

Approved March 22, 1977.

Chap. 54. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT A SPECIAL TOWN MEETING OF THE TOWN OF SHREWSBURY.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Shrewsbury at a special town meeting held on February seventh, nineteen hundred and seventy-seven, 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 special town meeting at least fourteen days prior to February seventh, nineteen hundred and seventy-seven.

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

Approved March 22, 1977.

Chap. 55. AN ACT RELATIVE TO THE MINIMUM DEPOSIT IN CO-OPERATIVE BANK TERM DEPOSIT ACCOUNTS HELD BY CUSTODIANS OR TRUSTEES UNDER CERTAIN RETIREMENT PLANS.

Be it enacted, etc., as follows:

Provision 1 of subsection 3B of section 13 of chapter 170 of the General Laws is hereby amended by striking out clause (b), as appearing in section 2 of chapter 73 of the acts of 1974, and inserting in place thereof the following clause:-

(b) the minimum amount which shall be not less than one thousand dollars, except in the case of an account held by a trustee or custodian in a retirement plan or individual retirement account established pursuant to the provisions of Public Law 87-792 or pursuant to the provisions of section 2002 of the Employees Income Retirement Security Act of 1974 in which case such corporation may permit such account to be maintained with any minimum deposit balance, and the maximum amount of the 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.

Approved March 22, 1977.

Chap. 56. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 134 of the acts of 1938 is hereby amended by striking out the first sentence, as amended by section 1 of chapter 274 of the acts of 1964, and inserting in place thereof the following sentence:- The county commissioners of the county of Dukes County may, for the purpose of advertising the recreational advantages of said county and for operating information booths in said county, expend such sums not exceeding sixty thousand dollars, in any one year, as may be appropriated therefor.

Approved March 22, 1977.

Chap. 57. AN ACT EXTENDING THE TIME FOR THE SUBMISSION OF THE ANNUAL BUDGETS IN CITIES IN NINETEEN HUNDRED AND SEVENTY-SEVEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section thirty-two of chapter forty-four of the General Laws, the mayor in any city, except Boston, may, within one hundred and twenty days after the organization of such city government in the calendar year nineteen hundred and seventy-seven submit to the city council the annual budget for the fiscal year nineteen hundred and seventy-seven and nineteen hundred and seventy-eight.

SECTION 2. Notwithstanding the provisions of section twenty-three of chapter fifty-nine of the General Laws, if prior to June twenty-first in the year nineteen hundred and seventy-seven, the assessor of any city, except Boston, shall not have received from the city clerk a certificate under section fifteen A of chapter forty-one of the General Laws of the appropriation voted for the annual budget for the fiscal year nineteen hundred and seventy-seven and nineteen hundred and seventy-eight and if it appears to them, after inquiry of the city clerk, that such appropriations have not been voted, they shall forthwith assess a tax for said year in accordance with the provisions of said section twenty-three, except that, in determining the amount of the tax to be assessed, there shall be considered as having been appropriated for the annual budget for said year an amount equal to the aggregate appropriations voted for the annual budget for the next preceding year.

Approved March 23, 1977.

EMERGENCY LETTER — March 25, 1977 @ 10:16 P.M.

Chap. 58. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO MAKE A CERTAIN PAYMENT TO, AND ON BEHALF OF, JOSEPH STROY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the treasurer of Norfolk county, with the approval of the county commissioners, is hereby authorized to pay from any available funds in the treasury an amount not to exceed seven thousand five hundred dollars to be paid to, or otherwise to reimburse, Joseph Stroy for any and all expenses incurred, or paid, by him, or anyone acting on his behalf, for the furnishing and installation of a water closet combination in the first floor bath of his residence, for the furnishing and installation of a personal shower in the first floor bath of his residence and for the purchase of a specially designed Barnstable chair and Monhegan footrest for his personal use; and further that the amount authorized herein, shall be made regardless of when any such expenditure or purchase was made by Joseph Stroy or one acting on his behalf, for injuries incurred by him on January twenty-sixth, nineteen hundred and seventy-five, while an employee of said county at the Norfolk house of correction, during an escape attempt.

Approved March 23, 1977.

Chap. 59. AN ACT AUTHORIZING THE RESTORATION OF CERTAIN REVENUE FUNDS BY THE TOWN OF DENNIS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Dennis is hereby authorized to restore revenue funds in the amount of one hundred and ninety-five thousand dollars used to pay off a temporary borrowing by applying the proceeds of a bond issue authorized by vote under article 2 of the warrant of the special town meeting held on August fourteenth, nineteen hundred and seventy-four to such purpose.

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

Approved March 24, 1977.

Chap. 60. AN ACT PROVIDING FOR THE USE OF CERTAIN UNEXPENDED FUNDS BY THE TOWN OF DENNIS TO PAY ITS SHARE OF THE BONDED DEBT ASSESSMENT OF THE DENNIS-YARMOUTH REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Dennis is hereby authorized to use the sum of thirty-three thousand eight hundred and seventy-four dollars and fifty-five cents from the unexpended balance of the Nathaniel Wixon School Construction and Equipment Account for the purpose of paying said town's share of the bonded debt assessment of the Dennis-Yarmouth Regional School District for the fiscal years nineteen hundred and seventy-eight and nineteen hundred and seventy-nine. Said town may appropriate funds from said account for the payment of, and may pay, said bonded debt assessment for the fiscal year nineteen hundred and seventy-eight, and may appropriate and pay the balance, if any, of said account for the payment of said bonded debt assessment for the fiscal year nineteen hundred and seventy-nine.

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

Approved March 24, 1977.

Chap. 61. AN ACT PROVIDING FOR A LIMITED TIME COMPLIANCE WITH THE FEDERAL FAIR CREDIT BILLING ACT SHALL BE CONSTRUED TO BE IN COMPLIANCE WITH THE LAW OF THE COMMONWEALTH RELATIVE TO PROTECTION OF CONSUMERS AGAINST CARELESS AND ERRONEOUS BILLINGS.

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 protection of consumers against careless and erroneous billings 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:

Until December first, nineteen hundred and seventy-eight, compliance by any creditor with the Fair Credit Billing Act (Pub. L. 93-495, Title III), and the regulations promulgated thereunder, shall be deemed and construed to be in compliance for all purposes with the provisions of chapter ninety-three C of the General Laws and no action or failure to act by any creditor shall constitute a violation of said chapter ninety-three C unless such action or failure to act would constitute a violation of said federal act or of the regulations promulgated thereunder.

Approved March 25, 1977.

Chap. 62. AN ACT INCREASING THE MAXIMUM AMOUNT OF CERTAIN HOME MORTGAGE LOANS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Paragraph 6A of section 35 of chapter 168 of the General Laws is hereby amended by striking out the fifth sentence, as most recently amended by section 2 of chapter 78 of the acts of 1973, and inserting in place thereof the following sentence:- No loan of this class shall be made or acquired for a sum in excess of sixty thousand dollars.

Approved March 25, 1977.

EMERGENCY LETTER — March 31, 1977 @ 4:19 P.M.

Chap. 63. AN ACT RELATIVE TO REAL ESTATE MORTGAGE LOANS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 35 of chapter 168 of the General Laws is hereby amended by striking out paragraph 2, as appearing in section 1 of

chapter 432 of the acts of 1955, and inserting in place thereof the following paragraph:-

2. *Seventy Per Cent of Value, Unamortized.* - A mortgage loan not exceeding seventy per cent of the value of the real estate, payable on demand or not more than three years from the date of the note, subject to the limitation on amount provided in paragraph 1 of this section.

Approved March 25, 1977.

Chap. 64. AN ACT PROVIDING THAT THE FORM USED FOR GIVING CERTAIN NOTICE TO THE INSPECTOR OF WIRES SHALL BE UNIFORM THROUGHOUT THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 3L of chapter 143 of the General Laws is hereby amended by striking out the last two paragraphs and inserting in place thereof the following two paragraphs:-

No person shall install for hire any electrical wiring or fixtures subject to this section without first or within five days after commencing the work giving notice to the inspector of wires appointed pursuant to the provisions of section thirty-two of chapter one hundred and sixty-six. Said notice shall be given by mailing or delivering a permit application form prepared by the board, to said inspector. Any person failing to give such notice shall be punished by a fine not exceeding twenty dollars. This section shall be enforced by the inspector of wires within his jurisdiction and the state examiners of electricians.

Any person installing for hire electrical wiring or fixtures subject to this section shall notify the inspector of wires in writing upon the completion of the work. The inspector of wires shall, within five days of such notification, give written notice of his approval or disapproval of said work. A notice of disapproval shall contain specifications of the part of the work disapproved, together with a reference to the rule or regulation of the board of fire prevention regulations which has been violated.

SECTION 2. The board of fire prevention regulations shall, on or before December thirty-first, nineteen hundred and seventy-seven, promulgate by rule or regulation a permit application form to provide notice of installation of wiring as required by section three L of chapter one hundred and forty-three of the

General Laws, amended by section one of this act. Said form shall be uniform throughout the commonwealth.

Approved March 25, 1977.

Chap. 65. AN ACT AUTHORIZING THE TOWN OF MANCHESTER TO CONVEY CERTAIN PARK LAND IN SAID TOWN IN EXCHANGE FOR CERTAIN OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Manchester is hereby authorized to convey to Alfred J. Rossi et ux a certain parcel of park land containing approximately nine thousand one hundred and ninety-eight square feet, and as shown as Parcel L on a plan entitled "Plan of Land in Manchester, Mass., prepared for Alfred J. Rossi" dated April 28, 1976, Essex Survey Service, Inc., a copy of which plan is on file in the office of the town clerk of said town and in consideration thereof said town may accept a conveyance from said Alfred J. Rossi et ux of a certain other parcel of land containing approximately nine thousand one hundred and ninety-eight square feet as shown as Parcel M on said plan.

Approved March 25, 1977.

Chap. 66. AN ACT INCREASING THE AMOUNT OF MONEY WHICH CITIES AND TOWNS ARE REQUIRED TO APPROPRIATE ANNUALLY FOR LAND COURT PROCEEDINGS OF TAX TITLE FORECLOSURES.

Be it enacted, etc., as follows:

Section 50B of chapter 60 of the General Laws, inserted by chapter 185 of the acts of 1946, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Every city or town shall include in its annual budget the amount estimated by its treasurer as the amount necessary for land court proceedings for tax title foreclosure; provided, that the amount so included shall be not less than eighty dollars for each tax title ripe for foreclosure held by said city or town as security for the payment of taxes involving property having a current assessed valuation in excess of one thousand dollars.

Approved March 25, 1977.

Chap. 67. AN ACT FURTHER REGULATING TESTING OF SCHOOL PERSONNEL TO SHOW FREEDOM FROM TUBERCULOSIS.

Be it enacted, etc., as follows:

SECTION 1. Section 55B of chapter 71 of the General Laws, as most recently amended by chapter 378 of the acts of 1964, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

No person known to be suffering from tuberculosis in a communicable form, or having evidence of symptoms thereof, shall be employed or continued in employment at any public or private school in the commonwealth, including any college or university, at any special training center for the mentally retarded or any program for youthful offenders in any capacity which might bring him into direct contact with any student at such school. Immediately prior to his entering into any such employment, and at least every three years during the course of his employment thereafter, each school superintendent, principal, director, teacher, food handler, custodian, school bus driver, nurse, doctor, or other person whose duties, either official or voluntary, bring him into such direct contact with students, shall file with the superintendent or other persons having charge of such school on forms furnished by the department of public health and approved by the department of education, a report made by a licensed physician or a registered nurse certifying his freedom from tuberculosis in a communicable form and said report shall be kept a part of the records of such school authorities. The report certifying freedom from tuberculosis shall be accompanied by the results of a negative intradermal tuberculin test administered not more than ninety days prior thereto in a manner approved by the commissioner of public health, or in the case of a person whose tuberculin test is positive, by the report of a large X-ray film of the chest taken not more than ninety days prior thereto, and such other laboratory and clinical examinations as may be required for the exclusion of tuberculosis in a communicable form, except that no registered nurse shall file any such report without the results of a negative tuberculin test. The commissioner of public health may order that such examinations be repeated or additional tests made in a department of public health designated tuberculosis clinic in any case where the results may be in dispute. On request, X-ray films shall be submitted for review to the department of public health or its designated tuberculosis clinic and where the X-ray so submitted is for any reason not satisfactory, an X-ray of the employee's

chest shall be made by the department or designated clinic. When such X-ray shows a pulmonary lesion which cannot be properly evaluated on a single film, further X-ray examinations shall be made, at such intervals as it may require, and without charge, by said department or designated tuberculosis clinic. Cases in which the question of communicability of tuberculosis arises may, on appeal, be referred to a board of three competent physicians, appointed by the commissioner of public health, and their decision shall be final. Such reports and X-rays or intradermal tuberculin tests shall be required at least every three years from all employees; provided, that such re-examination shall not be required within three years of any previous examination for any school employee who may transfer employment within the commonwealth.

SECTION 2. Said section 55B of said chapter 71, as so amended, is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

Any teacher, other than a teacher in the public schools, or any other employee excluded or removed from employment on account of tuberculosis in a communicable form shall be carried on sick leave with pay for such period as he may be entitled to under regulations of the school committee or other school officers; and any teacher in a public school, or other employee therein whose duties bring him into direct contact with any student thereat, shall, if excluded or removed from employment on account of tuberculosis in a communicable form be carried on sick leave with pay for the entire period of such exclusion or removal, but in no case for more than two years, and for such further additional period as he may be entitled to under the regulations of the school committee or other school officers. No teacher or employee so excluded or removed shall return to employment in a school until properly certified by the department of public health, or a designated tuberculosis clinic, on the basis of X-ray and laboratory examinations, as free from tuberculosis in a communicable form. Facilities for free X-ray service shall be provided by the department of public health or a designated tuberculosis clinic for all persons who come within the scope of this section.

Approved March 25, 1977.

Chap. 68. AN ACT PROVIDING FOR THE OPTIONAL PAYMENT OF A SINGLE SUM DEATH BENEFIT FOR DEPENDENTS OF DECEASED MEMBERS OF THE MASSACHUSETTS NATIONAL GUARD.

Be it enacted, etc., as follows:

Section 88 of chapter 33 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 629 of the acts of 1958, and inserting in place thereof the following paragraph:-

In case of death, resulting from injury, sickness or disease, of an officer or enlisted person of the armed forces of the commonwealth while performing any military duty for which he or his dependents are entitled to benefits or compensation from the United States, and notwithstanding any rights to or receipt of such benefits or compensation, or both, compensation in the amount of five thousand dollars, payable in a single payment or in two hundred equal weekly payments of twenty-five dollars, at the option of the dependents, shall be paid to the decedent's dependents, as determined in accordance with clause (3) of section one and section thirty-two of chapter one hundred and fifty-two; provided, however, that no such compensation shall be so paid unless the board finds that the injury, sickness or disease resulting in such death was without fault or neglect on the part of the decedent; and provided further, that the option of a single payment shall only be available to dependents of the decedent who have attained age eighteen on the date of the decedent's death.

Approved March 25, 1977.

Chap. 69. AN ACT INCREASING THE PENALTIES FOR CERTAIN MARINE FISHERY VIOLATIONS.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 37 of chapter 130 of the General Laws, as appearing in chapter 152 of the acts of 1960, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Violation of any provision of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars or imprisonment for one month or both.

SECTION 2. Section 38 of said chapter 130 is hereby amended by striking out the fifth paragraph, as amended by section 4 of

chapter 61 of the acts of 1970, and inserting in place thereof the following paragraph:-

A permittee shall at all times, while acting in pursuance of his permit, exhibit his permit upon the demand of any officer qualified to serve criminal process, and upon failure to do so shall be punished by a fine of not less than twenty-five nor more than one hundred dollars or imprisonment for one month or both.

SECTION 3. Section 38A of said chapter 130 is hereby amended by striking out the third paragraph, as appearing in section 3 of chapter 737 of the acts of 1969, and inserting in place thereof the following paragraph:-

Whoever violates any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

SECTION 4. Section 44 of said chapter 130, as most recently amended by section 2 of chapter 300 of the acts of 1963, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Whoever sells, or offers for sale, or has in possession for a period longer than is necessary for immediate measuring, or for any purpose other than legally disposing of same, a lobster measuring less than three and three-sixteenths inches in length, alive or dead, cooked or uncooked, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, shall be punished for the first offense by a fine of not less than twenty-five nor more than fifty dollars for every such lobster and for a subsequent offense by a fine of not less than fifty nor more than one hundred dollars for every such lobster or by imprisonment for not less than one nor more than three months or both, and such lobster shall be seized and forfeited, and shall be disposed of by the director to the best interest of the commonwealth.

Approved March 25, 1977.

Chap. 70. AN ACT RELATIVE TO THE TERM OF CERTAIN MORTGAGE
LOANS MADE BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Subsection 3 of section 24 of chapter 170 of the General Laws, as most recently amended by section 2 of chapter 550 of the acts of 1975, is hereby further amended by adding the following sentence:- The term of the note therefor shall not exceed thirty-five years.

SECTION 2. Subsection 3A of said section 24 of said chapter 170 is hereby amended by striking out clause (b), as amended by section 5 of chapter 78 of the acts of 1973, and inserting in place thereof the following clause:- (b) the term of the note therefor shall not exceed thirty-five years;.

SECTION 3. Subsection 3B of said section 24 of said chapter 170 is hereby further amended by striking out clause (b) and inserting in place thereof the following clause:- (b) the term of the note therefor shall not exceed thirty-five years;.

Approved March 25, 1977.

Chap. 71. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO EXPEND CERTAIN FUNDS FOR CERTAIN FURNISHINGS IN THE PROBATE COURT IN SAID COUNTY.

Be it enacted, etc., as follows:

The county commissioners of Norfolk county are hereby authorized, subject to the provisions of chapter thirty-four and chapter thirty-five of the General Laws, to expend monies, not to exceed six thousand dollars, existing in a reserve fund for the construction of facilities in the registry of probate and insolvency in said county for the purposes of providing furnishings for said registry of probate and insolvency facilities and for the payment of any architectural fee required to accomplish said purposes.

Approved March 25, 1977.

Chap. 72. 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, from any available funds, certain unpaid bills totaling eighty-one thousand six hundred and seven dollars and ninety-nine cents, as set forth on a list on file in the office of the director of accounts in the department of corporations and taxation, for goods and services supplied or rendered to said county during the year nineteen hundred and sixty-six through June thirtieth, nineteen hundred and seventy-five, which bills are legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by the treasurer thereof under

authority of this act unless and until a certificate has been signed and filed with said treasurer stating under the penalties of perjury that the goods and services for which such bill was submitted were ordered by an official or an employee of said county and that such goods were delivered and actually received by said county or that such services were rendered to said county, or both.

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 March 25, 1977.

Chap. 73. AN ACT INCREASING THE PRINCIPAL AMOUNT WHICH MAY BE LOANED BY MUTUAL SAVINGS BANKS TOWARD THE PURCHASE OF MOBILE HOMES.

Be it enacted, etc., as follows:

Paragraph 9 of section 38 of chapter 168 of the General Laws is hereby amended by striking out clauses (c) and (d), as appearing in chapter 126 of the acts of 1970, and inserting in place thereof the following two clauses:- ; (c) the principal amount of such loan, excluding interest and other costs, shall not exceed eighty per cent of the purchase price of such mobile home, excluding any taxes, transportation expenses, insurance premiums, registration fees and other costs paid or required to be paid by the purchaser in connection with such purchase, or fifteen thousand dollars, whichever is less; (d) such loan is required to be repaid in substantially equal monthly installments within a period of not more than fifteen years after the date of such purchase.

Approved March 25, 1977.

Chap. 74. AN ACT REPEALING THE FAIR TRADE LAW.

Be it enacted, etc., as follows:

SECTION 1. Sections fourteen A to fourteen D, inclusive, of chapter ninety-three of the General Laws are hereby repealed.

SECTION 2. The first sentence of section 23A of chapter 138 of the General Laws, as most recently amended by chapter 780 of

the acts of 1950, is hereby further amended by striking out, in line 3, the words "fourteen A" and inserting in place thereof the words:- fourteen E.

Approved March 25, 1977.

Chap. 75. AN ACT REQUIRING CERTAIN COUNTY BID SPECIFICATIONS TO BE MADE AVAILABLE TO THE PUBLIC.

Be it enacted, etc., as follows:

Section 17 of chapter 34 of the General Laws, as most recently amended by section 1 of chapter 18 of the acts of 1976, is hereby further amended by adding the following paragraph:-

Bid specifications, except specifications for building construction, alteration or renovations exceeding an estimated cost of ten thousand dollars, prepared in compliance with this section shall be made available to the general public at a cost not to exceed ten dollars.

Approved March 25, 1977.

Chap. 76. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW RELATIVE TO THE EFFECTIVE DATES OF CERTAIN CHANGES IN THE TAX AND PROBATE LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith make corrective changes in the law relative to the effective dates of certain changes in the tax and probate laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:-

SECTION 1. Chapter 415 of the acts of 1976 is hereby amended by striking out section 116 and inserting in place thereof the following section:-

Section 116. Sections eighty-eight, eighty-nine, ninety and ninety-seven shall take effect on January first, nineteen hundred and seventy-six and shall apply only with respect to estates of decedents dying on or after January first, nineteen hundred and seventy-six. Sections one to eighty-seven, inclusive, sections ninety-one to ninety-six, inclusive, and sections ninety-eight to one hundred and fifteen, inclusive, shall take effect on January first, nineteen hundred and seventy-seven.

SECTION 2. Chapter 515 of the acts of 1976 is hereby amended by striking out section 35 and inserting in place thereof the following section:-

Section 35. This act shall take effect on January first, nineteen hundred and seventy-eight.

Approved March 28, 1977.

Chap. 77. AN ACT AUTHORIZING CITY, TOWN AND COUNTY TREASURERS TO DEDUCT MONIES FROM PENSIONS AND RETIREMENT ALLOWANCES FOR DEPOSITS IN CREDIT UNIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the authorization of city, town and county treasurers to deduct monies from pensions and retirement allowances for deposits in credit unions, therefore 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 35 of the General Laws is hereby amended by inserting after section 19B the following section:-

Section 19C. Any county treasurer may deduct from the pension or retirement allowance of a retired person who was a member of such county retirement system, such sum as such retired person may specify in writing and shall transmit the same to a credit union designated by such retired person.

SECTION 2. Chapter 41 of the General Laws is hereby amended by inserting after section 41B the following section:-

Section 41C. The treasurer of any city or town may deduct from the pension or retirement allowance of a retired employee of that city or town such sum as such retired employee may specify in writing and shall transmit the same to a credit union designated by such retired employee.

Approved March 28, 1977.

Chap. 78. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO EXPEND A SUM OF MONEY FOR THE REPAIR OF THE ROOF OF THE SOUTHERN DISTRICT REGISTRY OF DEEDS BUILDING IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Bristol county are hereby authorized to expend from any available appropriations a

sum of money, not exceeding fifty thousand dollars, for the purpose of making repairs to the roof of the southern district registry of deeds building in said county.

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

Approved March 28, 1977.

Chap. 79. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO LEASE CERTAIN TOWN OWNED PROPERTY FOR THIRTY YEARS.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookline is hereby authorized to lease property known as the Monmouth Street fire station to the Brookline Arts Center, Inc., for a period not to exceed thirty years and upon such terms and conditions as the board of selectmen shall determine; provided, however, that the conditions and terms of the lease and the annual rental to be paid to said town under said lease shall be determined at a town meeting of said town.

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

Approved March 29, 1977.

Chap. 80. AN ACT AUTHORIZING THE STATE PURCHASING AGENT TO CONTRACT FOR THE PURCHASE OF CERTAIN INK USED ON PERMANENT PUBLIC RECORDS.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter sixty-six of the General Laws is hereby repealed.

SECTION 2. Section 4 of said chapter 66, as most recently amended by section 2 of chapter 1050 of the acts of 1973, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- No ink shall be used upon any permanent public record except ink of such a standard as established and approved by the supervisor of records, and no ribbon, pad or other device used for printing by typewriting machines, or stamping pad, or any ink contained in such ribbon, pad, device, stamping pad or carbon paper, shall be used upon any permanent public record, nor shall any photographic machine or device or chemical used in connection therewith be used in making any permanent public record, ex-

cept such as has been approved by the supervisor of records, who may cancel his approval if he finds that any article so approved is inferior to the standard established by him.

Approved March 29, 1977.

Chap. 81. AN ACT AUTHORIZING PUBLIC RECREATIONAL USES ON LAND SUBJECT TO CONSERVATION RESTRICTIONS.

Be it enacted, etc., as follows:

Section 31 of chapter 184 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 15 of the acts of 1976, and inserting in place thereof the following paragraph:-

A conservation restriction means a right, either in perpetuity or for a specified number of years, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking, appropriate to retaining land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming or forest use, to permit public recreational use, or to forbid or limit any or all (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground, (b) dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials, (c) removal or destruction of trees, shrubs or other vegetation, (d) excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface, (e) surface use except for agricultural, farming, forest or outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition, (f) activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or (g) other acts or uses detrimental to such retention of land or water areas.

Approved March 29, 1977.

Chap. 82. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF ENDANGERED SPECIES DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15CC, inserted by chapter 67 of the acts of 1976, the following section:-

Section 15DD. The governor shall annually issue a proclamation setting apart the second Saturday in September as “Endangered Species Day” and recommending that said day be observed in an appropriate manner by the people.

Approved March 29, 1977.

Chap. 83. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO BORROW ADDITIONAL MONEY FOR CONSTRUCTING, EQUIPPING AND FURNISHING A NEW COURT HOUSE FOR THE FOURTH DISTRICT COURT OF PLYMOUTH IN THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 965 of the acts of 1973 is hereby amended by striking out, in line 11, the words “two hundred and fifty” and inserting in place thereof the words:- three hundred and seventy-five.

SECTION 2. Section 2 of said chapter 965 is hereby amended by striking out, in line 5, the words “two hundred and fifty” and inserting in place thereof the words:- three hundred and seventy-five.

Approved March 29, 1977.

Chap. 84. AN ACT INCORPORATING THE BAY COLONY RAILROAD CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. George E. Bartholomew, Edward E. Perry, Jr., James F. Huntoon and Gordon H. Fay, their associates and successors, are hereby made a corporation by the name of the Bay Colony Railroad Corporation, with all the powers and privileges, and subject to all restrictions and liabilities set forth in all General Laws now or hereafter in force relating to railroad companies, except as otherwise provided herein.

SECTION 2. Said Bay Colony Railroad Corporation is hereby authorized, subject to the approval of the department of public utilities, hereinafter referred to as the department, and federal regulatory agencies, to lease from the Consolidated Rail Corporation, Penn Central Transportation Company, their successors and assigns or the commonwealth or other parties, certain existing railroad lines, rail and road beds located in Plymouth

and Barnstable counties, through the following cities and towns: Middleboro, Lakeville, Rochester, Marion, Wareham, Bourne, Sandwich, Barnstable, Yarmouth, Dennis and Falmouth.

SECTION 3. Subject to the approval of the department, said corporation may own and operate an extension of the railroad as permitted by the then applicable state and federal laws and regulations for the purpose of operating industrial sidings and spur lines. Any such extension shall not provide through traffic to any mainline.

SECTION 4. The affairs of said corporation shall be managed by a board of not less than five nor more than nine directors, the number to be fixed by the by-laws. Its first board shall be chosen by the above named incorporators or a majority of them, who shall also adopt by-laws, which may provide as to the election and qualification of directors, and as to the classification of directors and their terms of office, and may provide that only a minority shall be elected annually. The said incorporators or a majority of them shall also make provision as to filling vacancies in the board, and otherwise as to the management of the affairs of the corporation and may adopt any other by-laws which shall be consistent with the general laws and with the provisions hereof.

SECTION 5. The capital stock of said corporation shall be two million dollars and said corporation shall be authorized to issue two million shares. The corporation may issue bonds and any other instruments of debt either unsecured or secured by mortgages of its properties. The said stock and bonds shall be issued in accordance with the laws of this commonwealth relating to the issue of stock and bonds by railroad corporations, in force at the time when such issue is made.

SECTION 6. Said corporation shall be granted all powers applicable to corporations formed under chapter one hundred and fifty-six B of the General Laws unless in conflict with this act.

SECTION 7. The corporation hereby created may begin business upon filing with the state secretary a list of its board of directors and a copy of its by-laws.

Approved March 31, 1977.

Chap. 85. AN ACT PROVIDING THAT GRADUATES OF SCHOOLS OF PROFESSIONAL NURSING MAY BE LICENSED AS PRACTICAL NURSES.

Be it enacted, etc., as follows:

Section 74A of chapter 112 of the General Laws is hereby amended by striking out the third sentence, as most recently

amended by section 2 of chapter 265 of the acts of 1973, and inserting in place thereof the following sentence:- An applicant who furnishes satisfactory proof that he is of good moral character and that he is a graduate of a school for practical nurses approved by the board or is a graduate of an accredited school of professional nursing or was a student in good standing at an accredited school of professional nursing before completing the program of studies and, at the time of withdrawal, had completed a program of study, theory and clinical practice equivalent to that required for graduation from an approved school of practical nursing, shall, upon payment of thirty dollars, be examined by the board and, if found qualified, shall be licensed, with a right to use the title licensed practical nurse and to practice as such, and shall receive a certificate thereof from the board.

Approved March 31, 1977.

Chap. 86. AN ACT RELATIVE TO MONEY ADVANCED BY COUNTY TREASURERS TO DISTRICT ATTORNEYS.

Be it enacted, etc., as follows:

Section 25A of chapter 12 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the words "two thousand dollars in any one month" and inserting in place thereof the words:- twenty-four thousand dollars in any one year.

Approved March 31, 1977.

Chap. 87. AN ACT RELATIVE TO APPROVED EDUCATIONAL PROGRAMS FOR THE PRACTICE OF PHYSICAL THERAPY.

Be it enacted, etc., as follows:

Section 23C of chapter 112 of the General Laws, as appearing in section 1 of chapter 584 of the acts of 1975, is hereby amended by striking out, in lines 7 and 8, the words "the appropriate subbody of the American Medical Association in collaboration with".

Approved March 31, 1977.

Chap. 88. AN ACT AUTHORIZING THE GRANBY TELEPHONE AND TELEGRAPH COMPANY OF MASSACHUSETTS TO BORROW AN ADDITIONAL SUM OF MONEY.

Be it enacted, etc., as follows:

The Granby Telephone and Telegraph Company of Massachusetts is hereby authorized to borrow an additional sum of money, not exceeding one million one hundred thousand dollars, and to execute bonds, notes or other evidences of indebtedness payable to any person, or to order and to deliver such bonds, notes or other evidences of indebtedness in consideration of such loan, and to mortgage, pledge or hypothecate any or all of its assets as security therefor; provided, however, that all of the provisions of chapter one hundred and sixty-six of the General Laws, except as specifically otherwise provided herein, shall be applicable and shall govern the said loan or any part thereof, or bonds, coupon notes or other evidences of indebtedness issued hereunder, including specifically the provisions of sections four, five and six of said chapter one hundred and sixty-six.

Approved March 31, 1977.

Chap. 89. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO SELL AND CONVEY A CERTAIN PARCEL OF LAND TO THE SPRINGFIELD TELEVISION BROADCASTING CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield, acting through its board of water commissioners with the approval of its mayor, is hereby authorized to sell and convey, subject to the provisions of section two of this act, to the Springfield Television Broadcasting Corporation a certain parcel of land in consideration of the fair market value as determined by said board. Said parcel of land being bounded and described as follows:-

Beginning at a point on the Agawam-Westfield town line five hundred three and ninety-eight hundredths (503.98) feet northerly from Agawam-Westfield town marker #7 along said town line, thence N 21°-459-050 E twelve hundred seventy-eight and thirty-five hundredths (1278.35) feet along said town line to an iron pin, thence S 82°-409-370 E three hundred seventy-two and seventy-five hundredths (372.75) feet to a point, thence S 82°-469-530 E five hundred seventy-nine and eighty hundredths (579.80) feet to an iron pin, thence N 13°-099-290 E sixty-two and twenty-five hundredths (62.25) feet to an iron pin,

thence S 81°-489-000 E nine hundred and eighty-one hundredths (900.81) feet to an iron pin at North West Street, thence S 8°-429-050 W fifty-nine and sixty-seven hundredths (59.67) feet more or less along North West Street to an iron pin, thence N 81°-559-290 W eight hundred seventy-nine and eighty hundredths (879.80) feet to an iron pin, thence S 8°-079-230 W six hundred fifty-two and forty-six hundredths (652.46) feet to a point, thence S 8°-119-300 W eighty-one and forty-six hundredths (81.46) feet to an iron pin; thence N 81°-219-070 W six hundred eighty-eight and twenty-two hundredths (688.22) feet to an iron pin, thence S 21°-199-090 W five hundred sixty-two and fifteen hundredths (562.15) feet to an iron pin, thence N 79°-409-370 W four hundred sixty-three and twenty hundredths (463.20) feet to point of beginning and containing 24.6386 acres.

SECTION 2. Said conveyance shall be subject to the following provisions:-

(a) The general public shall have continued access to and use of the Metacommet trail;

(b) No use and no activity shall be permitted on the land conveyed which would be detrimental to the water supply of the city of Springfield, or its successors, in any manner and especially by toxic or particulate emission of any type;

(c) The department of environmental management shall have an easement for the continued use and access to their fire tower located on the land conveyed and for reconstruction of said fire tower upon said land;

(d) All of the land conveyed shall remain in its natural scenic or open condition, or in agricultural farming or forest use, or use for outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition, all other uses are forbidden except land now used or to be used in the future for an access road, television, radio, microwave or other telecommunication towers, studios, accessory buildings or accessory uses, utilities incident to such use and transmission facilities.

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

Approved April 1, 1977.

Chap. 90. AN ACT AUTHORIZING CERTAIN PROVISIONAL EMPLOYEES WITHIN THE DEPARTMENT OF PUBLIC WELFARE TO TAKE PROMOTIONAL EXAMINATIONS FOR THE POSITION OF CHILD SUPPORT ENFORCEMENT WORKER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the eligibility of certain provisional employees within the department of public welfare to take promotional examinations, therefore 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 general or special law to the contrary, any person with provisional status in the position of child support enforcement worker and who previously held the position of social worker in the department of public welfare in a temporary status, shall be eligible to take the promotional examination for the position of child support enforcement worker and shall be given credit for experience gained in a provisional position.

Approved April 5, 1977.

Chap. 91. AN ACT AUTHORIZING THE ALLOWANCE OF CREDIT FOR CERTAIN EMPLOYMENT AND EXPERIENCE IN THE MARKING OF CIVIL SERVICE EXAMINATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the allowance of credit for certain employment and experience in the marking of civil service examinations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 31 of the General Laws, as appearing in section 78 of chapter 835 of the acts of 1974, is hereby amended by striking out the last sentence.

SECTION 2. This act shall apply to any civil service examination which has been held prior to the effective date of this act but for which the division of personnel administration has not released the grades.

Approved April 5, 1977.

Chap. 92. AN ACT AUTHORIZING CERTAIN BANKING ASSOCIATIONS AND CORPORATIONS TO ESTABLISH COLLECTIVE INVESTMENT FUNDS FOR CERTAIN TEMPORARY INVESTMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow forthwith for investments in short-term common trust funds by certain banking associations and corporations, therefore 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 167 of the General Laws is hereby amended by inserting after section 54D the following section:-

Section 54E. Any association or corporation authorized to do a banking business and to exercise trust powers in the commonwealth while acting as a fiduciary is authorized to establish a collective investment fund for the purpose of providing for temporary investment of cash which it lawfully holds in such capacity. Any such collective investment fund shall be administered in accordance with a written declaration of trust which shall provide that if property is held by such corporation or association as a fiduciary together with a co-fiduciary or co-fiduciaries, such property may be invested in such collective investment fund only with the written consent of such co-fiduciary or co-fiduciaries, but that in no case shall any other notice or consent be required for the making of any such investment. An account of the administration of each such collective investment fund shall be prepared annually, shall be audited by an independent certified public accountant and a copy of such account and of the audit report thereon shall be made available to any interested party upon written request and, if any cash held for charitable purposes is invested in such collective investment fund, shall be filed with the attorney general, division of public charities. All expenses of the administration of such collective investment fund, including the cost of the annual audit, shall be borne by the fund, but the corporation or association shall absorb the costs of establishing any such collective investment fund.

Approved April 5, 1977.

Chap. 93. AN ACT RELATIVE TO THE AUTHORITY OF SAVINGS BANKS TO ACCEPT DEPOSITS PURSUANT TO RETIREMENT PLANS AND INDIVIDUAL RETIREMENT ACCOUNTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to permit state chartered

banks to offer Keogh plan, so called, accounts and individual retirement accounts on a basis of competitive equality with federally chartered banking institutions, therefore it is hereby declared to be an emergency law, necessary for immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Subsection 1 of section 22C of chapter 168 of the General Laws, as most recently amended by chapter 125 of the acts of 1974, is hereby further amended by inserting after the first paragraph the following paragraph:-

Any such deposit which in the judgment of such corporation is contributed under a plan established pursuant to the provisions of 26 U.S.C. 401 (c) (1), or is contributed to an individual retirement account established pursuant to the provisions of 26 U.S.C. 408, may be received subject to the terms of a written plan conforming to the requirements of the preceding paragraph; provided, however, that such corporation may permit such account to be maintained with any minimum deposit balance on which the parties may agree without penalty or loss of interest, and may permit withdrawal of all or any part of such account without penalty or loss of interest when the individual for whose benefit the account is maintained attains age fifty-nine and one-half, is disabled as defined by the provisions of 26 U.S.C. 72 (m) (7), or dies, or at any time thereafter.

Approved April 5, 1977.

Chap. 94. AN ACT AUTHORIZING MORE THAN TWO PERSONS TO HOLD JOINT SAVINGS ACCOUNTS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 1 of section 21 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 571 of the acts of 1975, and inserting in place thereof the following sentence:- Such corporation may receive on deposit from any person for his own account or for the accounts of one or more distinct estates or trusts and deposits on any joint account provided for in section twenty-two of chapter one hundred and sixty-eight to the amount of not more than forty-five thousand dollars in the case of each individual account or not more than ninety thousand dollars in the case of each joint account, exclusive of interest accumulated thereon and upon such interest.

SECTION 2. Said chapter 168 is hereby further amended by striking out section 22, as most recently amended by section 2 of chapter 571 of the acts of 1975, and inserting in place thereof the following section:-

Section 22. Deposits may be received and held in the name of two or more persons as joint tenants, payable to two or more persons or the survivor or survivors of them, and any part or all of the deposits and interest represented by joint accounts may be withdrawn, assigned or transferred in whole or in part by any of the individual parties. Payment to any of the parties to a joint account while all of them are living shall discharge the liability of the corporation to all persons, and in the event of the death of any of them the corporation shall be liable only to the survivor or survivors, and the payment to any of the survivors shall discharge the liability of the corporation to all persons.

Any 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 ninety thousand dollars, exclusive of accumulated interest.

The surviving owner or owners of a joint account may maintain the balance of the account in the amount appearing at the time of the decease of a joint owner, and such corporation may allow interest additions and accumulations thereon.

Such deposits or any part thereof, or any dividends thereon, may be paid to any of such persons or to any assignee or pledgee of any of such persons, whether the other such persons be living or not, provided they are not then attached at law or in equity in a suit against any such person, and the bank then has no notice in writing of any assignment or pledge of the account by any of such persons to any person other than the person to whom payment is being made hereunder. All such payments shall be valid.

SECTION 3. Clause (a) of subsection 1 of section 22A of said chapter 168, as appearing in section 2 of chapter 169 of the acts of 1962, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Except as hereinafter provided in respect of dividends on such deposits, neither the whole nor any part of such deposits may be withdrawn other than pursuant to the terms of a withdrawal notice

of ninety days or more signed by such depositor or any joint depositor and received by such corporation.

SECTION 4. Clause (b) of said subsection 1 of said section 22A of said chapter 168 is hereby amended by striking out the first sentence, as amended by section 1 of chapter 206 of the acts of 1966, and inserting in place thereof the following sentence:- Any ordinary, extra or additional dividend on such deposits may be withdrawn pursuant to a permanent dividend order signed by such depositor or any joint depositor and received by such corporation prior to the day upon which such dividend becomes payable, or pursuant to a demand made by such depositor or any joint depositor within one year after the day upon which such dividend became payable.

SECTION 5. Section 38 of said chapter 168 is hereby amended by striking out paragraph 3, as most recently amended by chapter 321 of the acts of 1969, and inserting in place thereof the following paragraph:-

3. Deposit books of depositors, or joint depositors, in savings banks including such corporation, and in trust companies incorporated under the laws of and doing business within this commonwealth, and savings account books of depositors in national banking associations doing business within this commonwealth, to an amount not exceeding the deposit represented by such book; deposit books of depositors in savings banks doing business within any state contiguous to the commonwealth, to an amount not exceeding ninety-five per cent of so much of the deposit represented by such books as shall be guaranteed or insured by a corporation or fund established under federal or state law; certificates of banking companies doing business in this commonwealth representing certificate funds referred to in sections five and five A of chapter one hundred and seventy-two A and savings account books of depositors in national banking associations and in trust companies doing business within any state contiguous to the commonwealth, to an amount not exceeding ninety-five per cent of so much of the deposit account represented by such certificate or book as shall be insured by the Federal Deposit Insurance Corporation; savings share account books of co-operative banks incorporated in this commonwealth and unpledged shares thereof represented by pass books or certificates, to an amount not exceeding ninety-five per cent of such account or of the withdrawal value of such shares; and certificates or savings account books of federal savings and loan associations doing business within this commonwealth, to an amount not exceeding ninety-five per cent of so much of the account

represented by such certificate or book as shall be insured by the Federal Savings and Loan Insurance Corporation.

SECTION 6. Section 40 of said chapter 168 is hereby amended by striking out the first sentence, as amended by chapter 268 of the acts of 1963, and inserting in place thereof the following sentence:- Such corporation shall, upon application of a depositor or any joint depositor therein, including any depositor or depositors acting in a fiduciary capacity or a guardian or conservator of a depositor or depositors, make a loan to him, secured by his deposit account, in an amount not exceeding said account, for a time not extending beyond the end of the dividend period in which the loan was made; provided, however, that no such loan secured by a special notice account shall be made except upon an application in writing received by such corporation not less than ninety days prior to the date on which such loan is made.

SECTION 7. The second paragraph of said section 40 of said chapter 168, added by section 8 of chapter 169 of the acts of 1962, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Such corporation may, upon application by a depositor or by any joint depositor in a special notice account, make a loan to him, secured by his deposit book, in an amount not exceeding said deposit, for a time not extending beyond the end of the dividend period in which the loan was made or ninety days from the day on which the loan was made, whichever is longer.

Approved April 5, 1977.

Chap. 95. AN ACT PROVIDING FOR THE ELECTION OF STUDENT MEMBERS TO ADVISORY BOARDS OF REGIONAL COMMUNITY COLLEGES.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by striking out section 38, as appearing in section 1 of chapter 737 of the acts of 1964, and inserting in place thereof the following section:-

Section 38. Each regional community college established under section twenty-eight shall have an advisory board to consist of ten members appointed by the governor and an elected representative of the student body. The appointed members shall be residents of the region served by the college. No person shall be eligible to be elected to an advisory board unless at the time of his election he is enrolled as a student at the respective regional community college. The term of an appointed member of the ad-

visory board shall be five years. The term of office of the elected member of an advisory board shall be one year. At least one appointed member of each advisory board shall be a representative of business and one shall be a representative of labor.

Approved April 5, 1977.

Chap. 96. AN ACT FURTHER REGULATING THE EXTENSION OF CONSUMER CREDIT.

Be it enacted, etc., as follows:

Section 18A of chapter 255D of the General Laws, inserted by section 2 of chapter 137 of the acts of 1974, is hereby amended by adding the following two subsections: -

(3) The provision of subsections (1) and (2) shall not apply to an extension of credit or obligation if the buyer has been furnished a statement in the following form, as a separate document, accurately completed by the creditor, and has freely signed said statement:

NOTICE TO BUYER

STATE LAW PROVIDES THAT YOU DO NOT HAVE TO CONSOLIDATE YOUR PREVIOUS RETAIL INSTALLMENT SALES AGREEMENT WITH THE LOAN WHICH YOU ARE NOW APPLYING FOR.

If you do agree to consolidate the retail agreement, your combined new loan will cost \$_____ more in finance charges.

Schedule of Monthly Payments

*Separate Loan & Retail
Installment Agreement*

\$_____ per month for the
next _____ months
Then

\$_____ per month for _____
months after that

*Consolidated Loan & Retail
Installment Agreement*

\$_____ per month for the

I have read and understand the above statements, and I want to have my previous retail installment sales agreement consolidated with a small loan.

_____ Buyer
_____ Date

(4) The commissioner may prescribe the method of computation for all disclosure statements required by subsection (3).

Approved April 5, 1977.

Chap. 97. AN ACT REPEALING THE LAW REQUIRING THE BONDING OF PROBATION OFFICERS.

Be it enacted, etc., as follows:

Section eighty-four of chapter two hundred and seventy-six of the General Laws is hereby repealed.

Approved April 5, 1977.

Chap. 98. AN ACT RELATIVE TO THE FILING OF A CERTIFICATE OF CONDITION BY CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 156 of the General Laws is hereby amended by striking out section 36, as amended by section 1 of chapter 514 of the acts of 1941, and inserting in place thereof the following section:-

Section. 36. The president, treasurer and directors of every corporation shall be jointly and severally liable for all the debts and contracts of the corporation contracted or entered into while they are officers thereof if any stock is issued in violation of section fifteen, sixteen, forty-six B or forty-six D, or if any statement or report required by this chapter is made by them which is false in any material representation and which they know to be false; but directors who vote against such issue, and are recorded as so voting, shall not be so liable, and only the officers signing such statement or report shall be so liable; provided, that the officers or directors signing a false report of condition shall be liable only for debts contracted and contracts entered into before the filing of the next subsequent report of condition, and only to persons who shall have relied upon such false report to their damage.

SECTION 2. Section 47 of said chapter 156, as most recently amended by section 27 of chapter 750 of the acts of 1962, is hereby further amended by striking out clause 5.

SECTION 3. Section forty-nine of said chapter one hundred and fifty-six is hereby repealed.

SECTION 4. Chapter 156B of the General Laws is hereby amended by striking out section 63, as most recently amended by

section 3 of chapter 316 of the acts of 1972, and inserting in place thereof the following section:-

Section 63. The directors and officers of a corporation who sign any statement or report required by this chapter which is false in any material representation and which they know or have reason to know to be false shall be jointly and severally liable to a creditor of the corporation who has relied upon such false representation to the extent of the actual damage sustained by him by reason of such reliance; provided, that the officers and directors signing a false report of condition shall not be liable to creditors for debts contracted or contracts entered into after the filing of a report of condition or a corrected report of condition which is not false in any material representation.

SECTION 5. Section 109 of said chapter 156B is hereby amended by striking out clause (5) as amended by section 1 of chapter 63 of the acts of 1976.

SECTION 6. Section one hundred and nine A and section one hundred and eleven of said chapter one hundred and fifty-six B are hereby repealed.

SECTION 7. Chapter 158 of the General Laws is hereby amended by striking out section 37, as amended by section 37 of chapter 750 of the acts of 1962, and inserting in place thereof the following section:-

Section 37. Every corporation shall annually file in the office of the state secretary, within thirty days after the date fixed in its by-laws for its annual meeting, or within thirty days after the final adjournment thereof, but not more than three months after the date so fixed for said meeting, a certificate signed and sworn to by its president or vice president, and treasurer or assistant treasurer, and at least a majority of its directors, stating the date of holding such meeting, the amount of capital stock as it then stands fixed by the corporation, and the amount then paid in. Such certificates shall be preserved by the state secretary in book form convenient for reference.

SECTION 8. The fourth paragraph of section 4 of chapter 181 of the General Laws is hereby amended by striking out clause (6) as amended by section 3 of chapter 63 of the acts of 1976.

SECTION 9. Said section 4 of said chapter 181 is hereby further amended by striking out the fifth and sixth paragraphs.

SECTION 10. Said chapter 181 is hereby further amended by striking out section 10, as appearing in section 1 of chapter 844 of the acts of 1973, and inserting in place thereof the following section:-

Section 10. The directors and officers of a foreign corporation who sign any statement or report required by this chapter which is false in any material representation and that they know or have reason to know to be false shall be jointly and severally liable to a creditor of the foreign corporation who has relied upon such false representation to the extent of the actual damage sustained by him by reason of such reliance; provided, that the officers and directors signing a false report of condition shall not be liable to creditors for debts contracted or contracts entered into after the filing of a report of condition or a corrected report of condition that is not false in any material representation.

Approved April 5, 1977.

EMERGENCY LETTER — April 6, 1977 @ 2:59 P.M.

Chap. 99. AN ACT REQUIRING A TWO-THIRDS VOTE BY THE UPPER BLACKSTONE WATER POLLUTION ABATEMENT BOARD ON CERTAIN MATTERS AND AUTHORIZING THE UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT TO ACCEPT AND TREAT SEWAGE FROM DOMESTIC SANITARY SEWERAGE.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 2 of chapter 752 of the acts of 1968 is hereby amended by striking out the third sentence.

SECTION 2. Said section 2 of said chapter 752 is hereby further amended by inserting after the second paragraph the following paragraph:-

The Board may act by a majority vote on all matters; provided, however, that a two-thirds majority vote shall be required of the representatives on the Board from the city of Worcester and of the representatives on the Board from the other member towns for the undertaking of any capital outlay project costing more than one hundred thousand dollars; the incurrence of debt; the removal of the engineer-director; and the exercise of the power of eminent domain.

SECTION 3. Section 14A of said chapter 752, inserted by chapter 222 of the acts of 1972, is hereby amended by adding the following sentence:- The district may enter into an agreement with any political subdivision of the commonwealth to accept and treat the sewage from domestic sanitary sewerage at a cost to be agreed upon and provided for in such agreements.

Approved April 5, 1977.

EMERGENCY LETTER — April 6, 1977 @ 2:59 P.M.

Chap. 100. AN ACT CHANGING THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON COMMUNITY AFFAIRS.

Be it enacted, etc., as follows:

Section 5 of chapter 23B of the General Laws, as amended by section 3 of chapter 163 of the acts of 1975, is hereby further amended by striking out the first paragraph and inserting in place thereof the following two paragraphs:-

To assist the department in the discharge of its duties, there shall be an advisory committee on community affairs which shall consist of the chairman of the local government advisory committee, the chairman of the urban affairs committee or his designee, the chairman of the local affairs committee or his designee, the chairman of the Massachusetts Housing Finance Agency or his designee, the chairman of the social and economic opportunity council or his designee, and ten persons to be appointed by the governor, one of whom shall be the mayor of a city, one of whom shall be a selectman of a town, one of whom shall be a member of a housing authority, one of whom shall be a member of a redevelopment authority, one of whom shall be a member of a public housing tenants' organization, one of whom shall be a member of an association of housing or redevelopment officials, one of whom shall be a representative from an association of community action program directors, one of whom shall be a representative from a housing and planning association, one of whom shall be a recognized expert on municipal affairs and one of whom shall be a recognized expert on housing.

The advisory committee shall hold meetings at least once every three months. The governor shall annually designate a chairman of the committee. Members of the committee shall be appointed for a term of three years.

Approved April 6, 1977.

Chap. 101. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO CONTRACT WITH THE CAPE COD RETIRED SENIOR VOLUNTEER PROGRAM TO PROVIDE OPPORTUNITIES FOR RETIRED PERSONS AND SENIOR CITIZENS TO PERFORM VOLUNTARY SERVICES IN THEIR COMMUNITIES.

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 Cod Retired Senior Volunteer Program to enable them to provide opportunities for retired persons and senior citizens to perform voluntary services in their communities.

SECTION 2. Quarterly financial reports on forms approved by the county treasurer shall be submitted to the county commissioners by Cape Cod Retired Senior Volunteer Program 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 purpose of this act may be used by said Cape Cod Retired Senior Volunteer Program for the nonfederal share of a grant under the Retired Senior Volunteer Program of the ACTION Agency under the Domestic Volunteer Service Act of 1973, P.L. 93-113.

Approved April 12, 1977.

Chap. 102. AN ACT AUTHORIZING THE ATTORNEY GENERAL TO UNDERTAKE CERTAIN TAX RECOVERY PROCEEDINGS ON BEHALF OF RESIDENTS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow the attorney general to commence proceedings on behalf of the residents of Massachusetts as soon as possible in order to meet certain statute of limitation requirements, therefore 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 attorney general is hereby authorized to undertake proceedings on behalf of one or more residents of the commonwealth to recover taxes unlawfully collected from said residents by the State of New Hampshire pursuant to the provisions of Chapter 77-B, Revised Statutes Annotated of New Hampshire.

Any amounts recovered as a result of said proceedings shall be paid to the commissioner of corporations and taxation to be deposited in the General Fund as income tax receipts. The commissioner shall refund to each resident on behalf of whom said proceedings have been brought fifty per cent of the amount allocable to each such resident. The state treasurer, upon certification of the commissioner and without further appropriation, shall pay said amount to said resident.

Approved April 13, 1977.

Chap. 103. AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, THEIR DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A SUPPLEMENTAL COUNTY TAX FOR SAID COUNTIES.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the current appropriation act for each of the following counties, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, for the fiscal year nineteen hundred and seventy-seven.

Item	Subtotal	Total
BARNSTABLE COUNTY.		
22. For hospital		\$13,805.00
1. Personal services	\$13,805 00	
28a. For reserve for salary increases		250,755 00
28d. For reserve for counsel for indigent defendants		<u>30,000 00</u>
Total amount of appropriations		\$294,560 00
BERKSHIRE COUNTY.		
16. For jail and house of correction		\$26,000 00
6. All others	\$26,000 00	
28a. For reserve for salary increases		<u>119,617 50</u>
Total amount of appropriations		\$145,617 50
BRISTOL COUNTY.		
28a. For reserve for salary increases		<u>\$315,900 00</u>
Total amount of appropriations		\$315,900 00

Item	Subtotal	Total
DUKES COUNTY.		
28. For reserve fund		\$25,000 00
28a. For reserve for salary increases		37,952 50
Total amount of appropriations		\$62,952 50
ESSEX COUNTY.		
26. For miscellaneous and contingent expenses		\$30,820 00
28a. For reserve for salary increases		<u>556,480 00</u>
Total amount of appropriations		\$587,300 00
FRANKLIN COUNTY.		
28a. For reserve for salary increases		<u>\$67,542 50</u>
Total amount of appropriations		\$67,542 50
HAMPDEN COUNTY.		
16. For jail and house of correction		\$87,290 00
1. Personal services	\$75,290 00	
3. Supplies and materials	12,000 00	
28a. For reserve for salary increases		<u>413,032 50</u>
Total amount of appropriations		\$500,322 50
HAMPSHIRE COUNTY.		
28a. For reserve for salary increases		\$102,132 50
Total amount of appropriations		\$102,132 50
MIDDLESEX COUNTY.		
12. For superior court cost		\$56,700 64
1. Personal services	\$56,700 64	
28a. For reserve for salary increases		1,092,375 00

Item	<i>Subtotal</i>	<i>Total</i>
45. For central purchasing department		<u>9,625 00</u>
Total amount of appropriations		\$1,158,700 64
NORFOLK COUNTY.		
28. For reserve fund		\$60,000 00
28a. For reserve for salary increases	<u>454,055 00</u>	
Total amount of appropriations		\$514,055 00
PLYMOUTH COUNTY.		
27. For unpaid bills of previous year		\$35,000 00
28. For reserve fund		44,000 00
28a. For reserve for salary increases		281,895 00
28d. For reserve for counsel for indigent defendants	<u>50,000 00</u>	
Total amount of appropriations		\$410,895 00
WORCESTER COUNTY.		
26. For miscellaneous and contingent expenses		\$23,000 00
28a. For reserve for salary increases		492,680 00
Total amount of appropriations		<u>\$515,680 00</u>

SECTION 2. The county commissioners of each county are hereby authorized to levy as a county tax for the current fiscal year, in addition to the county tax previously authorized for such current fiscal year, the total amount appropriated for such county in section one, less any funds received through the federal antirecession fiscal assistance program, the balance to be apportioned and assessed upon the several cities and towns of the respective counties in the manner provided by law.

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

Approved April 14, 1977.

Chap. 104. AN ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS IN CERTAIN COUNTY HOSPITALS APPROPRIATION ACTS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-SEVEN.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in certain county hospital appropriation acts, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of hospital funds and the approval thereof, for the fiscal year nineteen hundred and seventy-seven, the sums so appropriated to be in addition to any amount at present available for the purposes.

Item

11a. For reserve for salary increases	<u>\$96,752 50</u>
For total expenditures	\$96,752 50

MIDDLESEX COUNTY.

1. For personal services	\$50,000 00
10. For unpaid bills of previous years	50,000 00
11a. For reserve for salary increases	<u>378,062 50</u>
For total expenditures	\$478,062 50

NORFOLK COUNTY.

11. For reserve fund	\$20,000 00
11a. For reserve for salary increases	<u>172,745 00</u>
For total expenditures	\$192,745 00

PLYMOUTH COUNTY.

11a. For reserve for salary increases	<u>\$124,325 00</u>
For total expenditures	\$124,325 00

WORCESTER COUNTY.

11a. For reserve for salary increases	<u>\$105,000 00</u>
For total expenditures	\$105,000 00

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

Approved April 14, 1977.

Chap. 105. AN ACT VALIDATING THE ACTION OF THE TOWN OF HARWICH IN GRANTING A RETROACTIVE SALARY INCREASE TO THE SURVEYOR OF HIGHWAYS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Harwich may establish the annual salary of the surveyor of highways of said town for the year nineteen hundred and seventy-six and may appropriate money for the payment of, and pay, the salary as established which may be retroactive to July first, nineteen hundred and seventy-six.

SECTION 2. The action taken by the town of Harwich on Article 5 of the warrant for the special town meeting of said town held on October thirteenth, nineteen hundred and seventy-six, is hereby validated and confirmed to the same extent as if section one of this act had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved April 14, 1977.

Chap. 106. AN ACT AUTHORIZING THE TOWN OF STOW TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE CELEBRATION OF THE THREE HUNDREDTH ANNIVERSARY OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Stow may appropriate money annually from and including the fiscal year nineteen hundred and seventy-eight to and including the fiscal year nineteen hundred and eighty-four, for the celebration in the year nineteen hundred and eighty-three of the three hundredth anniversary of the incorporation of said town and may accept gifts and contributions for such purpose.

SECTION 2. Said town may establish in the town treasury a special fund in which shall be deposited such sums as may be appropriated by said town for said celebration, and such sums as may be received as gifts or donations for such purpose. Any such sums received by the town treasurer shall be kept separate and apart from all 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 under the direction of and upon the authorization of the board of selectmen. Any surplus re-

maining in said special fund after such celebration is concluded shall be transferred by said treasurer into the treasury of said town.

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

Approved April 14, 1977.

Chap. 107. AN ACT AUTHORIZING AN INCREASE IN THE NUMBER OF TRUSTEES OF THE PRESIDENT AND TRUSTEES OF WILLIAMS COLLEGE.

Be it enacted, etc., as follows:

The third paragraph of chapter 15 of the acts of 1793 is hereby amended by striking out the proviso, as amended by chapter 456 of the acts of 1967, and inserting in place thereof the following proviso:- *Provided, nevertheless*, that the number of the said Trustees, including the president of the said College, for the time being, shall never be greater than twenty-two, nor less than eleven.

Approved April 14, 1977.

Chap. 108. AN ACT FURTHER REGULATING THE TERM AND MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE STATE LIBRARY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 33, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:

Section 33. There shall be a board of trustees of the state library, consisting of the president of the senate, the speaker of the house of representatives and the state secretary, who shall be trustees ex-officiis, and four other persons appointed by the governor, of whom one shall be appointed annually for a four year term commencing June first of the year of appointment. An ex-officio member of the board may designate another person to serve in his place by notice in writing to the librarian. Any person so designated shall serve until such member ceases to be a member of the board ex-officio or until sooner removed by such member by notice in writing to the librarian stating the reasons for removal. The board shall elect from its membership a chairman to serve for a term of one year. The librarian shall serve as clerk to the board. Fourmembers of the board, or their designees,

shall constitute a quorum for the conduct of the official business of the board.

SECTION 2. Of the members of the board of trustees of the state library first appointed by the governor under the authority of this act, one shall be appointed for a term of three years and one for a term of four years. As the term of any other member appointed expires, his successor shall be appointed for a term of four years.

Approved April 14, 1977.

Chap. 109. AN ACT RELATIVE TO THE SECURITIES INVESTMENT
LIMITATIONS OF SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 50 of chapter 168 of the General Laws is hereby amended by striking out paragraph 7, as amended by section 8 of chapter 218 of the acts of 1969, and inserting in place thereof the following paragraph:-

7. *Investment Limitations.* - Not more than ten per cent of the deposits of any such corporation shall be invested in interest bearing obligations authorized for investment under this section. Not more than four per cent of its deposits shall be invested in stocks so authorized; provided, that in addition to such four per cent an amount equivalent to one per cent of its deposits may be invested in stocks of Massachusetts corporations or companies with substantial employment in the commonwealth which are on the list of legal investments prepared by the banking commissioner and which have pledged to the commissioner that such monies will be used for further development within the commonwealth. Not more than one half of one per cent of its deposits shall be so invested in the securities of any one obligor, but the foregoing limitations shall not apply to obligations of telephone companies, of companies engaged primarily in the distribution and sale of electricity or gas, or both, or of railroad companies other than terminal companies.

Approved April 16, 1977.

Chap. 110. AN ACT REGULATING THE ADMISSIBILITY OF CERTAIN
EVIDENCE IN RAPE CASES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect immediately victims of rape and certain other related crimes, 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 233 of the General Laws is hereby amended by inserting after section 21A the following section:-

Section 21B. Evidence of the reputation of a victim's sexual conduct shall not be admissible in any investigation or proceeding before a grand jury or any court of the commonwealth for a violation of sections twenty-two, twenty-two A, twenty-three, twenty-four and twenty-four B of chapter two hundred and sixty-five. Evidence of specific instances of a victim's sexual conduct in such an investigation or proceeding shall not be admissible except evidence of the victim's sexual conduct with the defendant or evidence of recent conduct of the victim alleged to be the cause of any physical feature, characteristic, or condition of the victim; provided, however, that such evidence shall be admissible only after an in camera hearing on a written motion for admission of same and an offer of proof. If, after said hearing, the court finds that the weight and relevancy of said evidence is sufficient to outweigh its prejudicial effect to the victim, the evidence shall be admitted; otherwise not. If the proceeding is a trial with jury, said hearing shall be held in the absence of the jury. The finding of the court shall be in writing and filed but shall not be made available to the jury.

Approved April 19, 1977.

Chap. 111. AN ACT FURTHER REGULATING THE QUALIFICATIONS OF TWO MEMBERS OF THE BOARD OF REGISTRATION IN NURSING WHO ARE LICENSED PRACTICAL NURSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate the qualifications of ~~two members~~ of the board of registration in nursing, the number and membership of which were reconstituted as of January first of the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 13 of chapter 13 of the General Laws, as most recently amended by section 1 of chapter 436 of the acts of 1976, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:- Two members of the board shall be licensed practical nurses who at the time of their

appointment shall have been licensed in the commonwealth, and shall have been actually engaged as licensed practical nurses for at least eight years and who shall be graduates of a school for practical nurses.

Approved April 19, 1977.

Chap. 112. AN ACT PROHIBITING THE OFFERING OF ANIMALS AS PRIZES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prohibit forthwith the offering of animals as prizes, therefore 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 272 of the General Laws is hereby amended by inserting after section 80E, as amended by section 2 of chapter 299 of the acts of 1976, the following section:-

Section 80F. No person shall offer or give away any live animal as a prize or an award in a game, contest or tournament involving skill or chance. The provisions of this section shall not apply to awards made to persons participating in programs relating to animal husbandry.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

Approved April 19, 1977.

Chap. 113. AN ACT RELATIVE TO THE TERMS OF TRUSTEES FOR COUNTY COOPERATIVE EXTENSION SERVICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to limit the number of terms of trustees for county cooperative extension service appointed to serve from April first of the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 40 of chapter 128 of the General Laws, as most recently amended by section 1 of chapter 77 of the acts of 1975, is hereby further amended by inserting after the third sentence the following sentence:- No trustee, except a county commissioner, shall serve more than two consecutive full terms.

SECTION 2. The provisions of section forty of chapter one hundred and twenty-eight of the General Laws, amended by section one of this act, shall apply to trustees for county cooperative extension service appointed to serve from April first, nineteen hundred and seventy-seven.

Approved April 19, 1977.

Chap. 114. AN ACT AUTHORIZING THE TRANSFER OF CERTAIN LAND IN THE TOWN OF BRAINTREE FROM THE METROPOLITAN DISTRICT COMMISSION TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to section forty-four A of chapter thirty of the General Laws, as appearing in the Tercentenary Edition, and chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the metropolitan district commission is hereby authorized to transfer to the department of public works certain land for the construction of route 37 at the intersection of Granite street and Wood road in the town of Braintree for such consideration as may be acceptable to the metropolitan district commission.

Said parcels are shown on a plan on file in the department of public works and identified as follows:- Parcel A - a rectangular parcel of land bounded easterly by Granite street, known as route 37, about two hundred and sixteen feet; southerly by Wood road about four feet; westerly by Parcel B and land of the commonwealth, about two hundred and sixteen feet; and northerly by property of William B. Goldstein about sixteen feet; containing about two thousand five hundred and fifty square feet of land, more or less. Parcel B - a triangular parcel of land to be taken on behalf of the town of Braintree bounded easterly by Parcel A about seventeen feet; southerly by Wood road about twenty feet; and northwesterly by land of the said commonwealth, under the control of the metropolitan district commission, about twenty-eight feet; containing about one hundred square feet of land, more or less.

For the purposes of this act upon receipt of a deed to the above described land from said commission, the department of public works is hereby authorized to divert to highway use the above described lands or portions thereof presently in public use as park lands, recreational areas or nature preserves.

Approved April 19, 1977.

Chap. 115. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ANNUAL TOWN MEETING OF THE TOWN OF WAREHAM IN THE YEAR NINETEEN HUNDRED AND SEVENTY-SEVEN.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Wareham at the annual town meeting held on March twenty-fifth, nineteen hundred and seventy-seven and the adjournment thereof to Tuesday, April nineteenth, nineteen hundred and seventy-seven, 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 before March twenty-fifth, nineteen hundred and seventy-seven.

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

Approved April 20, 1977.

Chap. 116. AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF A RULE, REGULATION OR ORDER ADOPTED BY THE DIRECTOR OF STANDARDS.

Be it enacted, etc., as follows:

The second paragraph of section 29 of chapter 98 of the General Laws, as most recently amended by section 45 of chapter 704 of the acts of 1969, is hereby further amended by adding the following sentence:- Rules and regulations and orders issued by the director hereunder may provide penalties for violations thereof not exceeding, for the first offense, a fine of fifty dollars and, for the second or subsequent offense, a fine not exceeding five hundred dollars.

Approved April 22, 1977.

Chap. 117. AN ACT PROVIDING FOR THE APPOINTMENT OF THE COMMISSIONER OF YOUTH SERVICE AS A MEMBER OF THE MASSACHUSETTS CRIMINAL JUSTICE TRAINING COUNCIL.

Be it enacted, etc., as follows:

The first sentence of section 116 of chapter 6 of the General Laws, as most recently amended by chapter 161 of the acts of 1975, is hereby further amended by inserting after the word "correction", in line 4, the words:- , the commissioner of youth services.

Approved April 22, 1977.

Chap. 118. AN ACT FURTHER REGULATING THE APPLICATION FOR AND ISSUANCE OF OIL BURNER TECHNICIAN CERTIFICATES.

Be it enacted, etc., as follows:

SECTION 1. Section 10D of chapter 148 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 591 of the acts of 1970, and inserting in place thereof the following sentence:- Application for such certification shall not be made more often than once in thirty days.

SECTION 2. Said section 10D of said chapter 148 is hereby further amended by striking out the fifth sentence, as appearing in section 2 of chapter 680 of the acts of 1964, and inserting in place thereof the following sentence:- Within one month after the date of receipt of his application the applicant shall be examined as to his experience and ability to alter, repair and install oil burning equipment, and, if found by an examiner to be qualified, he shall forthwith be issued a certificate.

Approved April 22, 1977.

Chap. 119. AN ACT RELATIVE TO THE NOMINATION PAPERS OF CANDIDATES FOR TOWN MEETING MEMBERS UNDER THE REPRESENTATIVE TOWN GOVERNMENT IN THE TOWN OF NORTH ATTLEBOROUGH.

Be it enacted, etc., as follows:

Section 5 of chapter 57 of the acts of 1976 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Such papers shall be signed by not less than twenty-five registered voters of the precinct in which the candidate resides, and shall be filed with the board of election commissioners at least twenty-eight days before the election.

Approved April 22, 1977.

Chap. 120. AN ACT PROVIDING THAT ONE MEMBER OF THE WATER RESOURCES COMMISSION BE A REPRESENTATIVE OF THE GROUNDWATER INDUSTRY.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 8 of chapter 21 of the General Laws, as most recently amended by section 60 of chapter 706 of the acts of 1975, is hereby further amended by striking out, in line 12, the word "four" and inserting in place thereof the word:- five.

SECTION 2. Said section 8 of said chapter 21 is hereby further amended by striking out the second sentence, as appearing in section 1 of chapter 566 of the acts of 1969, and inserting in place thereof the following sentence:- The five persons appointed by the governor shall each represent a different major type of water user; provided, however, that at least one member shall be a representative of the groundwater industry.

Approved April 22, 1977.

Chap. 121. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY FOR THE CONSTRUCTION OF OUTDOOR RECREATIONAL AND ATHLETIC FACILITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith cities and towns to borrow money for the construction of outdoor recreational areas and athletic 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 7 of chapter 44 of the General Laws is hereby amended by adding after clause (24), added by chapter 189 of the acts of 1976, the following clause:-

(25) For the construction of municipal outdoor recreational and athletic facilities, including the acquisition and development of land and the construction and reconstruction of facilities; fifteen years.

Approved April 25, 1977.

Chap. 122. AN ACT EXEMPTING THE MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF HOPEDALE FROM THE PROVISIONS OF CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, appointments to the police department of the town of Hopedale shall be exempt from 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 said police department holding permanent or probationary civil service status on the effective date of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Hopedale 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-seven, entitled 'An Act exempting the members of the police department of the town of Hopedale from the provisions of 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 April 25, 1977.

Chap. 123. AN ACT EXEMPTING THE MEMBERS OF THE FIRE DEPARTMENT OF THE TOWN OF HOPEDALE FROM THE PROVISIONS OF CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, appointments to the fire department of the town of Hopedale shall be exempt from 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 said fire department holding permanent or probationary civil service status on the effective date of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Hopedale 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-seven, entitled 'An Act exempting the members of the fire department of the town of Hopedale from the provisions of 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 April 25, 1977.

Chap. 124. AN ACT AUTHORIZING THE TOWN OF GROVELAND TO EXTEND ITS SEWERAGE SYSTEM INTO AND THROUGH LAND OF THE PENTUCKET REGIONAL SCHOOL DISTRICT IN THE TOWN OF WEST NEWBURY.

Be it enacted, etc., as follows:

The town of Groveland is hereby authorized to lay out, construct, maintain, and operate a system or systems of main drains and common sewers into and through land of the Pentucket Regional School District in the town of West Newbury, and to do any other thing proper or necessary in connection therewith for the purposes of the town of Groveland sewerage system. Said land being bounded as follows: Northeast by a private way, Southeast by Main Street, Southwest by the Groveland-West Newbury town line and Northwest by the Merrimack River.

The town of Groveland may construct such sewers and drains as may be necessary on the aforementioned land belonging to the Pentucket Regional School District and in the northeastern part of the town of Groveland, and that the board of selectmen of the town of Groveland, acting for and on behalf of the town, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise, any lands, rights-of-way, or easements, public or private in the town of West Newbury, necessary in connection with the sewerage system for the land of the Pentucket Regional School District and the northeast section of the town of Groveland, and may construct such sewers under or over any public way, and may enter upon and dig up any private land, or public way, for the purpose of laying such sewers and of maintaining and repairing same.

Approved April 25, 1977.

EMERGENCY LETTER - April 26, 1977 @ 10:40 A. M.

Chap. 125. AN ACT EXEMPTING CERTAIN EMPLOYEES OF THE GREATER LAWRENCE SANITARY DISTRICT FROM THE PROVISIONS OF CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

Section 2 of chapter 750 of the acts of 1968 is hereby amended by striking out the seventh paragraph, as amended by chapter 359 of the acts of 1975, and inserting in place thereof the following paragraph:-

The executive director may, with the approval of the district commission, employ such other persons as he shall deem

necessary, and such persons shall not be subject to chapter thirty-one of the General Laws; provided, however, that all appointments shall be based on merit and fitness as determined by examination or other evidence of qualifications. The executive director shall establish, subject to the approval of the district commission, personnel rules and regulations which shall include a merit plan for all appointments and promotions.

Approved April 25, 1977.

Chap. 126. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO BORROW MONEY FOR THE CONSTRUCTION OF A JAIL AND HOUSE OF CORRECTION IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampshire county are hereby authorized to construct and originally equip a jail and house of correction which shall be constructed at a location acquired for such purpose. Said commissioners may expend for the purposes of this act, including the preparation of plans and specifications in connection therewith and for landscaping, such sums as may be necessary, not exceeding, in the aggregate, six million two 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 purpose set forth 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, six million two hundred and fifty thousand dollars and may issue bonds or notes of the county therefor, which shall bear on their face the words, Hampshire County Jail and House of Correction Loan, Act of 1977. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their face 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 April 26, 1977.

Chap. 127. AN ACT ALLOWING THE MOVEMENT OF CERTAIN VEHICLES AT A SCHOOL BUS STOP.

Be it enacted, etc., as follows:

The fourth sentence of section 14 of chapter 90 of the General Laws, as most recently amended by section 5 of chapter 878 of the acts of 1975, is hereby further amended by inserting after the word "deactivated", in line 10, the words:- , unless directed to the contrary by a police officer duly authorized to control the movement of traffic.

Approved April 26, 1977.

Chap. 128. AN ACT PROVIDING FOR THE ADMISSION INTO EVIDENCE THE RESULTS OF THE CERTIFICATE OF ANALYSIS OF NARCOTIC DRUGS, POISONS, DRUGS, MEDICATION OR CHEMICALS BY THE DRUG ENFORCEMENT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF JUSTICE.

Be it enacted, etc., as follows:

Section 13 of chapter 111 of the General Laws, as amended by section 2 of chapter 331 of the acts of 1943, is hereby further amended by adding the following sentence:- A signed certificate of drug analysis furnished by an analyst, assistant analyst or other designated employee of the Drug Enforcement Administration of the United States Department of Justice, which conforms with the requirements of this section, shall be prima facie evidence of the composition and quality of the narcotic or other drug, poison, medication or chemical analyzed and the court shall take judicial notice of the signature of the analyst, assistant analyst or other designated employee, and the fact that he is such.

Approved April 26, 1977.

Chap. 129. AN ACT PROVIDING FOR THE PRACTICE OF NURSE-MIDWIFERY.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 80B the following two sections:-

Section 80C. A nurse-midwife who is designated by the board of registration in nursing pursuant to the provisions of section eighty B may engage in the practice of midwifery; provided,

however, that the nurse-midwife functions as a member of a health care team which includes a qualified physician licensed to practice medicine in the commonwealth; and provided further, that deliveries by a nurse-midwife take place in facilities licensed by the department of public health for the operation of maternity and newborn services.

Section 80D. An advisory committee composed of five practicing nurse-midwives appointed by the board of registration in nursing for a two-year term shall be consulted on matters relating to the practice of nurse-midwifery and shall annually prepare a report informing the board of current functions, standards of practice and qualifications in the practice of nurse-midwifery.

Approved April 26, 1977.

Chap. 130. AN ACT CLARIFYING THE STATUS OF CERTAIN LEGAL HOLIDAYS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify the status of the legal holiday known as General Marquis de Lafayette day, therefore 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 4 of the General Laws is hereby amended by striking out clause Eighteenth, as most recently amended by section 1 of chapter 112 of the acts of 1976, and inserting in place thereof the following clause:-

Eighteenth, "Legal holiday" shall include January first, January fifteenth, May twentieth, July fourth, November eleventh, and Christmas Day, or the day following when any of said days occur on Sunday, and the third Monday in February, the third Monday in April, the last Monday in May, the first Monday in September, the second Monday in October, and Thanksgiving Day. "Legal holiday" shall also include, with respect to Suffolk county only, March seventeenth and June seventeenth, or the day following when said days occur on Sunday; provided, however, that the words "legal holiday" as used in section forty-five of chapter one hundred and forty-nine shall not include March seventeenth, May twentieth, or the day following when either of said days occur on Sunday and as used in section twenty-four A of chapter thirty and section six of

chapter two hundred and twenty shall not include May twentieth.

Approved April 27, 1977.

Chap. 131. AN ACT FURTHER DEFINING THE REQUIREMENT FOR OBTAINING ALL LOCAL PERMITS PRIOR TO FILING NOTICE OF INTENT WITH A CONSERVATION COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the filing of notice with the conservation commission relative to construction in flood plains and other wetlands areas, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The first paragraph of section 40 of chapter 131 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in section 1 of chapter 818 of the acts of 1974, and inserting in place thereof the following sentence:- No notice shall be sent until 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 favorably acted upon by decision or order of the permit granting authority and any appeal of such favorable action shall not be deemed to prohibit the sending of such notice.

Approved April 27, 1977.

Chap. 132. AN ACT EXEMPTING CERTAIN DISEASE ERADICATION PROCEDURES FROM THE DEFINITION OF "PRACTICING VETERINARY MEDICINE".

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow inspectors of the Massachusetts department of food and agriculture and the United States department of agriculture to draw blood to control certain animal diseases, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The second paragraph of section 58 of chapter 112 of the General Laws, as appearing in section 8 of chapter 810 of the acts of 1974, is hereby amended by adding the following clause:-

8. The drawing of blood by animal health inspectors of the division of animal health of the Massachusetts department of food and agriculture or of the animal and plant health inspection service of the United States department of agriculture in connection with the programs to control and eradicate brucellosis in animals; provided, that said animal health inspectors are supervised by the chief veterinary health officer of said division of animal health of the Massachusetts department of food and agriculture and trained by said chief or the area veterinarian in charge of veterinary services of said animal and plant inspection service.

Approved April 27, 1977.

Chap. 133. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO APPROPRIATE MONEY FOR AND PAY A CERTAIN UNPAID BILL.

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 an unpaid bill in the amount of two thousand nine hundred and fifty-three dollars and twenty-two cents to Atlantic Steel Company, Inc., 69 Norman Street, Everett, Massachusetts for goods sold in the year nineteen hundred and seventy-four for use at the town incinerator, which bill is 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 for which said bill has been submitted were ordered by an official or an employee of said town and that such goods 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 goods 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 April 29, 1977.

Chap. 134. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO APPROPRIATE MONEY FOR AND PAY A CERTAIN UNPAID BILL.

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 an unpaid bill in the amount of two thousand four hundred and fifty dollars and fifty cents to Granite City Electric Supply Company, 19 Quincy Avenue, Quincy, Massachusetts for goods sold in the year nineteen hundred and seventy-four for use at the town incinerator, which bill is 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 for which said bill has been submitted were ordered by an official or an employee of said town and that such goods 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 goods 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 April 29, 1977.

Chap. 135. AN ACT VALIDATING THE PROCEEDINGS AT A SPECIAL TOWN MEETING OF THE TOWN OF WINDSOR IN THE YEAR NINETEEN HUNDRED AND SEVENTY-SEVEN.

Be it enacted, etc., As follows:

SECTION 1. The acts and proceedings of the town of Windsor at a special town meeting held on February fourteenth, nineteen hundred and seventy-seven, 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 special town meeting at least fourteen days prior to February fourteenth, nineteen hundred and seventy-seven.

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

Approved April 29, 1977.

Chap. 136. AN ACT REDUCING THE NUMBER OF SIGNATURES REQUIRED IN PRIMARIES FOR CANDIDATES FOR STATE SECRETARY, STATE TREASURER AND STATE AUDITOR.

Be it enacted, etc., as follows:

Section 44 of chapter 53 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 4 of chapter 429 of the acts of 1973, and inserting in place thereof the following sentence:- In the case of the governor, lieutenant-governor, attorney general and United States senator, nomination papers shall be signed in the aggregate by at least ten thousand voters; in the case of the state secretary, state treasurer and state auditor, they shall be signed by at least five thousand voters.

Approved April 29, 1977.

Chap. 137. AN ACT INCREASING THE FEES WHICH MAY BE CHARGED FOR CERTAIN EVENING SCHOOL INSTRUCTION.

Be it enacted, etc., as follows:

Section 20 of chapter 71 of the General Laws, as most recently amended by chapter 28 of the acts of 1962, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Except in the city of Boston, the school committee may require from each student, not bound by law to attend, an advance payment not exceeding twenty-five dollars for each course offered for which the student registers and for which the town receives no reimbursement from the commonwealth or any of its agents, and not exceeding twenty dollars for each course offered for which the student registers and for which the town is reimbursed in whole or in part by the commonwealth or any of its agents, which fee may, at its discretion, be paid into the town treasury to be credited to the school appropriation, or be returned in whole or in part at such time and under such conditions as the committee determines.

Approved April 29, 1977.

Chap. 138. AN ACT DESIGNATING THE BRIDGE ON STATE HIGHWAY ROUTES 110 AND 2A OVER THE BOSTON AND MAINE RAILROAD IN THE TOWN OF LITTLETON AS THE JOHN F. MCCOVERN MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over the Boston and Maine Railroad on state highway routes 110 and 2A in the town of Littleton shall be desig-

nated and known as the John F. McGovern Memorial bridge, in memory of John F. McGovern, a former chief of the fire department in the town of Littleton. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved April 29, 1977.

Chap. 139. AN ACT RELATIVE TO QUALIFICATIONS FOR PROMOTIONAL APPOINTMENTS OF CERTAIN TEMPORARY EMPLOYEES.

Be it enacted, etc., as follows:

The tenth paragraph of section 15 of chapter 31 of the General Laws, as appearing in section 87 of chapter 835 of the acts of 1974, is hereby amended by adding the following sentence:- A person appointed from a civil service certification to fill a temporary vacancy and who continues in employment for at least one year after being so appointed shall be eligible for promotional appointment in the same manner as if such person had received a permanent appointment, and such person shall be allowed credit for employment or experience in the position for which the examination was held.

Approved April 29, 1977.

Chap. 140. AN ACT REQUIRING CONSTABLES TO REPORT FEES AND MONIES RECEIVED FOR THE SERVICE OF CIVIL AND CRIMINAL PROCESS.

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 8A, as amended by chapter 116 of the acts of 1966, and inserting in place thereof the following section:-

Section 8A. Each deputy sheriff and constable shall annually on or before the fifteenth day of April file with the county treasurer an account signed by him under the penalties of perjury of all fees and money received by him under the provisions of section eight for the service of civil process, or, if two or more deputy sheriffs and constables share such fees and money between themselves, they may file such an account jointly, provided that each shall subscribe the same under the penalties of perjury.

Approved April 29, 1977.

Chap. 141. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF PRO-LIFE MONTH.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by striking out section 15DD, inserted by chapter 82 of the acts of 1977, and inserting in place thereof the following two sections:-

Section 15EE. The governor shall annually issue a proclamation setting apart the second Saturday in September as "Endangered Species Day" and recommending that said day be observed in an appropriate manner by the people.

Section 15FF. The governor shall annually issue a proclamation setting apart the month of October as "Pro-Life Month" and recommending that it be observed by the people as a period of special attention to the importance of every stage of human life.

(The foregoing was laid before the Governor on the nineteenth day of April, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 142. AN ACT PROVIDING FOR THE FILING OF AFFIDAVITS OF INDIGENCY IN THE LAND COURT.

Be it enacted, etc., as follows:

The first paragraph of section 27B of chapter 261 of the General Laws, as appearing in section 3 of chapter 694 of the acts of 1974, is hereby amended by inserting after the word "courts", in line 2, the words:- , the land court.

Approved May 2, 1977

Chap. 143. AN ACT AUTHORIZING CREDIT UNIONS TO ESTABLISH CERTAIN BRANCH OFFICES OR DEPOTS OUTSIDE THE COUNTY LOCATION OF ITS MAIN OFFICE.

Be it enacted, etc., as follows:

Section 2 of chapter 171 of the General Laws is hereby amended by striking out the last paragraph, added by chapter 321 of the acts of 1965, and inserting in place thereof the following paragraph:-

After such notice and hearing as the commissioner may require and with his written permission and under such conditions as he

may approve, a credit union may establish and maintain one or more branch offices or depots in the county where the main office is located, or on a site within fifteen miles from the premises of the main office in any city or town in another county. Any of the usual business transacted by a credit union at its main office may be transacted at a branch office. The business at a depot shall be transacted only on such days as may be designated by the board of directors and shall be limited to the receipt of deposits and the collection of moneys due or payable to the credit union, and such business shall be subject to such other conditions, if any, as may be prescribed by the commissioner. With the written consent of the commissioner a branch office or depot may be closed, or its location may be changed. Not more than one application by a credit union to establish a branch office or depot under this paragraph outside the county in which its main office is located shall be approved in any calendar year.

Approved May 2, 1977.

Chap. 144. AN ACT AUTHORIZING THE TAKING OF DEPOSITIONS BY ELECTRONIC RECORDING DEVICES.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by striking out section 30, as amended by section 3 of chapter 71 of the acts of 1932, and inserting in place thereof the following section:-

Section 30. The deponent shall be sworn or affirmed to testify the truth, the whole truth and nothing but the truth, relative to the cause for which the deposition is taken. The deponent shall then be examined by the justice or notary, and may be examined by the parties, and the testimony may be taken in writing or by any recording device, including an electronic device, which will accurately preserve such testimony.

Approved May 2, 1977.

Chap. 145. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO SELL AND CONVEY CERTAIN PARCELS OF PARK LAND IN SAID CITY TO THE JOHN FITCH REALTY TRUST.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg is hereby authorized to sell and convey to the John Fitch Realty Trust certain parcels of park land, which the park commissioners of said city have declared to

be of no further use, located in said town and bounded and described as follows:-

Beginning at a stone bound at corner of land of one Dickson and of George Williams 141 ft. distant and northeasterly from a passageway leading from said Pearl St.; thence by land of said Williams N 11 -01' W one hundred one (101) ft. to a stake; thence by land of grantor one hundred eleven (111) ft. westerly to easterly side of said passageway, said line last mentioned being at right angles with said passageway; thence by said easterly side of said passageway southerly about one hundred twenty (120) ft. to land of said Dickson; thence by land of said Dickson in a straight line northeasterly one hundred forty (140) ft. to place of beginning, containing about 13,313 sq. ft. Being lots numbered 8 and 9 in plan of land of William Kiss made by Raymond & Bailey, Civil Engineers, dated June, 1887, and being a part of the premises conveyed to William Kiss by deed of George W. Holman and others as assignees of Benjamin Snow dated May 18, 1887 and recorded in the northern district registry of deeds in Worcester county, Book 20, Page 14.

FRANK McGRATH - #2 - A certain lot of land in Fitchburg situated on the easterly side of proposed Leam St. and bounded as follows:

Beginning at the southwesterly corner thereof at land of Thomas M. Mannix and at said proposed street; thence by the easterly side of said proposed Leam St. N 0 26' E two hundred twenty-five (225) ft. more or less to land now or formerly of one Taylor; thence by said Taylor land N 64 -16' E forty-five (45) ft. more or less to land now or formerly of George F. Williams; thence by said Williams land S 11 -1' E two hundred fifty (250) ft. more or less to land of said Thomas M. Mannix; thence West by said Mannix land eighty-seven (87) feet more or less to the place of beginning. Being a part of the premises conveyed to William Kiss by George W. Holman and others, assignees by deed dated May 18, 1887, recorded in the northern district registry of deeds in Worcester county, Book 20, Page 14.

HAROLD J. STEEVES - #3 - A certain tract of land situated in Fitchburg, Worcester County, Massachusetts on the easterly side of proposed Leam St. and bounded as follows: Beginning at the southwesterly corner thereof, and at a stone bound at said street and at land now or formerly of one McGrath N 0 26' E by said land one hundred twenty (120) feet to a bound; thence easterly by land late of William Kiss at right angles with said street eighty-seven (87) ft. more or less to land now or formerly of George F. Williams, thence S 11 -1' E by said Williams land one

hundred twenty-two (122) ft. more or less to a bound at said McGrath land; thence westerly by said McGrath land one hundred eleven (111) ft. to the place of beginning. Being the same premises conveyed to Warren R. Penniman et ux by Worcester North Savings Institution by deed dated May 23, 1936 recorded in the northern district registry of deeds in Worcester county, Book 528, Page 120.

SECTION 2. The deed heretofore executed in the name of and on behalf of the city of Fitchburg purporting to sell and convey park land in said city to the John Fitch Realty Trust dated August seventh, nineteen hundred and seventy-five, and recorded in the northern district registry of deeds in Worcester county, book 1147, page 529, is hereby declared null and void.

Approved May 2, 1977.

Chap. 146. AN ACT REGULATING THE PARKING OF CERTAIN MOTOR VEHICLES IN A HOUSING PROJECT AREA.

Be it enacted, etc., as follows:

Chapter 121B of the General Laws is hereby amended by inserting after section 32 the following section:-

Section 32A. A housing authority may make reasonable rules and regulations for the use of parking areas under its control, and may make reasonable charges for the use of such parking areas. At least one attested copy of such rules and regulations shall be posted at each facility and any violation thereof shall be punished by a fine of not more than twenty dollars.

Approved May 2, 1977.

Chap. 147. AN ACT AUTHORIZING THE TOWN OF WESTON TO SELL AND CONVEY A CERTAIN PARCEL OF LAND TO WESTON COMMUNITY HOUSING, INC. FOR THE PURPOSE OF PROVIDING CERTAIN ELDERLY HOUSING FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The town of Weston is hereby authorized to sell and convey for consideration of not less than one hundred dollars, a portion, not exceeding eighteen acres, of the parcel of land lying to the east of Merriam street acquired by said town from Weston College for municipal purposes pursuant to the second vote under Article II of the warrant at the nineteen hundred and seventy-two annual town meeting.

SECTION 2. The sale of said land shall be made to the Weston Community Housing, Inc., a corporation organized under chapter one hundred and eighty of the General Laws provided that said Weston Community Housing, Inc. enters into an agreement with the town of Weston, acting through its board of selectmen, to construct, on said land, a structure or structures to be used for housing for elderly persons of low or moderate income of the commonwealth and to operate such structure, or structures, for such purposes, for a period of not less than twenty years, which agreement may include terms and conditions concerning rents to be charged tenants, tenant eligibility standards, maintenance requirements, and real estate assessment, and shall be as said selectmen shall in their discretion determine.

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

Approved May 5, 1977.

Chap. 148. AN ACT AUTHORIZING THE TOWN OF WESTON TO PROVIDE CERTAIN HOUSING FOR ELDERLY PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The town of Weston is herewith authorized to appropriate money and receive gifts and grants to renovate, construct, reconstruct, equip, furnish, rent and manage, on and after August thirty-first, nineteen hundred and seventy-seven, at and on the site of the Brook school in said town, a building or buildings for the purpose of providing housing for elderly persons of the commonwealth of low and moderate income.

SECTION 2. At any special or annual town meeting of the town of Weston held subsequent to the effective date of this act, such town meeting may authorize the moderator of said town to appoint a committee, and fill vacancies occurring therein, of not more than five residents of said town, to carry out the purposes of this act. Of the initial appointments, one shall be designated for a one-year term and two for two-year terms and two for three-year terms; thereafter all appointments shall be for three years and until a successor is appointed and qualified. The committee so appointed shall be known as the Weston elderly housing committee.

SECTION 3. To provide such housing, the town of Weston may authorize the appropriation of money not in excess of two million dollars for the renovation, construction, reconstruction and original equipping and furnishing of a building or buildings at and on the site of the said Brook school, any appropriation

therefor to be raised by taxation or the issuance of bonds or notes, such borrowing to be for a period not exceeding twenty years and as provided in chapter forty-four of the General Laws but such borrowing shall not be included in the limit of indebtedness prescribed by section ten thereof.

SECTION 4. The Weston elderly housing committee shall have the authority to employ agents, managers and employees, enter into contracts, including construction contracts, subject to approval of town counsel of the town of Weston, for the purposes of this act, establish rents and make such rules and regulations concerning use, occupancy and other necessary matters relating to the elderly housing as herein authorized and as it shall deem proper. All revenues of the building or buildings shall be town funds and the Weston elderly housing committee shall, except as otherwise provided by law, expend only such funds as are appropriated for it by said town.

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

Approved May 5, 1977.

Chap. 149. AN ACT AUTHORIZING THE TOWN OF LUDLOW TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO JOHN GREEN.

Be it enacted, etc., as follows:

SECTION 1. The town of Ludlow is hereby authorized to appropriate a sum of money, not to exceed three hundred and twenty-five dollars and sixty cents, and after such appropriation, the treasurer of said town is authorized to pay to John Green, a former employee of the tree department in said town, the amount due him for two weeks vacation pay, payment for which is legally unenforceable against 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 by said employee, stating under the penalties of perjury that such vacation pay for which such bill has been submitted was earned by said employee.

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

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

Approved May 5, 1977.

Chap. 150. AN ACT REORGANIZING THE SAVINGS BANK LIFE INSURANCE COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 178 of the General Laws is hereby amended by striking out section 32, added by chapter 143 of the acts of 1947, and inserting in place thereof the following section:-

Section 32. The treasurers of all savings banks which have established insurance departments under the laws of the commonwealth shall be the incorporators of, and are hereby constituted, a corporation under the name of Savings Bank Life Insurance Council, hereinafter and in section thirty-three referred to as the council. The treasurer of any savings bank which establishes an insurance department shall thereupon become an incorporator. The board of investment of any savings and insurance bank may, at any time, designate an officer other than the treasurer to act as an incorporator. The successors from time to time of the treasurer, or such other officers as may have been duly designated in the manner above provided, shall, for the purposes of this section, be incorporators in place of their predecessors.

The council shall be managed by the trustees of the General Insurance Guaranty Fund, who shall, with the advice of the incorporators, adopt by-laws for the conduct of the business of the council. Such by-laws shall, among other things, designate the officers of the council, define their powers and duties, and provide for appropriate committees of incorporators to advise the said trustees in managing the business of the council.

The council shall have all the powers specifically provided in this section and all the general corporate powers incident thereto. The council, subject to the provisions of this chapter, may furnish savings and insurance banks, their agencies and policyholders, with such services as the said trustees, with the advice of the incorporators, may deem necessary for the efficient prosecution of the business, provided said council shall not employ solicitors of insurance or persons to make house to house collections of premiums. The council may act as agent for the receipt of funds and for making payments due under policies of insurance and contracts of annuities issued by any savings and insurance bank. Expenses of the council shall be paid by the sav-

ings and insurance banks and shall be apportioned among them by the said trustees in proportion to their premium income, or on such other basis as the trustees shall deem equitable and proper and said savings and insurance bank shall be assessed therefor in accordance with such apportionment; provided, however, that during the ten year period next following receipt by a savings and insurance bank of a license to issue insurance policies and annuity contracts, the trustees may waive in whole or in part the assessment for said savings and insurance bank.

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

Approved May 5, 1977.

Chap. 151. AN ACT FURTHER REGULATING REGISTRATION AND CONFIRMATION OF TITLES TO REAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Section 37 of chapter 185 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the third and fourth sentences.

SECTION 2. Section 38 of said chapter 185, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Unless the petitioner withdraws his petition within fourteen days of the notice of the filing of the examiner's report from the recorder, the recorder shall cause notice of the filing of the petition to be published in a newspaper published in the district where any part of the land lies.

Approved May 5, 1977.

Chap. 152. AN ACT PROVIDING THAT THE LACK OF A SEAL SHALL NOT VOID AN INSTRUMENT PURPORTING TO AFFECT AN INTEREST IN LAND.

Be it enacted, etc., as follows:

Chapter 183 of the General Laws is hereby amended by inserting after section 1 the following section:-

Section 1A. No instrument purporting to affect an interest in land shall be void because it is not sealed or does not recite a seal.

Approved May 5, 1977.

Chap. 153. AN ACT PROVIDING CERTAIN EMERGENCY POWERS TO THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES.

Be it enacted, etc., as follows:

Section 17 of chapter 130 of the General Laws, as most recently amended by chapter 1104 of the acts of 1971, is hereby further amended by adding the following subsection:-

(11) Subject to the notice provisions of chapter thirty A, without hearing, with the approval of the commissioner, adopt regulations declared by him to be emergency regulations necessary for immediate management or control of the marine fisheries. Such emergency regulations may be limited in time but shall not remain in effect for a period longer than forty-five days.

Approved May 5, 1977.

Chap. 154. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF NORWOOD FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

For the purpose of laying out a portion of a highway for the extension of University avenue in the town of Norwood, the county commissioners of Norfolk county are hereby authorized, with the approval of the department of environmental quality engineering, to take by eminent domain or acquire by purchase or otherwise, water supply lands owned by the town of Norwood, and to divert said water supply lands from their present public use to highway use. Said lands are located in the town of Norwood and described on "Plan of Land in Norwood, Mass.; Proposed Land Acquisition for Highway Purposes; scale: 1 inch = 40 feet; February 2, 1977; Alvah L. Downs, County Engineer", filed at the registry of deeds in Norfolk county as plan No. 68 of 1977 in plan book No. 258.

Approved May 5, 1977.

Chap. 155. AN ACT PROVIDING THAT LIBRARY PAGES BE EXEMPT FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

Section 5 of chapter 31 of the General Laws is hereby amended by striking out the twenty-fifth clause, as appearing in section one of chapter one hundred and fifteen of the acts of nineteen

hundred and seventy-five, and inserting in place thereof the following clause:-

Professional librarians and subprofessional librarians whose duties require that they have certificates issued by the board of library commissioners and pages who are employed in libraries on a part time or intermittent basis and are day or evening high school students or are day or evening college students.

Approved May 5, 1977.

Chap. 156. AN ACT AUTHORIZING THE ESTABLISHMENT OF FIVE-MEMBER MUNICIPAL LIGHT BOARDS.

Be it enacted, etc., as follows:

Section 55 of chapter 164 of the General Laws is hereby amended by striking out section 55, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 55. A town which has established or votes to establish a gas or electric plant may elect a municipal light board consisting of either three or five citizens of the town, each for a term of three years. Of the three-member board, initially one shall be chosen for one year, one for two years, and one for three years, and at each annual meeting thereafter one for a term of three years. Of the five-member board, initially one shall be chosen for one year, two for two years and two for three years and thereafter, the terms shall be for three years. The municipal light board shall have authority to construct, purchase or lease a gas or electric plant in accordance with the vote of the town and to maintain and operate the same.

Approved May 5, 1977.

Chap. 157. AN ACT PROVIDING FOR THE APPOINTMENT OF MEMBERS OF BOARDS OF HEALTH IN CERTAIN TOWNS.

Be it enacted, etc., as follows:

The first paragraph of section 21 of chapter 41 of the General Laws is hereby amended by inserting after the word "departments", in line 13, as appearing in section 2 of chapter 101 of the acts of 1953, the words:- or board of health.

Approved May 5, 1977.

Chap. 158. AN ACT PROVIDING FOR SCHOOL COMMITTEE REPRESENTATION ON SCHOOL BUILDING COMMITTEES.

Be it enacted, etc., as follows:

Section 68 of chapter 71 of the General Laws, as appearing in section 1 of chapter 97 of the acts of 1934, is hereby amended by adding the following sentence:- Whenever a town shall undertake to provide a schoolhouse, the town shall appoint at least one member of the school committee, or its designee, to serve on the agency, board or committee to which the planning and construction or other acquisition of such schoolhouse is delegated.

Approved May 5, 1977.

Chap. 159. AN ACT REGULATING THE RECOVERY OF ATTORNEYS' FEES AND CERTAIN EXPENSES BY THE LANDLORD OR TENANT IN CERTAIN ACTIONS OR SUMMARY PROCEEDINGS ARISING OUT OF LEASES OF RESIDENTIAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 186 of the General Laws is hereby amended by adding the following section:-

Section 20. Whenever a lease of residential property shall provide that in any action or summary proceeding the landlord may recover attorneys' fees and expenses incurred as the result of the failure of the tenant to perform any covenant or agreement contained in such lease, or that amounts paid by the landlord therefor shall be paid by the tenant as additional rent, there shall be implied in such lease a covenant by the landlord to pay to the tenant the reasonable attorneys' fees and expenses incurred by the tenant as the result of the failure of the landlord to perform any covenant or agreement on its part to be performed under the lease or in the successful defense of any action or summary proceeding commenced by the landlord against the tenant arising out of the lease, and an agreement that such fees and expenses may be recovered as provided by law in an action commenced against the landlord or by way of counterclaim in any action or summary proceeding commenced by the landlord against the tenant. Any waiver of this section shall be void as against public policy.

SECTION 2. The provisions of this act shall not apply to a lease entered into prior to the effective date of this act.

Approved May 5, 1977.

Chap. 160. AN ACT REQUIRING MOBILE HOME DEALERS TO INCLUDE CERTAIN CHARGES IN PRICES ADVERTISED FOR MOBILE HOMES.

Be it enacted, etc., as follows:

Chapter 93B of the General Laws is hereby amended by striking out section 5A, inserted by chapter 619 of the acts of 1974, and inserting in place thereof the following section:-

Section 5A. Any motor vehicle or mobile home dealer advertising the price of a vehicle or mobile home 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 May 5, 1977.

Chap. 161. AN ACT INCLUDING THE NAME OF THE FATHER ON THE BIRTH RECORDS OF CERTAIN CHILDREN.

Be it enacted, etc., as follows:

Section 1 of chapter 46 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 1 of chapter 358 of the acts of 1968, and inserting in place thereof the following paragraph:-

In the record of births, date of record, date of birth, place of birth, name of child, his sex, names, places of birth and residence of his parents, including the maiden name of the mother and occupation of the father. In the record of birth of an illegitimate child, the name of and other facts relating to the father shall not be recorded except on the written request of both father and mother.

Approved May 5, 1977.

Chap. 162. AN ACT INCREASING THE MEMBERSHIP OF THE ADVISORY COMMITTEE TO THE DEPARTMENT OF YOUTH SERVICES.

Be it enacted, etc., as follows:

The first paragraph of section 9 of chapter 18A of the General Laws, as most recently amended by chapter 242 of the acts of 1973, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- There shall be in the department an advisory committee consisting of the commissioner of youth services, the commissioner of welfare,

the director of the office for children, the commissioner of mental health, the commissioner of education, the chairman of the parole board, the commissioner of correction, the commissioner of probation, the commissioner of rehabilitation, the chairman of the Massachusetts commission against discrimination, the executive secretary of the Massachusetts Society for the Prevention of Cruelty to Children, and the executive secretary of the Massachusetts Committee on Children and Youth, all of whom shall serve *ex officio*, and nine other persons to be appointed by the governor.

Approved May 5, 1977.

Chap. 163. AN ACT AUTHORIZING THE STATE EXAMINERS OF ELECTRICIANS TO ESTABLISH A PROGRAM FOR RECIPROCITY OF LICENSING WITH SIMILAR EXAMINERS OF OTHER STATES.

Be it enacted, etc., as follows:

Chapter 141 of the General Laws is hereby amended by inserting after section 2A the following section:-

Section 2B. The examiners may license without examination any person who has been licensed as an electrician in another state under laws which, in the opinion of the examiners, maintain standards substantially the same as those of the commonwealth for electricians. The fee for licensing without examination under this section shall be forty dollars for a master electrician's license and ten dollars for a journeyman electrician's license.

Approved May 5, 1977.

Chap. 164. AN ACT AUTHORIZING THE CO-OPERATIVE CENTRAL BANK TO MAKE CERTAIN LOANS.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 45 of the acts of 1932, as most recently amended by section 1 of chapter 466 of the acts of 1974, is hereby further amended by adding the following sentence:- The central bank may loan its securities to persons who deal in United States treasury obligations and federal agency obligations and such loans shall be secured by a security having a value at least equal to the value of the securities loaned and shall be of like quality and marketability.

SECTION 2. Section 3 of chapter 73 of the acts of 1934, as most recently amended by section 2 of said chapter 466, is hereby further amended by inserting after the fourth sentence the following sentence:- The corporation may loan securities in which such fund is invested to persons who deal in United States treasury obligations and federal agency obligations and such loans shall be secured by a security having a value at least equal to the value of the securities loaned and shall be of like quality and marketability.

Approved May 5, 1977.

Chap. 165. AN ACT AUTHORIZING CERTAIN ACTIONS BY THE BOARD OF REGISTRATION AND DISCIPLINE IN MEDICINE AGAINST PHYSICIANS CONVICTED OF CERTAIN CRIMINAL OFFENSES.

Be it enacted, etc., as follows:

The second paragraph of section 5 of chapter 112 of the General Laws, as appearing in section 3 of chapter 362 of the acts of 1975, is hereby amended by striking out clause (g) and inserting in place thereof the following two clauses:-

(g) as been convicted of a criminal offense which reasonably calls into question his ability to practice medicine;

(h) is guilty of violating any rule or regulation of the board, governing the practice of medicine.

Approved May 5, 1977.

Chap. 166. AN ACT RELATIVE TO PROPERTY OMITTED FROM ASSESSMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for the proper assessment of local taxes, therefore 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 75 of chapter 59 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 339 of the acts of 1946, and inserting in place thereof the following two sentences:- If any portion of the real or personal estate of a person, to an amount not less than one hundred dollars and liable to taxation, has been omitted from the annual assess-

ment of taxes, the assessors shall at such time as the commissioner may in writing approve, but not later than June twentieth of the taxable year, assess such person for such estate. Valuations of all or a portion of any estate attributable to clerical or data processing errors shall be construed as omitted assessments and subject to the provisions of this section.

SECTION 2. The provisions of this act shall apply to taxes levied for the fiscal years ending June thirtieth, nineteen hundred and seventy-seven and thereafter.

Approved May 9, 1977.

Chap. 167. AN ACT PROVIDING FOR LABOR REPRESENTATION ON THE ENERGY FACILITIES SITING COUNCIL.

Be it enacted, etc., as follows:

The second paragraph of section 69H of chapter 164 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 468 of the acts of 1976, and inserting in place thereof the following sentence:- Said council shall be composed of the secretary of administration and finance, the secretary of consumer affairs, the secretary of environmental affairs, and the secretary of manpower affairs, or their respective designees, and six persons to be appointed by the governor for terms of three years, one of whom shall be a representative of organized labor appointed from a list of five names submitted by the Massachusetts State Labor Council, AFL-CIO, 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, 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, and one of whom shall be experienced in matters relating to the oil 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 an electric, gas or oil company.

Approved May 9, 1977.

Chap. 168. AN ACT RELATIVE TO WITHDRAWALS FROM SPECIAL NOTICE ACCOUNT DEPOSITS OF SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 22A of chapter 168 of the General Laws, inserted by section 2 of chapter 169 of the acts of 1962, is hereby amended by striking out subsection 2 and inserting in place thereof the following subsection:-

2. *Withdrawals.* -No such corporation shall permit the whole or any part of such deposits or any ordinary, extra or additional dividend declared thereon to be withdrawn, in whole or in part, except in accordance with the terms of such agreement; provided that any such corporation may permit withdrawal of all or any portion of such deposits or dividends in a joint account without notice or penalty if the withdrawal is made subsequent to the death of a joint owner of the account.

Approved May 10, 1977.

Chap. 169. AN ACT FURTHER DEFINING THE ELIGIBILITY OF VIETNAM VETERANS TO TAKE CIVIL SERVICE EXAMINATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 399 of the acts of 1967 is hereby amended by striking out the first paragraph, as amended by chapter 180 of the acts of 1971, and inserting in place thereof the following paragraph:-

Any Vietnam veteran, who is a veteran as defined in section twenty-one of chapter thirty-one of the General Laws, who was unable to take an open competitive or continuous civil service examination because of absence due to service in the armed forces of the United States shall, if he so requests or has so requested in writing to the personnel administrator not later than one hundred and twenty days after the termination of such service or one hundred and twenty days after the effective date of this act for veterans who were discharged between January first, nineteen hundred and seventy-five and July first, nineteen hundred and seventy-seven, upon such request be given an examination comparable to that which he had been unable to take because of his service in said armed forces. If he passes such examination and otherwise qualifies, his name shall be placed on an eligible list, and he shall be entitled to the same period of eligibility as existed for all who passed the open competitive or continuous examination which he was unable to take.

SECTION 2. Said chapter 399 is hereby further amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. This act shall cease to be operative on May seventh, nineteen hundred and seventy-nine.

Approved May 10, 1977.

Chap. 170. AN ACT AUTHORIZING THE CITY OF NEWTON TO PROMULGATE RULES AND REGULATIONS RELATIVE TO THE PARKING OF VEHICLES IN RESIDENTIAL AREAS OF SAID CITY.

Be it enacted, etc., as follows:

The city of Newton may by ordinance establish rules or regulations prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways under the control of said city. Such rules and regulations may provide that they shall not apply in such areas as shall be specified, and at such times as shall be prescribed to any motor vehicle registered under chapter ninety of the General Laws as principally garaged in said city and owned or used by a person residing in such area who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe, and filed with the proper administrative agency, notice of intention to park in such area and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; but neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle.

Approved May 10, 1977.

Chap. 171. AN ACT RELATIVE TO THE CREMATION AND DISPOSAL OF DISSECTED BODIES BY THE UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 75 of the General Laws is hereby amended by inserting after section 36 the following section:-

Section 36A. The University of Massachusetts medical school in Worcester may cremate the bodies of deceased persons which have been donated to said medical school and which have been used for the promotion of anatomical science, including the teaching thereof, or for any other purpose not inconsistent with chapter one hundred and thirteen, and may dispose of the ashes of such bodies by burial or other appropriate means; provided, that the remains of any bodies received pursuant to section eight of chapter one hundred and thirteen shall be subject to the terms of the donor's gift, if any.

SECTION 2. Section 4 of chapter 113 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "buried", in line 9, the words:- or cremated.

SECTION 3. Subsection (a) of section 13 of said chapter 113, as appearing in chapter 653 of the acts of 1971, is hereby amended by adding the following sentence:- If the donee is responsible for the disposition of the body, he shall dispose of it in accordance with the terms specified by the donor, or if no such terms are specified, he shall have said body decently buried or cremated.

Approved May 10, 1977.

Chap. 172. AN ACT RELATIVE TO THE METHODS OF APPORTIONING SEWERAGE CONSTRUCTION COSTS IN THE TOWN OF WALPOLE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifteen of chapter eighty-three of the General Laws or any special law to the contrary, the town of Walpole, acting through its board of sewer and water commissioners, may provide that assessments made under the provisions of section fourteen of said chapter eighty-three shall be made upon the owners of lands within such territory or any part thereof at a rate based upon a uniform unit method.

SECTION 2. For the purposes of this act, the uniform unit method of sewerage construction cost apportionment shall be deemed to mean that sewerage construction costs shall be divided between the total number of existing and potential sewer units to be served after having proportioned the cost of special benefit facilities and general benefit facilities. Each sewer unit shall be equal to a single family residence. Potential sewer units shall be

calculated on the basis of zoning then in effect. Existing and potential multi-family, commercial, industrial and semi-public uses shall be converted into sewer units on the basis of residential equivalents.

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

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

Approved May 13, 1977.

Chap. 173. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE CITY OF GLOUCESTER RELATIVE TO CERTAIN BORROWING BY SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of clause nineteen of section eight of chapter forty-four or of clause (d) of section five of chapter one hundred and twenty-one C of the General Laws to the contrary, the city of Gloucester is hereby authorized to incur indebtedness under section eleven of said chapter one hundred and twenty-one C subject to the debt limit and the approval provided for in said section eleven.

SECTION 2. The action of the city council and the mayor of the city of Gloucester approving a bond issue under section eleven of chapter one hundred and twenty-one C of the General Laws which was taken prior to the effective date of this act is hereby

validated and ratified as if this act had been in force when such action was taken.

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

Approved May 13, 1977.

Chap. 174. AN ACT AUTHORIZING THE TOWN OF DEDHAM TO PAY A CERTAIN SUM OF MONEY TO JOSEPH DEFILLIPPO & CO., INC.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Dedham 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 eleven thousand thirty-eight dollars and sixty cents to Joseph DeFillippo & Co., Inc. for work performed in extending a main sewer in said town, said bill being 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 materials and services for which said bill has been submitted were ordered by an official or an employee of said town and that such materials and services 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 services 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 May 13, 1977.

Chap. 175. AN ACT EXTENDING THE PERIOD FOR WHICH GOODS MAY BE HELD FOR THE COLLECTION OF DELINQUENT TAXES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure the timely collection and payment of taxes, therefore 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 60 of the General Laws is hereby amended by striking out section 25, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 25. The collector may keep the goods distrained, at the expense of the owner and, if they are not redeemed by payment by the owner or his agent of the tax due, shall within thirty days after the seizure, sell them by public auction for a payment of the tax and charges of keeping and sale, first posting notice of the sale in some public place in the town at least forty-eight hours prior thereto.

Approved May 13, 1977.

Chap. 176. AN ACT RELATIVE TO THE COLLECTION OF PROPERTY TAXES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure the proper collection of local taxes, therefore 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 60 of the General Laws is hereby amended by inserting after section 37A the following section:-

Section 37. The collector of taxes shall certify in writing to the board of assessors the amounts necessary for the taking of land under the provisions of section thirty-seven. The board of assessors shall include the amounts so certified in computing the amount to be raised under the provisions of section twenty-three of chapter fifty-nine.

SECTION 2. The provisions of this act shall apply to the fiscal year commencing July first, nineteen hundred and seventy-seven and thereafter.

Approved May 13, 1977.

Chap. 177. AN ACT PROVIDING THAT THE PLACEMENT OF THE NAMES OF CANDIDATES FOR PUBLIC OFFICE ON THE OFFICIAL BALLOT USED IN CITY ELECTIONS IN THE CITY OF MELROSE SHALL BE DRAWN BY LOT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law or ordinance to the contrary, in all city elections held in the city of

Melrose, 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 board of election commissioners of said city. 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 May 13, 1977.

Chap. 178. AN ASCT AUTHORIZING THE TREASURER OF BRISTOL COUNTY TO PAY A CERTAIN SUM OF MONEY TO TARGET COMMUNICATIONS INC.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter thirty-four of the General Laws or any other general or special law to the contrary, the county commissioners of Bristol county are hereby authorized to pay from any available funds to Target Communications Inc., an unpaid bill in the amount of twelve thousand dollars, for the purchase of interchangeable literature holders, graphics and lighted ad boxes by the Bristol County Development Council, Inc. for use in the Mansfield information center, said bill being legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by the treasurer of said county under authority of this act unless and until a certificate has been signed and filed with said treasurer stating under the penalties of perjury that the goods and services for which 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 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 and services which were not received by or rendered according to the statements required by said section shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

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

Approved May 13, 1977.

Chap. 179. AN ACT AUTHORIZING CERTAIN FIDUCIARIES TO SETTLE AND PAY CERTAIN TAXES ON FUTURE INTERESTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the payment of taxes on future interest by a person serving as executor, administrator or trustee, therefore 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 65 of the General Laws is hereby amended by inserting after section 15 the following section:-

Section 15A. Unless there is a specific provision to the contrary in the will or trust instrument under which a person is serving as executor, administrator or trustee, such person shall have the authority to settle or compromise, and to pay in advance of the statutory due date, any Massachusetts inheritance tax. Payment of such tax shall be made from the principal of the fund upon which the tax is computed, and, if more than one fund is involved, may be apportioned among such funds in an equitable manner. If any such person shall determine in good faith that payment of any such tax in advance of its statutory due date would be inequitable to any income beneficiary of such fund, such person may make appropriate adjustment or adjustments at any time or from time to time for the benefit of such income beneficiary from the principal of such fund; provided, however, that no such adjustment shall confer an inequitable benefit upon such income beneficiary.

Approved May 13, 1977.

Chap. 180. AN ACT ESTABLISHING COUNCILLOR AND SENATORIAL DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 57 of the General Laws is hereby amended by striking out sections 2 and 3, as most recently amended by section 1 of chapter 663 of the acts of 1973, and inserting in place thereof the following two sections:-

Section 2. For the purpose of choosing councillors until the next decennial apportionment, the commonwealth is divided, conformably with the constitution, into the following eight councillor districts:-

First. - Consisting of the first and second Bristol, the Bristol and Plymouth, the Cape and Islands, and the second Plymouth senatorial districts.

Second. - Consisting of the first Middlesex and Norfolk, the Norfolk, Bristol and Middlesex, the Norfolk and Suffolk, the second Suffolk, and the first Suffolk and Norfolk senatorial districts.

Third. - Consisting of the first and fifth Middlesex, second Middlesex and Norfolk, the Middlesex and Suffolk, and the Middlesex and Worcester senatorial districts.

Fourth. - Consisting of the Norfolk, the Norfolk and Plymouth, the first Plymouth, the first Suffolk and the second Suffolk and Norfolk senatorial districts.

Fifth. - Consisting of the first, second and third Essex, and the first and second Essex and Middlesex senatorial districts.

Sixth. - Consisting of the second, third and fourth Middlesex, the Suffolk, Essex and Middlesex and the Suffolk and Middlesex senatorial districts.

Seventh. - Consisting of the Worcester, the Worcester, Franklin, Hampden and Hampshire, the first and second Worcester and Middlesex, and the Worcester and Norfolk senatorial districts.

Eighth. - Consisting of the Berkshire, the Franklin and Hampshire, the Hampden, and the first and second Hampden and Hampshire senatorial districts.

Section 3. For the purpose of choosing senators, and of electing members of state committees of political parties as provided in section one of chapter fifty-two, until the next decennial apportionment, the commonwealth is divided conformably with the constitution, into the following forty senatorial districts:-

Berkshire. -Consisting of the cities and towns in the county of Berkshire.

First Bristol. - Consisting of the cities of Attleboro and Taunton, and the towns of Berkley, Dighton, Easton, Norton, Raynham, Rehoboth, Seekonk and Swansea, all in the county of Bristol.

Second Bristol. - Consisting of the city of Fall River and the towns of Acushnet, Freetown, Somerset and Westport, all in the county of Bristol.

Bristol and Plymouth. - Consisting of the city of New Bedford and the towns of Dartmouth and Fairhaven, all in the county of Bristol; and the towns of Marion and Mattapoisett, both in the county of Plymouth.

Cape and Islands. - Consisting of the towns in Barnstable, Dukes and Nantucket counties.

First Essex. - Consisting of the city of Lynn and the towns of Lynnfield, Marblehead, Nahant, precincts numbered five and nine of the town of Saugus and the town of Swampscott, all in the county of Essex.

Second Essex. - Consisting of the cities of Beverly, Peabody and Salem and the town of Danvers, all in the county of Essex.

Third Essex. - Consisting of the cities of Haverhill and Newburyport and the towns of Amesbury, Groveland, Merrimac, Methuen, North Andover, Salisbury and West Newbury, all in the county of Essex.

First Essex and Middlesex. - Consisting of the city of Gloucester and precincts numbered six, seven and eight of the town of Andover and the towns of Boxford, Essex, Georgetown, Hamilton, Ipswich, Manchester, Middleton, Newbury, Rockport, Rowley, Topsfield and Wenham, all in the county of Essex; and the town of North Reading and precincts numbered one, two, six, seven and eight of the town of Reading and the town of Wilmington, all in the county of Middlesex.

Second Essex and Middlesex. - Consisting of the city of Lawrence and precincts numbered one, two, three, four and five of the town of Andover, both in the county of Essex; and the towns of Billerica and Tewksbury, both in the county of Middlesex.

Franklin and Hampshire. - Consisting of the towns of Ashfield, Buckland, Charlemont, Colrain, Conway, Deerfield, Greenfield, Hawley, Heath, Leverett, Leyden, Monroe, Montague, Rowe, Shelburne, Shutesbury, Sunderland, Whately, all in the county of Franklin; and the city of Northampton and the towns of Amherst, Easthampton, Granby, Hadley, Hatfield, Pelham, South Hadley and Williamsburg, all in the county of Hampshire.

Hampden. - Consisting of wards numbered two, five, seven and eight of the city of Springfield and the towns of Ludlow and Wilbraham, all in the county of Hampden.

First Hampden and Hampshire. - Consisting of the cities of Chicopee, Holyoke and Westfield, all in the county of Hampden; and the town of Southampton in the county of Hampshire.

Second Hampden and Hampshire. - Consisting of wards numbered one, three, four, and six of the city of Springfield and the towns of Agawam, Blandford, Chester, Granville, Longmeadow, Montgomery, Russell, Southwick, Tolland and West Springfield, all in the county of Hampden; and the towns of Chesterfield, Cummington, Goshen, Huntington, Middlefield,

Plainfield, Westhampton and Worthington, all in the county of Hampshire.

First Middlesex. - Consisting of the city of Lowell and the towns of Dracut, Dunstable, Groton, Pepperell, Shirley, Tyngsborough and Westford, all in the county of Middlesex.

Second Middlesex. - Consisting of the cities of Medford and Somerville, both in the county of Middlesex.

Third Middlesex. - Consisting of the cities of Malden and Melrose and precincts numbered three, four and five of the town of Reading and the towns of Stoneham and Wakefield, all in the county of Middlesex.

Fourth Middlesex. - Consisting of the city of Woburn and the towns of Arlington, Lexington and Winchester, all in the county of Middlesex.

Fifth Middlesex. - Consisting of the city of Waltham and the towns of Bedford, Burlington, Carlisle, Chelmsford, Lincoln and Weston, all in the county of Middlesex.

First Middlesex and Norfolk. - Consisting of the towns of Ashland, Framingham, Holliston and Natick, all in the county of Middlesex; and the towns of Franklin and Medway, both in the county of Norfolk.

Second Middlesex and Norfolk. - Consisting of the city of Newton in the county of Middlesex and the town of Brookline in the county of Norfolk.

Middlesex and Suffolk. - Consisting of wards numbered eight, nine, ten, eleven of the city of Cambridge and the towns of Belmont and Watertown, all in the county of Middlesex; and precincts numbered nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen of ward numbered twenty-one and ward numbered twenty-two of the city of Boston, in the county of Suffolk.

Middlesex and Worcester. - Consisting of the city of Marlborough and the towns of Acton, Ayer, Boxborough, Concord, Hudson, Littleton, Maynard, Stow, Sudbury and Wayland, all in the county of Middlesex; and the towns of Berlin and Harvard, both in the county of Worcester.

Norfolk. - Consisting of the city of Quincy and the towns of Avon, Braintree and Holbrook, all in the county of Norfolk.

Norfolk, Bristol and Middlesex. - Consisting of the towns of Dover, Foxborough, Medfield, Millis, Needham, Norfolk, Plainville, Wellesley, Wrentham, all in the county of Norfolk; and the towns of Mansfield and North Attleborough, both in the county of Bristol; and the town of Sherborn in the county of Middlesex.

Norfolk and Plymouth. - Consisting of the towns of Cohasset and Weymouth, both in the county of Norfolk; and the towns of Duxbury, Hingham, Hull, Marshfield and Scituate, all in the county of Plymouth.

Norfolk and Suffolk. - Consisting of the towns of Canton, Norwood, Sharon and Stoughton, all in the county of Norfolk; and precincts numbered one, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two and twenty-three of ward numbered eighteen of the city of Boston, in the county of Suffolk.

First Plymouth. - Consisting of the city of Brockton and the towns of Abington, Hanover, Norwell and Rockland, all in the county of Plymouth.

Second Plymouth. - Consisting of the towns of Bridgewater, Carver, East Bridgewater, Halifax, Hanson, Kingston, Lakeville, Middleborough, Pembroke, Plymouth, Plympton, Rochester, Wareham, West Bridgewater and Whitman, all in the county of Plymouth.

First Suffolk. - Consisting of precincts numbered six, seven and eight of ward numbered three, precincts, numbered one, two, three, four, six, seven, eight, nine and ten of ward numbered five, wards numbered six and seven, precincts numbered one, two, five, six and seven of ward numbered eight, precincts numbered three, six, seven, eight, nine, ten of ward numbered thirteen and precincts one, two, three, four, five, six, seven and eight of ward numbered twenty-one of the city of Boston, in the county of Suffolk.

Second Suffolk. - Consisting of ward numbered four, precincts numbered three and four of ward numbered eight, ward numbered nine, precincts one, two, three, four, five, six, seven and eight of ward numbered ten, precincts numbered one, two, three, four and five of ward numbered eleven, ward numbered twelve, ward numbered fourteen and precincts numbered two and three of ward numbered eighteen of the city of Boston, in the county of Suffolk.

Suffolk, Essex and Middlesex. - Consisting of the ward numbered two in the city of Boston and the cities of Chelsea and Revere, all in the county of Suffolk; and precincts numbered one, two, three, four, six, seven, eight and ten of the town of Saugus in the county of Essex; and the city of Everett in the county of Middlesex.

Suffolk and Middlesex. - Consisting of ward numbered one, precincts numbered one, two, three, four and five of ward

numbered three and precinct five of ward numbered five of the city of Boston and the town of Winthrop, both in the county of Suffolk; and wards numbered one, two, three, four, five, six and seven of the city of Cambridge in the county of Middlesex.

First Suffolk and Norfolk. - Consisting of precinct numbered nine of ward numbered ten and precincts six, seven, eight, nine and ten of ward numbered eleven and wards numbered nineteen and twenty of the city of Boston in the county of Suffolk; and the towns of Dedham, Walpole and Westwood, all in the county of Norfolk.

Second Suffolk and Norfolk. - Consisting of precincts numbered one, two, four and five of ward numbered thirteen and wards numbered fifteen, sixteen and seventeen of the city of Boston in the county of Suffolk; and the towns of Milton and Randolph, both in the county of Norfolk.

Worcester. - Consisting of wards numbered one, two, three, four, nine and ten of the city of Worcester and the towns of Boylston, Clinton, Shrewsbury and West Boylston, all in the county of Worcester.

Worcester, Franklin, Hampden and Hampshire. - Consisting of the towns of Athol, Barre, Brookfield, East Brookfield, Hardwick, Hubbardston, New Braintree, North Brookfield, Oakham, Paxton, Petersham, Phillipston, Royalston, Rutland, Spencer, Sturbridge, Templeton, Warren, West Brookfield and Winchendon, all in the county of Worcester; and the towns of Bernardston, Erving, Gill, New Salem, Northfield, Orange, Warwick and Wendell, all in the county of Franklin and the towns of Brimfield, East Longmeadow, Hampden, Holland, Monson, Palmer and Wales, all in the county of Hampden; and the towns of Belchertown and Ware, both in the county of Hampshire.

First Worcester and Middlesex. - Consisting of wards numbered five, six, seven and eight of the city of Worcester and the towns of Grafton, Hopedale, Leicester, Millbury, Northborough, Southborough, Upton and Westborough, all in the county of Worcester; and the town of Hopkinton, in the county of Middlesex.

Second Worcester and Middlesex. - Consisting of the cities of Fitchburg, Gardner and Leominster and the towns of Ashburnham, Bolton, Holden, Lancaster, Lunenburg, Princeton, Sterling and Westminster, all in the county of Worcester; and the towns of Ashby and Townsend, both in the county of Middlesex.

Worcester and Norfolk. - Consisting of the towns of Auburn, Blackstone, Charlton, Douglas, Dudley, Mendon, Milford, Millville, Northbridge, Oxford, Southbridge, Sutton, Uxbridge

and Webster, all in the county of Worcester; and the town of Bellingham in the county of Norfolk.

SECTION 2. The supreme judicial court shall have jurisdiction of any petition for a writ of mandamus relative either to the establishment of eight councillor districts, or to the establishment of forty senatorial districts under section one of this act. Every such petition shall be filed in court within ten days after the effective date of this act.

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

Approved May 13, 1977.

Chap. 181. AN ACT VALIDATING THE PROCEEDINGS TAKEN AT CERTAIN SPECIAL TOWN MEETINGS IN THE TOWN OF PALMER DURING THE YEAR NINETEEN HUNDRED AND SEVENTY-SIX.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the town of Palmer taken at special town meetings held on April twenty-sixth, nineteen hundred and seventy-six, and September twentieth, nineteen hundred and seventy-six, including land takings made in reliance thereon, and all acts done in pursuance thereof are hereby ratified, validated and confirmed to the same extent as if said meetings were held in accordance with the provisions of the by-laws of said town and in accordance with the provisions of section ten of chapter thirty-nine of the General Laws relative to warrant requirements, the time of holding said meetings and notice thereof.

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

Approved May 13, 1977.

Chap. 182. AN ACT PROVIDING FOR THE TERMINATION OF OCCUPANCY IN ROOMING AND LODGING HOUSES.

Be it enacted, etc., as follows:

Chapter 186 of the General Laws is hereby amended by striking out section 17, added by section 2 of chapter 420 of the acts of 1967, and inserting in place thereof the following section:-

Section 17. For the purposes of this chapter, chapter one hundred and eleven and chapter two hundred and thirty-nine, occupancy of a dwelling unit within premises licensed as a rooming house or lodging house, for three consecutive months, shall constitute a tenancy at will. Occupancy of a dwelling unit within a

rooming house or a lodging house for more than thirty consecutive days and less than three consecutive months may only be terminated by seven days' notice in writing by the operator of the rooming house or lodging house to the occupant.

Approved May 13, 1977.

Chap. 183. AN ACT FURTHER REGULATING VENUE OF ACTIONS FOR DIVORCE.

Be it enacted, etc., as follows:

Section 6 of chapter 208 of the General Laws, as most recently amended by section 1 of chapter 400 of the acts of 1975, is hereby further amended by adding the following sentence:- In the event of hardship or inconvenience to either party, the court having jurisdiction may transfer such action for hearing to a court in a county in which such party resides.

Approved May 13, 1977.

Chap. 184. AN ACT FURTHER REGULATING MANAGEMENT INTERN CIVIL SERVICE EXAMINATIONS.

Be it enacted, etc., as follows:

Section 8C of chapter 31 of the General Laws is hereby amended by striking out the fourth paragraph, as amended by section 76 of chapter 835 of the acts of 1974, and inserting in place thereof the following paragraph:-

Certification from any such list shall be made by the administrator only to fill vacancies in offices or positions in the official service of the commonwealth for which he determines the examinations to have been appropriate. Certifications from such list to the subdivisions of the commonwealth shall be made only upon the request of the appointing authority for certification from such list.

Approved May 13, 1977.

Chap. 185. AN ACT PROVIDING PROPERTY TAX RELIEF THROUGH INCREASED LOTTERY FUND DISTRIBUTION.

Be it enacted, etc., as follows:

Section 35 of chapter 10 of the General Laws as most recently amended by sections 32A, 32B and 34 of chapter 283 of the acts

of 1976 is hereby amended by striking the second paragraph and inserting in place thereof the following new paragraph:-

In order to provide local property tax relief and continue services at the local level, revenues of the lottery commission from whatever source 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; 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.

Approved May 13, 1977.

Chap. 186. AN ACT EXTENDING THE TIME WITHIN WHICH THE ELIGIBLE LIST FOR THE POSITION OF MOTOR VEHICLE INVESTIGATOR IN THE REGISTRY OF MOTOR VEHICLES 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 motor vehicle investigator in the registry of motor vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the eligible list for the position of motor vehicle investigator in the registry of motor vehicles, established on March eighth, nineteen hundred and seventy-four, shall be revived and extended until December thirty-first, nineteen hundred and seventy-seven.

Approved May 13, 1977.

Chap. 187. AN ACT AUTHORIZING THE TOWN OF WESTBOROUGH TO GRANT CERTAIN EASEMENTS OVER, ACROSS AND UPON CERTAIN LAND IN THE TOWN OF WESTBOROUGH FOR THE TRANSMISSION OF ELECTRIC POWER TO THE NEW ENGLAND POWER COMPANY.

Be it enacted, etc., as follows:

The town of Westborough is hereby authorized to grant to the New England Power Company, an electric company organized and existing under the laws of the commonwealth, an easement for the construction, maintenance and operation of towers, poles and wires for the transmission of electricity over, across and upon certain portions of land in the town of Westborough held by it for parks and recreation purposes. Said land in the easement area consists of two certain parcels of land. The first parcel of land contains 8,054 square feet of land and is located off the southwesterly side of Haskell street in said town and is bounded and described as follows:

Beginning at the most southeasterly corner of said parcel at a point on the division line between land of New England Power Company and land now or formerly of Edward L. Uhlman et al;

thence running N. 44° 05' W., 57.75 feet to a point;

thence turning and running N. 86° 35' W., 106.43 feet to a point at other land of the Town of Westborough - said last two courses and distances being by said land of New England Power Company;

thence turning and running N. 49° 41' E. by said other land of the Town of Westborough, 154.43 feet at land now or formerly of Edward L. Uhlman et al;

thence turning and running S. 10° 59' E. by said land now or formerly of Edward L. Uhlman et al, 150.50 feet to the point of beginning.

The second parcel of land is situated off the southwesterly side of Haskell street and westerly of the above described first parcel of land and contains 5,682 square feet of land and is bounded and described as follows:

Beginning at a point on the division line between land now or formerly of Ruth H. Hunter and land of New England Power Company;

thence running S. 82° 35' W. by said land of Ruth H. Hunter, 103.50 feet to a point at other land of the Town of Westborough;

thence turning and running N. 49° 41' E. by said other land of the Town of Westborough, 179.50 feet to a point at land of New England Power Company;

thence turning and running S. 17° 50' E., 19.86 feet to a point; thence turning and running S. 25° 40' W., 93.06 feet to the point of beginning - said last two courses and distances being by said land of New England Power Company.

Such easement deed to be in such form and on such terms as the selectmen of said town may approve and deem proper.

Approved May 16, 1977.

Chap. 188. AN ACT FURTHER REGULATING REPRESENTATION PROCEDURES UNDER THE STATE LABOR RELATIONS LAW.

Be it enacted, etc., as follows:

Subsection (c) of 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 inserting after the first sentence the following sentence:- For the purpose of this section, the commission shall be authorized to investigate petitions requesting the decertification of an exclusive representative.

Approved May 16, 1977.

Chap. 189. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO LEASE CERTAIN HIGHWAY LAND IN THE TOWN OF SAUGUS TO THE CARUSO MUSIC COMPANY.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to lease a certain parcel of land located in the town of Saugus to the Caruso Music Company for a period of not less than five years upon such terms and conditions as may be agreed upon by said commission and said company, said land being bounded and described as follows:-

Beginning at a point at the intersection of the boundary lines between land now or formerly of Humble Oil and Refining Company, land now or formerly of Caruso Music Company, and land of Commonwealth of Massachusetts (Metropolitan District Commission) known as Lynn Fells Parkway, which point is distant southeasterly measuring along said boundary line, between said land of Humble Oil and Refining Company and said land of Caruso Music Company, one hundred twenty-five and 42/100 (125.42) feet from the southeasterly side line of land of Commonwealth of Massachusetts (Department of Public Works)

known as Route 1 (Newburyport Turnpike), as shown on plan attached hereto.

Thence the line runs in a northeasterly direction by a line curving to the right with a radius of one thousand seventy-five and 00/100 (1075.00) feet, by said land of Caruso Music Company, four hundred eighty-three and 75/100 (483.75) feet to a point;

Thence turning and running southerly by said land of Commonwealth of Massachusetts, known as Lynn Fells Parkway, one hundred fifty and 00/100 (150.00) feet to a point;

Thence turning and running in a southwesterly direction by a line curving to the left with a radius of nine hundred twenty-five and 00/100 (925.00) feet, four hundred sixteen and 25/100 (416.25) feet to a point;

Thence turning and running northerly, one hundred fifty and 00/100 (150.00) feet to the point of beginning, the last two (2) courses and distances being by said land of Commonwealth of Massachusetts known as Lynn Fells Parkway, comprising sixty-seven thousand five hundred (67,500) square feet more or less of land according to said plan.

Approved May 16, 1977.

Chap. 190. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN SAID CITY.

Be it enacted, etc., as follows:

In consideration of such sum as an independent qualified appraiser shall determine to be the value of the parcel of land, the city of Fitchburg is hereby authorized to sell and convey to Angelo R. Fiore or any other person a certain parcel of land located easterly of Boutelle street in said city presently being used as a recreational area, bounded and described as follows:

Beginning at a point on the easterly sideline of Boutelle Street, at land of the Grantee;

Thence S-85° 18'-40" E along land of the Grantee a distance of 150.00 feet to a corner;

Thence S-4° 41'-20" W along land of the Grantor a distance of 14 feet to a corner;

Thence N-85° 18'-40" W a distance of 40 feet to an angle;

Thence S-88° 58'-23" W a distance of 110.47 feet to the easterly sideline of Boutelle Street;

Thence N-4° -30'-00" E along the easterly sideline of Boutelle Street a distance of 25 feet to the point of beginning.

The above described parcel contains an area of 2706 square feet of land.

Approved May 16, 1977.

Chap. 191. AN ACT RELATIVE TO THE PENALTY FOR INJURY TO AN ELECTRIC OR GAS METER AND FOR UNLAWFUL DIVERSION OF ELECTRICITY OR GAS.

Be it enacted, etc., as follows:

SECTION 1. Section 126 of chapter 164 of the General Laws, as amended by chapter 284 of the acts of 1961, is hereby further amended by striking out, in line 14, the word “hundred” and inserting in place thereof the word:- thousand.

SECTION 2. Said chapter 164 is hereby further amended by striking out section 127, as amended by chapter 290 of the acts of 1961, and inserting in place thereof the following section:-

Section 127. Whoever unlawfully and with intent to avoid payment by himself or another person for a prospective or previously rendered service the charge or compensation for which is measured by a meter or other mechanical device injures or destroys, or suffers to be injured or destroyed, any meter, pipe, conduit, wire, line, pole, lamp or other apparatus belonging to a corporation engaged in the manufacture or sale of electricity or to any person, or whoever unlawfully and with intent to avoid payment by himself or another person for a prospective or previously rendered service prevents an electric meter from duly registering the quantity of electricity supplied, or in any way interferes with its proper action or just registration, or, without the consent of such corporation or person, unlawfully and intentionally diverts or suffers to be diverted any electrical current from any wire of such corporation or person, or otherwise unlawfully and intentionally uses or causes to be used, without the consent of such corporation or person, any electricity manufactured or distributed by such corporation, or charged to such person, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved May 16, 1977.

Chap. 192. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight 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	\$2,237,418 31
2. For contractual services	428,000 00
3. For supplies and materials	322,000 00
4. For current charges and obligations	207,500 00
5. For equipment	161,228 00
6. For structures and improvements	50,000 00
8. For debt and interest	30,000 00
10. For unpaid bills of previous years	29,566 00
11. For reserve fund	125,000 00
11a. For reserve for salary increases	286,250 00
12. For group insurance	120,000 00
For total expenditures	\$3,996,962 31

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

Approved May 17, 1977.

Chap. 193. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight 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	\$1,541,818.14
2. For contractual services	86,258.00
3. For supplies and materials	356,900.00
4. For current charges and obligations	188,220.00
5. For equipment	13,794.25
8. For debt and interest	10,000.00
11. For reserve fund	20,000.00
11a. For reserve for salary increases	208,000.00
12. For group insurance	112,800.00
For total expenditures	<u>\$2,537,840.39</u>

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

Approved May 17, 1977.

Chap. 194. AN ACT AUTHORIZING THE TOWN OF BEDFORD TO CONSTRUCT AND MAINTAIN A SANITARY SEWER ON LAND IN SAID TOWN UNDER THE JURISDICTION OF THE CONSERVATION COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or rule or regulation to the contrary, the town of Bed-

ford is hereby authorized to lay, construct, inspect, repair, remove, replace, operate and forever maintain a sanitary sewer or sewers with manholes, pipes, culverts and other appurtenances, and to do all other acts incidental thereto, including the right for the aforesaid purposes, to pass along, over, in, through and under a strip of land under the jurisdiction of the conservation commission of said town, said land being located north of the Nathaniel Page school and shown as lot 46 on plan 46 of the assessors plans of the town of Bedford.

In addition to such permanent easement the town of Bedford is hereby authorized to use said land under the jurisdiction of said conservation commission for constructing the sewers to be installed in said permanent easement, provided that said authorization shall terminate thirty days after the completion of the sewer construction, and, in any event, not later than March first, nineteen hundred and seventy-nine.

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

Approved May 20, 1977.

Chap. 195. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO MAKE LOANS SECURED BY SECOND MORTGAGES ON RESIDENTIAL PROPERTY.

Be it enacted, etc., as follows:

Chapter 170 of the General Laws is hereby amended by inserting after section twenty-four A the following section:-

Section 24B. Any such corporation may make or acquire a loan secured by a second mortgage on residential real estate for noncommercial or nonbusiness purposes to an amount not exceeding ten thousand dollars.

Approved May 20, 1977.

Chap. 196. AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF ARLINGTON TO ADOPT CERTAIN RULES AND REGULATIONS RELATIVE TO THE TOWING OF MOTOR VEHICLES IN SAID TOWN.

Be it enacted, etc., as follows:

In addition to the powers conferred by section twenty C of chapter ninety of the General Laws, the board of selectmen of the town of Arlington is hereby authorized to adopt, amend, alter or repeal rules and regulations, with such limitations, if

any, as may be deemed proper, authorizing through its town manager, its director of the department of community safety and its assistant director for police services of said department or such sergeants or other officers of higher rank in the police services division of said department as they may from time to time designate, to remove, to some convenient place, through the agency of a person or persons acting on behalf of said police services division or by an independent contractor selected in accordance with law or by-law on the basis of competitive bids, any motor vehicle parked or standing on any part of any way under the control of said town in violation of any rule or regulation which prohibits the parking or standing of all motor vehicles on such ways or portions thereof and recites that whoever violates it shall be liable to charges for the removal and storage of any such vehicle as well as subject to punishment by fine. Said board may provide that if a motor vehicle is removed pursuant to such rule or regulation, such vehicle shall be held until all charges lawfully imposed for such removal and storage following the same have been paid and, if in the calendar year in which such vehicle is so removed and in the preceding calendar year five or more notices in the aggregate have been affixed to said vehicle as provided in said section twenty C of said chapter ninety, until due notice has been received that either the fines provided in such notices have been paid or security for the payment thereof has been deposited. Motor vehicles owned by the commonwealth or a political subdivision thereof or by the United States or any instrumentality thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing distinctive number plate or otherwise conspicuously marked as so owned or registered, shall not, however, be subject to such removal. Regulations and such signs as may be necessary shall be subject to the provisions of section two of chapter eighty-five. Liability may be imposed for the reasonable cost of such removal, and for the storage charges, if any, resulting therefrom, upon the owner of such vehicle; provided, however, that the liability so imposed for removal shall not exceed twenty-five dollars, and that the liability so imposed for storage shall not exceed two dollars for any twenty-four hour period and one dollar and fifty cents for any lesser period. Neither the removal nor storage of a motor vehicle under the provisions of this section shall be deemed to be services rendered or work performed by said town or the police services division of the department of community safety of said town. The contractor shall be liable to the owner of such vehicle for any damage

caused to it arising out of negligence in the course of such removal and storage.

Approved May 20, 1977.

Chap. 197. AN ACT AUTHORIZING THE MASSACHUSETTS PARKING AUTHORITY TO AUCTION GOODS OR OTHER PROPERTY WHICH HAS BEEN ABANDONED ON ITS PREMISES.

Be it enacted, etc., as follows:

Chapter 606 of the acts of 1958 is hereby amended by inserting after section 14 the following section:-

Section 14A. Notwithstanding the provisions of any general or special law to the contrary, if money, goods or other property which has been abandoned, mislaid or lost on the premises of the Authority comes into the possession of said Authority and remains unclaimed in its possession for a period of one hundred and twenty days, the Authority may sell same, excepting money so unclaimed, at public auction after notice of such sale has been published in a newspaper, for three consecutive weeks, in the city or town where such sale is to take place; provided, however, that if the Authority can identify the owner by examining such property, the Authority shall send notice of its possession of such property to said person at his last known address at least sixty days prior to said public auction. The net proceeds of such sale, after deducting the cost of storage and the expenses of the sale, and all money so unclaimed, shall be paid into and become the property of the Authority. If, in the opinion of the Authority, any property so abandoned, mislaid or lost which comes into the possession of the Authority and remains for a period of one hundred and twenty days, is the value of three dollars or less, the Authority may donate same to a charitable organization.

Approved May 20, 1977.

Chap. 198. AN ACT RELATING TO ABATEMENT OF TAXES ON REAL ESTATE ACQUIRED AFTER THE ASSESSMENT DATE.

Be it enacted, etc., as follows:

Section 59 of chapter 59 of the General Laws, as most recently amended by section 4 of chapter 831 of the acts of 1974, is hereby further amended by inserting after the first paragraph the following paragraph:-

Notwithstanding any other provision of this section, a person who acquires title to real estate after January first in any year, shall for the purposes of this section be treated as a person upon whom a tax has been assessed.

Approved May 20, 1977.

Chap. 199. AN ACT CHANGING THE DATES FOR CERTIFICATION OF VALUATION OF PIPE LINES AND APPEAL THEREFROM.

Be it enacted, etc., as follows:

The second paragraph of section 38A of chapter 59 of the General Laws, as amended by section 31 of chapter 654 of the acts of 1953, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following two sentences:- On or before March fifteenth in each year, the commission shall determine and certify to the owner of such pipe line and to the board of assessors of every city and town where such pipe line is subject to taxation, the valuation as of January first in such year of such pipe line in said city or town. Every owner and board of assessors to whom such valuation shall have been so certified may, on or before the fifteenth day of April then next ensuing, appeal to the appellate tax board from such valuation.

Approved May 20, 1977.

Chap. 200. AN ACT RELATIVE TO THE DEPOSIT OF COPIES OF THE ASSESSORS' VALUATION BOOK WITH THE COMMISSIONER OF CORPORATIONS AND TAXATION.

Be it enacted, etc., as follows:

Chapter 59 of the General Laws is hereby amended by striking out section 49, as most recently amended by section 3 of chapter 532 of the acts of 1969, and inserting in place thereof the following section:-

Section 49. The assessors, except those of Boston, on or before July first, nineteen hundred and sixty, and in every fifth year thereafter, or more frequently if required by the commissioner, shall deposit in the office of the commissioner, a copy of the assessors' valuation books of those years, to be certified by them under oath.

Approved May 20, 1977.

Chap. 201. AN ACT FURTHER REGULATING PERSONS ENGAGED IN THE BUSINESS OF DIGGING OR DRILLING WELLS.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 21 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 120 of the acts of 1977, and inserting in place thereof the following sentence:- The division of water resources of the department of environmental management shall be under the supervision and control of the water resources commission which shall be within the department of environmental quality engineering, hereafter in this section and in sections nine to sixteen, inclusive, called the commission, which shall consist of the commissioner of food and agriculture, the commissioner of commerce and development, the commissioner of the department of the metropolitan district commission, the commissioner of environmental management, the commissioner of environmental quality engineering, and the commissioner of fisheries, wildlife and recreational vehicles and five persons to be appointed by the governor.

SECTION 2. Section 11 of said chapter 21, as appearing in section 3 of chapter 620 of the acts of 1956, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The commission may establish rules and regulations as may be necessary for the proper administration of sections nine to sixteen, inclusive, and shall annually submit to the budget commissioner the estimates required by sections three and four of chapter twenty-nine, and shall file an annual report as required by sections thirty-two and thirty-three of chapter thirty.

SECTION 3. Said chapter 21 is hereby further amended by striking out section 16, inserted by chapter 513 of the acts of 1962, and inserting in place thereof the following section:-

Section 16. No person shall engage in the business of digging or drilling wells within the commonwealth unless he is registered with the water resources commission. Each person intending to engage in said business shall register annually with said commission, and upon payment of a fee of ten dollars shall be issued a certificate indicating that he is so registered. Each registration shall be in force, unless sooner cancelled, suspended or revoked for violation of this section or any of the rules and regulations established under section eleven, until July first following the year of its issuance.

Within thirty days after completion of any well by digging or drilling, the person engaged in the business of digging or drilling wells shall submit a report to the commission setting forth such information as may be required under said rules and regulations.

Whoever engages in the business of digging or drilling wells without being registered or fails to submit a report upon the completion of a well shall be punished by a fine of not more than three hundred dollars.

Approved May 20, 1977.

Chap. 202. AN ACT RELATIVE TO CERTAIN TERM DEPOSIT ACCOUNTS
IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Subsection 3B of section 13 of chapter 170 of the General Laws is hereby amended by striking out provision 1A, inserted by chapter 120 of the acts of 1976, and inserting in place thereof the following provision:-

1A. *Term Deposit Account Plans for Deposits of \$100,000 or more:-* 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 hundred thousand dollars, and the maximum amount of deposit balances and the minimum period, which shall be not less than thirty days, 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.

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 May 20, 1977.

**Chap. 203. AN ACT FURTHER REGULATING THE FEES CHARGED
MODELS BY AN EMPLOYMENT AGENCY.**

Be it enacted, etc., as follows:

Subsection (C) of section 46L of chapter 140 of the General Laws, as amended by section 4 of chapter 896 of the acts of 1967, is hereby further amended by striking out paragraph (3) and inserting in place thereof the following paragraph:-

(3) For models the gross fee to the agency from all sources shall not exceed ten per cent of the amount payable to the applicant, provided, that the applicant is advised in writing of such fees; and provided, further, that model agencies engaged in fields other than radio, television, film, video tape, film commercials, or transcriptions, may charge an employer of an applicant for ancillary services provided that the applicant is notified in writing of all such additional ancillary services.

Approved May 20, 1977.

**Chap. 204. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW
RELATIVE TO THE ESTABLISHMENT OF BRANCH OFFICES
OR DEPOTS OF SAVINGS BANKS.**

Be it enacted, etc., as follows:

The first paragraph of section 5 of chapter 168 of the General Laws, as most recently amended by chapter 743 of the acts of 1975, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- After such notice and hearing as the commissioner may require and with his written permission and under such conditions as he may approve, such corporation may establish and maintain one or more branch offices or depots (a) in the city or town wherein its main office is located, or (b) in other cities or towns within the same county where, in the opinion of the commissioner, the public convenience and advantage would be served by the establishment of additional savings bank facilities, or (c) on a site within fifteen miles from the premises of the main office where, in the opinion of the commissioner, the public convenience and advantage would be served by the establishment of additional savings bank facilities.

Approved May 20, 1977.

Chap. 205. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW
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, as most recently amended by chapter 755 of the acts of 1975, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The corporation, after such notice and hearing as the commissioner may require and with his written permission and under such regulations as he may approve, may establish and maintain one or more depots where moneys due the bank may be collected by the treasurer or other persons duly empowered by the directors upon such days as may be designated by vote of the board of directors; or may establish and maintain one or more branch offices (a) in the town wherein its main office is located, or (b) in other towns within the same county where, in the opinion of the commissioner, the public convenience and advantage would be served by the establishment of additional co-operative bank facilities, or (c) on a site within fifteen miles from the premises of the main office where, in the opinion of the commissioner, the public convenience and advantage would be served by the establishment of additional co-operative bank facilities.

Approved May 20, 1977.

Chap. 206. AN ACT RELATIVE TO THE FINANCING OF CERTAIN POLLUTION CONTROL FACILITIES IN THE INDUSTRIAL DEVELOPMENT OF CITIES AND TOWNS BY INDUSTRIAL DEVELOPMENT FINANCING AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 40D of the General Laws is hereby amended by striking out clauses (m) and (n), as appearing in section 1 of chapter 772 of the acts of 1967, and inserting in place thereof the following two clauses:-

(m) "Industrial occupant", any person or persons engaged in an industrial development project financed or to be financed under this chapter and there operating an industrial enterprise and, in the case of pollution control facilities, also including a public utility or utilities.

(n) "Lease", a lease, installment sale, mortgage, loan or loan agreement, or conditional sale; lease of a project or projects and

lease of the project or projects includes a loan or loan agreement relating to a project or projects; lessee includes one or more lessees, installment purchasers, mortgagors, borrowers, or conditional sales purchasers; lessee of the project or projects includes a borrower of a loan relating to the project or projects; rental includes any or all payments by such lessees, purchasers, mortgagors or borrowers.

SECTION 2. Said section 1 of said chapter 40D is hereby further amended by striking out clause (o½), inserted by section 1 of chapter 775 of the acts of 1972, and inserting in place thereof the following clause:-

(o½) "Pollution control facilities", facilities for the prevention, avoidance, reduction, control, abatement, elimination or monitoring of pollution by any means of air or of waters by industrial occupants or establishments including, but not limited to any air pollution control facility, noise abatement facility, water management facility, thermal pollution control facility, waste water collection system, waste water treatment works, sewage treatment works system, sewage treatment system or site, including any or all buildings, docks, wharves, improvements, additions, extensions, replacements, appurtenances, lands, rights in land, riparian rights, water rights, franchises, machinery, equipment, furnishings, landscaping, utilities, approaches, roadways and other facilities necessary or desirable in connection therewith or incidental thereto, such as, but not limited to, office, warehouse, terminal, transportation and back-up power generating facilities.

SECTION 3. Said section 1 of said chapter 40D is hereby further amended by adding the following clause:-

(r) "Public utility", any gas company or electric company as defined in section one of chapter one hundred and sixty-four, or any municipal corporation which owns or may acquire municipal lighting plants as referred to in section two of chapter one hundred and sixty-four, or any person, firm, association, or private corporation which owns or operates waste water treatment or sewage treatment works or a distribution plant for the manufacture and sale or distribution and sale of gas for heating and illuminating purposes, or of electricity, within the commonwealth as referred to in said section two of said chapter one hundred and sixty-four, or any domestic electric utility or foreign electric utility as defined in section one of chapter one hundred and sixty-four A.

SECTION 4. Paragraph (a) of section 7 of said chapter 40D is hereby amended by adding the following clause:-

(viii) to loan the proceeds of any issue of bonds to any industrial occupant in order to finance the cost of a project.

SECTION 4A. Section 22 of said chapter 40D is hereby amended by striking out paragraph (b), as amended by section 100 of chapter 706 of the acts of 1975, and inserting in place thereof the following paragraph:-

(b), The requirements of clauses (e), (g), (i) and (k) of subsection (2) of section twelve shall not apply to projects for pollution control. It shall be necessary, however, that the state industrial finance board find that a substantial public benefit will result from the project and, in the case of pollution control facilities for water, the division of water pollution control in the department of environmental quality engineering, or, in the case of pollution control facilities for air, the commissioner of environmental quality engineering, has found that the project as designed is in furtherance of the purpose of abating or controlling water pollution or air pollution, as the case may be.

SECTION 5. Section 22 of said chapter 40D is hereby amended by adding the following paragraph:-

(c) A city or town, acting in the manner specified in section two, may by vote declare that it is in the public interest to provide for the financing of pollution control facilities through an authority of the city or town under this chapter, in which event the findings prescribed by paragraph (a) with respect to unemployment and business opportunity will not be required and the municipality may finance pollution control facilities hereunder through an authority previously organized under section two or section twenty-one, or, if none has been so organized, then through an authority organized by virtue of such vote. Such an authority may then or thereafter be given industrial development powers by action under said section two, or solid waste disposal powers by action under said section twenty-one, or both. Nothing contained in this paragraph shall preclude the financing of pollution control facilities in accordance with paragraph (a) through an authority having industrial development powers. A certificate of organization issued by the state secretary shall indicate whether the authority has pollution control powers under this paragraph. When such powers are added to a previously organized authority by city or town action under this paragraph, an amended certificate of organization shall be issued accordingly. Certificates of organization issued by the state secretary stating that the authority has pollution control powers under this paragraph shall be conclusive evidence to that effect. A vote to consolidate authorities taken prior to the adop-

tion of this paragraph shall not be deemed to include the function of financing pollution control facilities under this paragraph. A vote taken thereafter to so consolidate may include pollution control powers under this paragraph. Dissolution proceedings in the manner provided for in said section two shall apply to authorities having pollution control powers under this paragraph. Paragraph (c) of section seven shall not apply to the financing of pollution control facilities under this paragraph.

Approved May 20, 1977.

Chap. 207. AN ACT PROVIDING FOR A PUBLIC HEARING OF ANY SIGNIFICANT SERVICE CHANGES BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

Section 5 of chapter 161A of the General Laws is hereby amended by inserting after subsection (f) the following subsection:-

(f^{1/2}) In the event of significant changes in local service, the authority shall conduct a public meeting upon petition of twenty-five or more persons who reside one-half mile or less from any point on a route for which significant service changes have been proposed or implemented. For purposes of this subsection, significant changes in service shall be defined as a one hundred per cent or greater increase in headways, a fifty per cent or greater decrease in total daily trips, discontinuation of a route, discontinuation of off-peak, weekend or evening service on a route, or changes in the layout of the route. The public meeting shall be scheduled within one month of the receipt by the chief executive officer of a petition bearing the name or number of the affected route, and the signatures and addresses of twenty-five or more persons who reside one-half mile or less from any point on the affected route. The authority shall provide written notice of the meeting ten days prior to the meeting to elected officials from the affected area, the advisory board members of the affected municipalities, the signatories of the petition, and, at the authority's discretion, any other public and private groups, organizations and persons who are affected by the significant change or who have provided the authority with reasonable notice of their desire to participate in the public meeting. The authority shall be represented at this meeting by the chief executive officer or his designee, a representative of the service planning section of the authority who is familiar with the af-

affected route, and a representative of the community affairs section.

The public meeting shall be conducted in the evening hours in a location nearby or in the area serviced by the route for which significant changes have been proposed or implemented. The authority shall present the reasons for the significant changes and shall describe any public transportation alternative services available to users of the affected route. Persons in attendance at the public meeting shall be provided with the opportunity to demonstrate their need for the service which has been changed and to make suggestions for restoration of service or for alternatives. Within one month after the public meeting the authority shall provide a written notification to all persons who received written notice of the meeting the results of the authority's reconsideration of the significant service change.

Approved May 20, 1977.

Chap. 208. AN ACT PROVIDING FOR PRELIMINARY ELECTIONS OF CANDIDATES FOR ELECTIVE MUNICIPAL OFFICES IN THE CITY OF MELROSE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, preliminary elections of candidates for elective city offices shall be held in the city of Melrose in accordance with the provisions of sections forty-four A to forty-four G, inclusive, of chapter forty-three of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Melrose at the next city election in the form of the following question, which shall be placed on the official ballot to be used for the election of city officers at said election:—"Shall an act passed by the general court in the year nineteen hundred and seventy-seven, entitled 'An Act providing for preliminary elections of candidates for elective municipal offices in the city of Melrose', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved May 20, 1977.

Chap. 209. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO ENTER INTO AN EXCHANGE OF LAND IN THE MYSTIC RIVER RESERVATION IN THE CITY OF MEDFORD WITH JOHN AND JOAN SCANLON.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the metropolitan district commission by John Scanlon and Joan Scanlon of certain land as provided in section two, said commission, acting for and on behalf of the commonwealth, is hereby authorized to convey to said John Scanlon and Joan Scanlon, by a deed approved as to form by the attorney general, all of the right, title and interest of the commonwealth in and to, two parcels of land located in the city of Medford, being shown as Parcels "B" and "C" on a plan comprising three hundred (300) square feet more or less and one thousand five hundred seventy (1,570) square feet more or less, respectively, bounded and described as follows:

PARCEL B:

Beginning at a point in the boundary line between land of the Commonwealth of Massachusetts (Metropolitan District Commission) and land now or formerly of John and Joan Scanlon, as shown on the aforesaid plan:

Thence the line runs south 88° 21' 27" east by said land of John and Joan Scanlon, thirty-six and 49/100 (36.49) feet to a point at land of Commonwealth of Massachusetts (M.D.C.);

Thence turning and running north 55° 09' 27" west by said land of Commonwealth thirty 00/100 (30.00) feet to a point;

Thence turning and running south 36° 12' 14" west by said land of Commonwealth, twenty and 00/100 (20.00) feet to the point of beginning, comprising three hundred (300) square feet more or less of land.

PARCEL C:

Beginning at a point in the boundary line between land of the Commonwealth of Massachusetts (Metropolitan District Commission) and land now or formerly of John and Joan Scanlon which point is distant northerly measuring along said boundary line, sixty-five and 80/100 (65.80) feet from the northeasterly side line of Mystic Valley Parkway;

Thence the line runs north 34° 21' 39" east by said land of John and Joan Scanlon, fourteen and 00/100 (14.00) feet to a point;

Thence south 85° 55' 16" east, thirteen and 90/100 (13.90) feet to a point;

Thence north $61^{\circ} 44' 55''$ east, nine and 50/100 (9.50) feet to a point;

Thence turning and running north $30^{\circ} 24' 14''$ east, forty-two and 00/100 (42.00) feet to a point;

Thence north $14^{\circ} 14' 32''$ east, sixty-six and 71/100 (66.71) feet to a point at land of Commonwealth of Massachusetts (Metropolitan District Commission), the last four (4) courses and distances being by said land of John and Joan Scanlon;

Thence turning and running south $30^{\circ} 10' 22''$ west, by said land of Commonwealth, one hundred thirty-four and 18/100 (134.18) feet to the point of beginning; comprising one thousand five hundred seventy (1,570) square feet more or less of land.

SECTION 2. In consideration of such conveyance, John Scanlon and Joan Scanlon shall convey to the commonwealth a certain parcel of land shown as Parcel A on the above-mentioned plan, bounded and described as follows:

PARCEL A:

Beginning at a drill hole in a concrete bound set in the northwesterly side line of Locust Street at its intersection with the boundary line between land of the Commonwealth of Massachusetts (Metropolitan District Commission) and land now or formerly of John and Joan Scanlon as shown on the aforesaid plan;

Thence the line runs north $55^{\circ} 09' 27''$ west along said boundary line, three hundred eighty-four and 80/100 (384.80) feet to a drill hole in a stone bound set in said boundary line;

Thence turning and running south $53^{\circ} 57' 57''$ east, by said land of John and Joan Scanlon, three hundred eighty-four and 52/100 (384.52) feet to a point in the northwesterly side line of said Locust Street;

Thence turning and running north $32^{\circ} 50' 41''$ east by said northwesterly side line of Locust Street, eight and 00/100 (8.00) feet to the drill hole in the bound first mentioned and point of beginning; comprising one thousand two hundred seventy (1,270) square feet more or less of land.

Approved May 20, 1977.

Chap. 210. AN ACT EXTENDING THE TIME PERIOD WHICH THE CITY OF LAWRENCE HAS TO UTILIZE CERTAIN PARK LAND IN SAID CITY FOR THE CONSTRUCTION OF A SCHOOL.

Be it enacted, etc., as follows:

Chapter 389 of the acts of 1975 is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. If the land described in section one is not used for the purpose specified therein or if contracts for said purpose are not executed within four years from June thirtieth, nineteen hundred and seventy-five, then the aforesaid land shall thereafter be held by the city of Lawrence as park land.

Approved May 20, 1977.

Chap. 211. AN ACT INCREASING THE MAXIMUM FINE FOR VIOLATION OF A RULE OR REGULATION GOVERNING THE USE OF ANY LAND OR WAY HELD FOR PARK, PLAYGROUND, AND RELATED PURPOSES.

Be it enacted, etc., as follows:

Section 24 of chapter 45 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the word "twenty" and inserting in place thereof the words:- two hundred.

Approved May 20, 1977.

Chap. 212. AN ACT INCREASING ANNUAL PAYMENTS TO THE CITY OF HOLYOKE BY ITS BOARD OF WATER COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 85 of the acts of 1926 is hereby amended by striking out section 1, as amended by section 1 of chapter 199 of the acts of 1956, and inserting in place thereof the following section:-

Section 1. The board of water commissioners of the city of Holyoke is hereby authorized and directed to pay over to the treasurer of said city in each year, on or before November first, the sum of fifty thousand dollars from the total revenue received by said board from water charges and water rents during the preceding financial year of said board, which amount shall be paid in lieu of taxes and other sums required to be paid by said board to said city by any prior acts. This amount is not depend-

ent upon changes in the general rate structure governing the sale of water.

SECTION 2. This act shall take effect upon its acceptance by the board of aldermen and the mayor of the city of Holyoke, subject to the provisions of its charter, but not otherwise.

Approved May 20, 1977.

Chap. 213. AN ACT VALIDATING ADOPTION BY THE NORTH MIDDLESEX REGIONAL SCHOOL DISTRICT OF AN AMENDMENT TO ITS AGREEMENT.

Be it enacted, etc., as follows:

SECTION 1. The adoption by the North Middlesex Regional School District of the amendment to its regional school district agreement entitled "Fourth Amendment to the North Middlesex Regional School District Agreement providing for the inclusion of all grades from kindergarten through grade twelve", which amendment was initiated by vote of the regional district school committee adopted on November ninth, nineteen hundred and seventy, and acted upon by the town of Pepperell at its annual town meeting held on March fifteenth, nineteen hundred and seventy-one, by the town of Townsend at its annual town meeting held on March eighth, nineteen hundred and seventy-one, and by the town of Ashby at its annual town meeting held on March ninth, nineteen hundred and seventy-one, is hereby validated and confirmed and said amendment is declared to be in effect and to have been in effect since March fifteenth, nineteen hundred and seventy-one except that nothing therein contained shall be deemed to authorize the leasing to said regional school district of the former Ashby High School.

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

Approved May 23, 1977.

Chap. 214. AN ACT AUTHORIZING THE TOWN OF ADAMS TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The town of Adams is hereby authorized to pay to Hayden Oil & Supply Co., Inc. an unpaid bill in the amount of one thousand three hundred and ninety-two dollars and ninety-three cents, said bill being legally unenforceable by reason of its

not having been contracted for pursuant to provisions of the by-laws of 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 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 May 23, 1977,

Chap. 215. AN ACT RELATIVE TO THE QUALIFICATIONS FOR MEMBERSHIP ON THE BOARD OF CEMETERY DIRECTORS IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. Section 39 of Part II of chapter 621 of the acts of 1911 is hereby amended by striking out, in line 3, the words "from the lot owners of the cemetery".

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

Approved May 23, 1977.

Chap. 216. AN ACT RELATIVE TO THE RATE OF INTEREST ON CERTAIN BETTERMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish the rate of interest on certain betterment assessments, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 80 of the General Laws is hereby amended by striking out the first sentence, as most recent-

ly amended by section 1 of chapter 109 of the acts of 1972, and inserting in place thereof the following sentence:- Assessments made under this chapter shall bear interest at a rate equal to two per cent above the rate of interest chargeable to the city or town for the betterment project to which the assessments relate from the thirtieth day after assessments have been committed to the collector.

SECTION 2. The provisions of this act shall apply to betterment assessments for the fiscal years commencing July first, nineteen hundred and seventy-seven and thereafter.

Approved May 23, 1977.

Chap. 217. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A CERTAIN PERCENTAGE SALARY INCREASE TO SIGRID REDDY, LIBRARY DIRECTOR FOR SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law or town by-law to the contrary, the town of Watertown is hereby authorized to make payment of a four and one-half per cent salary increase granted to other library personnel, to the library director Sigrid Reddy, who is not a part of any collective bargaining unit.

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

Approved May 23, 1977.

Chap. 218. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO CONDUCT URBAN RENEWAL PROJECTS AND ACTIVITIES WHEN RECOMMENDED AND REQUESTED BY ITS PLANNING BOARD OR BOARD OF SELECTMEN, WITHIN PORTIONS OF THE MARSH URBAN RENEWAL PROJECT.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookline is hereby authorized, when recommended and requested by its planning board or the board of selectmen and when authorized by a town meeting, to conduct urban renewal projects and activities, as defined in chapter one hundred and twenty-one B of the General Laws, in that block known as B-2, within the Marsh Urban Renewal Project.

SECTION 2. The town of Brookline, acting through its board of selectmen, when recommended and requested by the planning board or the board of selectmen, shall, except as herein specifically provided otherwise, be and have all the powers of an operating agency subject to the limitations provided in sections forty-five to fifty-nine, inclusive, of chapter one hundred and twenty-one B of the General Laws, and have such further powers and be subject to such further limitations as would from time to time be applicable to a redevelopment authority, as if in existence in the town; provided, however, that notwithstanding sections eleven, forty-seven and forty-eight of said chapter one hundred and twenty-one B, no urban renewal project or rehabilitation project shall be undertaken, nor shall any property be acquired for any such project by eminent domain or otherwise, until the plan for such project and any acquisitions of property by eminent domain under such plan has been approved by an annual or special town meeting; and provided, further, that borrowings are hereby authorized for an approved project under section seven of chapter forty-four of the General Laws for a period not to exceed twenty years. Without limiting the foregoing, the town, with the approval of an annual or special town meeting, may raise and appropriate, transfer, borrow, agree to raise and appropriate, transfer and borrow a sum or sums of money, and do or agree to do other things, with or without consideration, in aid of any project or activity planned or undertaken by the board of selectmen, to the same extent and subject to the same limitations as if said board of selectmen were a redevelopment authority.

Nothing herein shall, however, alter or limit the powers and rights of the Brookline Redevelopment Authority; or of the town or any other operating agency therein with respect to the powers and limitations in sections twenty-five to forty-four A, inclusive, of said chapter one hundred and twenty-one B.

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

Approved May 23, 1977.

Chap. 219. AN ACT FURTHER REGULATING THE ADMINISTRATION OF RETURNS FILED AND TAXES PAID UNDER THE STATE LOTTERY LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the reporting of certain information relative to the game 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. Chapter 10 of the General Laws is hereby amended by striking out section 39, as most recently amended by section 1 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 39. Any organization operating or conducting a game under section thirty-eight shall file a return with the commission, on a form prepared by it, within ten days after such game is held or within such further time as the commission may allow, and shall pay therewith a tax of five per cent of the gross receipts derived from such game. All such returns shall be public records.

All sums received by said commission from the tax imposed by this section as taxes, interest thereon, fees, penalties, forfeitures, costs of suits or fines, less all amounts refunded thereon, together with any interest or costs paid on account of such refunds, shall be paid into the treasury of the commonwealth and shall be credited as follows:-

(a) Two fifths of all such sums received shall be credited to the State Lottery Fund established under the provisions of section thirty-five and, subject to appropriation, the state lottery commission may expend such sums for the expenses incurred in the administration of sections thirty-seven and thirty-eight.

(b) Three fifths of all such sums received shall be credited to the General Fund.

(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 2. Chapter 62C of the General Laws is hereby amended by striking out section 2, as appearing in section 22 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 2. The provisions of this chapter shall, so far as pertinent and consistent, apply to the taxes imposed by chapter sixty A; by chapters sixty-two through sixty-five C, inclusive; by section ten of chapter one hundred and twenty-one A; by section twenty-one of chapter one hundred and thirty-eight; and by any act in addition thereto or amendment thereof.

SECTION 3. Subsection (a) of section 18 of said chapter 62C, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Such return shall include the names and addresses of all persons receiving prizes over five hundred dollars in such game, and the amount of each such prize.

SECTION 4. Said chapter 62C is hereby further amended by striking out section 18, as so appearing, and inserting in place thereof the following section:-

Section 18. Every organization operating or conducting a game under section thirty-eight of chapter ten shall within ten days after such game is held file an information return with the commissioner containing the names and addresses of all persons receiving prizes over five hundred dollars in such game and the amount of every such prize.

SECTION 5. Subsection (b) of section 21 of said chapter 62C, as so appearing, is hereby amended by striking out clause (3) and inserting in place thereof the following clause:-

(3) the disclosure of information contained in returns filed pursuant to subsections (a) and (j) of section sixteen and section eighteen.

SECTION 6. Section 7A of chapter 271A of the General Laws, as amended by section 96 of chapter 415 of the acts of 1976, is hereby further amended by striking out the eighth and ninth paragraphs and inserting in place thereof the following two paragraphs:-

Any organization conducting or operating a raffle or bazaar under this section shall file a return with the state lottery commission, on a form prepared by it, within ten days after the raffle or bazaar is held and shall pay therewith a tax of five per cent of the gross proceeds derived from such raffle or bazaar.

All sums received by said commission from the tax imposed by this section as taxes, interest thereon, fees, penalties, forfeitures, costs of suits or fines, less all amounts refunded thereon, together with any interest or costs paid on account of such refunds, shall be paid into the treasury of the commonwealth.

SECTION 7. Sections one, two, four, five and six of this act shall take effect on January first, nineteen hundred and seventy-eight. Section three shall take effect as of January first, nineteen hundred and seventy-seven.

Approved May 23, 1977.

Chap. 220. AN ACT ELIMINATING A CERTAIN TIME PERIOD OF SATISFACTORY PERFORMANCE BY AN INMATE FOR REDUCTION IN SENTENCE.

Be it enacted, etc., as follows:

Section 129D of chapter 127 of the General Laws, inserted by chapter 528 of the acts of 1973, is hereby amended by striking out, in line 8, the words "over a period of six months".

Approved May 23, 1977.

EMERGENCY LETTER — May 31, 1977 @ 11:25 P.M.

Chap. 221. AN ACT FURTHER REGULATING THE DATE FOR FILING ANNUAL STATEMENTS OF INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Section 25 of chapter 175 of the General Laws, as most recently amended by chapter 787 of the acts of 1970, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Every company shall annually, on or before March first or sixty days from such date authorized by the commissioner, file with the commissioner a statement showing its financial condition on December thirty-first of the previous year or such other date as the commissioner may authorize for such company, and its business of that year. The commissioner may, for cause shown, extend the filing date of the annual statement, or of schedules or exhibits which are a part of such statement or which are required by the commissioner, for not more than sixty days beyond March first or the date authorized by the commissioner in said year.

Approved May 23, 1977.

Chap. 222. AN ACT DESIGNATING OCTOBER SEVENTH, NINETEEN HUNDRED AND SEVENTY-SEVEN AS BRIGADIER GENERAL EBENEZER LEARNED DAY.

Be it enacted, etc., as follows:

The governor shall issue a proclamation setting apart the seventh day of October, nineteen hundred and seventy-seven as Brigadier General Ebenezer Learned Day, in recognition of Ebenezer Learned, a revolutionary war hero, for his gallant and illustrious service in the war for American independence and

shall recommend that said day be observed by the people in an appropriate manner in honor of his victory at Saratoga in 1777.

Approved May 23, 1977.

Chap. 223. AN ACT FURTHER REGULATING ENCLOSURES AROUND PUBLIC OR SEMIPUBLIC OUTDOOR INGROUND SWIMMING POOLS.

Be it enacted, etc., as follows:

The first paragraph of section 206 of chapter 140 of the General Laws, as most recently amended by section 1 of chapter 253 of the acts of 1976, is hereby further amended by inserting after the second sentence the following sentence:- Such enclosure shall be constructed of such material and maintained so as not to permit any opening in said enclosure, other than a gate, wider than three inches at any point along the enclosure.

Approved May 23, 1977.

Chap. 224. AN ACT ALLOWING THE BOARDS OF TRUSTEES OF VOCATIONAL SCHOOLS TO ENTER INTO CERTAIN AGREEMENTS.

Be it enacted, etc., as follows:

Section 37B of chapter 71 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 279 of the acts of 1970, and inserting in place thereof the following sentence:- A school committee or a board of trustees of a vocational school may, on a day appointed, which shall be within ninety days of the opening of a school year, enter into a written agreement with any of its employees to purchase an individual or group annuity contract for such employee; provided, however, that in no event shall the total of the premiums paid for the purchase of such annuity and the employee's includible compensation for any year exceed the total annual salary or compensation under the existing salary schedule or classification plan applicable to such employee in such year.

Approved May 23, 1977.

Chap. 225. AN ACT FURTHER REGULATING THE AFFIXING OF CABLE TELEVISION SYSTEMS ON PROPERTIES OCCUPIED BY TENANTS.

Be it enacted, etc., as follows:

Section 22 of chapter 166A of the General Laws is hereby amended by striking out the second paragraph, as appearing in

chapter 596 of the acts of 1975, and inserting in place thereof the following paragraph:-

An operator who affixes, or causes to be affixed, CATV system facilities to the dwelling of a tenant shall do so at no cost to the landlord of such dwelling, shall indemnify the landlord of such dwelling for any damage arising out of such actions, and shall not interfere with the safety, functioning, appearance or use of such dwelling.

Approved May 23, 1977.

Chap. 226. AN ACT FURTHER REGULATING THE VOTER REGISTRATION OF PERSONS MOVING FROM ONE WARD OR PRECINCT TO ANOTHER IN THE SAME CITY OR TOWN.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. For all elections and primaries held prior to June first in any year, a person shall be registered and may vote in the ward or voting precinct where he resided on January first of the previous year; provided, however, that any registered voter of a city or town who moves to any other precinct in said city or town may register to vote at his new address by making written application to the city or town clerk no later than the close of registration. A new resident of the city or town who changes his residence after having first registered in the city or town may also, upon like application, be registered at the new address. For all elections and primaries held on or after June first in any year, a person shall be registered and may vote in the ward or voting precinct where he resided on January first of that year; provided, however, that any registered voter of a city or town who moves to any other precinct in said city or town may register to vote at his new address by making written application to the city or town clerk no later than the close of registration. A new resident of the city or town who changes his residence after having first registered in the city or town may also, upon application, be registered at the new address. This section shall not apply to persons qualified under section one A to vote for electors of president and vice-president.

Approved May 23, 1977.

EMERGENCY LETTER — June 2, 1977 @ 4:30 P.M.

Chap. 227. AN ACT RELATIVE TO FOREST WARDENS IN FIRE DISTRICTS.

Be it enacted, etc., as follows:

Section 25 of chapter 48 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 9, the words "and in towns" and inserting in place thereof the following words:- , towns and fire districts.

Approved May 23, 1977.

Chap. 228. AN ACT CLARIFYING THE ISSUANCE OF A CERTIFICATE OF TITLE FOR MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90D of the General Laws is hereby amended by striking out section 4, as most recently amended by section 4 of chapter 392 of the acts of 1975, and inserting in place thereof the following section:-

Section 4. (a) Except for vehicles referred to in section two, whoever acquires a motor vehicle or trailer after the effective date of this chapter, shall be required to make application for a certificate of title. Such application shall be made within ten days from the acquisition of ownership of said vehicle or trailer.

(b) Except for vehicles referred to in section two, no new application for registration pertaining to a motor vehicle or trailer shall be accepted under the provisions of chapter ninety until the owner thereof makes application to the registrar for a certificate of title of the vehicle.

SECTION 2. Section 35 of said chapter 90D is hereby amended by striking out clause (e), added by section 15 of said chapter 392, and inserting in place thereof the following clause:-

(e) until owner fails to renew registration of a nontitled motor vehicle within one year after expiration.

Approved May 23, 1977.

Chap. 229. AN ACT DECREASING THE MEMBERSHIP OF THE PARKS AND RECREATION COMMISSION IN THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 115 of the acts of 1922 is hereby amended by striking out, in line 3, the word "seven" and inserting in place thereof the word:- three.

SECTION 2. Said chapter 115 is hereby further amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. Within thirty days of acceptance of this act, the mayor of said city shall appoint, subject to confirmation by the board of aldermen, three members of said new commission, one to serve for one year, one to serve for two years, one to serve for three years, and thereafter as the term of any member expires, his successor shall be appointed for three years. Vacancies shall be filled in a like manner for unexpired terms. The members shall in all cases hold office until their successors are appointed and confirmed and shall serve without compensation.

SECTION 3. Said chapter 115 is hereby further amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. This act shall take effect upon its acceptance by vote of the board of aldermen of said city, subject to the provisions of its charter.

Approved May 23, 1977.

Chap. 230. AN ACT INCREASING THE TIME WITHIN WHICH THE CIVIL SERVICE COMMISSION SHALL GIVE NOTICE OF ITS DECISION FOLLOWING A HEARING UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Paragraph (b) of section 43 of chapter 31 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 240 of the acts of 1948, and inserting in place thereof the following sentence:- The decision of the commission shall be in writing and notice thereof sent to all parties concerned within thirty days after the filing of the report.

Approved May 23, 1977.

Chap. 231. AN ACT REQUIRING NOTICE TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY RELATIVE TO CERTAIN ROAD AND HIGHWAY REPAIRS.

Be it enacted, etc., as follows:

Chapter 84 of the General Laws is hereby amended by inserting after section 7 the following section:-

Section 7A. Surveyors of highways, road commissioners, or any other person, agency, or authority responsible for road or highway repairs shall notify the Massachusetts Bay Transportation Authority not later than forty-eight hours prior to the repair, construction or reconstruction of any road or highway used by said Authority in the operation of regular route service if such repairs, construction or reconstruction shall prohibit the operation of regular route service by the Authority over such road or highway.

Approved May 23, 1977.

Chap. 232. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLANDS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (69), inserted by section 1 of chapter 416 of the acts of 1976, the following clause:-

(70) For acquiring restrictions in perpetuity as defined in sections thirty-one to thirty-three, inclusive, of chapter one hundred and eighty-four, for the purpose of retaining lands predominantly in their agricultural or horticultural use, on lands devoted to agricultural or horticultural uses as defined in sections one to five, inclusive, of chapter sixty-one A.

SECTION 2. Section 7 of chapter 44 of the General Laws is hereby amended by striking out clause (3), as appearing in section 1 of chapter 88 of the acts of 1974, and inserting in place thereof the following clause:-

(3) For acquiring land, or interests in land, for any purpose for which a city or town is or may hereafter be authorized to acquire land or interests therein, 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.

Approved May 23, 1977.

EMERGENCY LETTER — May 25, 1977 @ 9:03 A. M.

Chap. 233. AN ACT AUTHORIZING THE COUNTY COMMISSIONER OF EACH COUNTY TO INCREASE THE SALARY OF CERTAIN COUNTY EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 34 of the General Laws is hereby amended by inserting after section 5 the following section:-

Section 5A. Subject to the acceptance of this section as hereinafter provided, the salaries of county commissioners, payable by their respective counties in full for all services performed by said commissioners except as otherwise provided, shall be as follows:

Effective July 1, 1976.

Middlesex	\$9,805.16
Essex	9,099.73
Norfolk	9,099.73
Worcester	9,099.73
Bristol	7,688.87
Hampden	7,688.87
Barnstable	6,983.44
Berkshire	6,983.44
Plymouth	6,983.44
Franklin	5,572.58
Hampshire	5,572.58
Dukes	3,263.90

Effective January 1, 1977.

Middlesex	\$10,055.16
Essex	9,349.73
Norfolk	9,349.73
Worcester	9,349.73
Bristol	7,938.87
Hampden	7,938.87
Barnstable	7,233.44
Berkshire	7,233.44
Plymouth	7,233.44
Franklin	5,822.58
Hampshire	5,822.58
Dukes	3,513.90

Effective April 1, 1977.

Middlesex	\$10,355.16
Essex	9,649.73
Norfolk	9,649.73
Worcester	9,649.73
Bristol	8,238.87

Hampden	8,238.87
Barnstable	7,533.44
Berkshire	7,533.44
Plymouth	7,533.44
Franklin	6,122.58
Hampshire	6,122.58
Dukes	3,813.90

No salary payable under section five shall be increased in any county under the provisions of this section unless the county commissioners of such county have voted to accept the provisions of this section.

SECTION 2. Section 51B of chapter 35 of the General Laws is hereby amended by inserting after paragraph (1) the following paragraph:-

(1A) Notwithstanding the provisions of paragraph (1), in any county, which by vote of the county commissioners, accepts the provisions of this paragraph said classification and compensation plans shall be amended so that each office and position shall be allocated by the board to the proper job group in the following salary schedules; except that, in the case of elected officials, court stenographers, patient help, parttime officers or employees, or in unusual circumstances, the board may fix salaries or wages for individual positions upon notice to the county commissioners and employing authority, and in such cases the positions shall not be allocated in said salary schedules:

SALARY SCHEDULE.

Effective July 1, 1976.

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Incre- ment
1.	\$ 5,871.80	\$ 6,051.20	\$ 6,230.60	\$ 6,410.00	\$ 6,589.40	\$ 6,768.80	\$ 6,948.20	\$179.40
2.	6,033.00	6,212.40	6,391.80	6,571.80	6,750.60	6,930.00	7,109.40	179.40
3.	6,217.60	6,420.40	6,623.20	6,826.00	7,028.80	7,231.60	7,434.40	202.80
4.	6,454.20	6,657.00	6,859.80	7,062.60	7,265.40	7,468.20	7,671.00	202.80
5.	6,638.80	6,859.80	7,080.80	7,301.80	7,522.80	7,743.80	7,964.80	221.00
6.	6,958.60	7,179.60	7,400.60	7,621.60	7,842.60	8,063.60	8,284.60	221.00
7.	7,236.80	7,478.60	7,720.40	7,962.20	8,204.00	8,445.80	8,687.60	241.80
8.	7,499.40	7,762.00	8,024.60	8,287.20	8,549.80	8,812.40	9,075.00	262.60
9.	7,918.00	8,198.80	8,479.60	8,760.40	9,041.20	9,322.00	9,602.80	280.80
10.	8,341.80	8,640.80	8,939.80	9,238.80	9,537.80	9,836.80	10,135.80	299.00
11.	8,760.40	9,085.40	9,410.40	9,735.40	10,060.40	10,385.40	10,710.40	325.00
12.	9,267.40	9,608.00	9,948.60	10,289.20	10,629.80	10,970.40	11,311.00	340.60
13.	9,922.60	10,281.40	10,640.20	10,999.00	11,357.80	11,716.60	12,075.40	358.80
14.	10,528.40	10,949.60	11,370.80	11,792.00	12,213.20	12,634.40	13,055.60	421.20
15.	11,188.80	11,649.00	12,109.20	12,569.40	13,029.60	13,489.80	13,950.00	460.20
16.	11,870.00	12,384.80	12,899.60	13,414.40	13,929.20	14,444.00	14,958.80	514.80
17.	12,673.40	13,211.60	13,749.80	14,288.00	14,826.20	15,364.40	15,902.60	538.20
18.	13,349.40	13,931.80	14,514.20	15,096.60	15,679.00	16,261.40	16,843.80	582.40
19.	14,113.80	14,740.40	15,367.00	15,993.60	16,620.20	17,246.80	17,873.40	626.60
20.	14,948.40	15,595.80	16,243.20	16,890.60	17,538.00	18,185.40	18,832.80	647.40
21.	15,710.20	16,407.00	17,103.80	17,800.60	18,497.40	19,194.20	19,891.00	696.80
22.	16,563.00	17,306.60	18,050.20	18,793.80	19,537.40	20,281.00	21,024.60	743.60
23.	17,483.40	18,247.80	19,012.20	19,776.60	20,541.00	21,305.40	22,069.80	764.40
24.	18,338.80	19,144.80	19,950.80	20,756.80	21,562.80	22,368.80	23,174.80	806.00
25.	19,194.20	20,047.00	20,899.80	21,752.60	22,605.40	23,458.20	24,311.00	852.80

SALARY SCHEDULE.
Effective January 1, 1977.

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Incre- ment
1.	\$ 6,121.80	\$ 6,301.20	\$ 6,480.60	\$ 6,660.00	\$ 6,839.40	\$ 7,018.80	\$ 7,198.20	\$179.40
2.	6,283.00	6,462.40	6,641.80	6,821.20	7,000.60	7,180.00	7,359.40	179.40
3.	6,467.60	6,670.40	6,873.20	7,076.00	7,278.80	7,481.60	7,684.40	202.80
4.	6,704.20	6,907.00	7,109.80	7,312.60	7,515.40	7,718.20	7,921.00	202.80
5.	6,888.80	7,109.80	7,330.80	7,551.80	7,772.80	7,993.80	8,214.80	221.00
6.	7,208.60	7,429.60	7,650.60	7,871.60	8,092.60	8,313.60	8,534.60	221.00
7.	7,486.80	7,728.60	7,970.40	8,212.20	8,454.00	8,695.80	8,937.60	241.80
8.	7,749.40	8,012.00	8,274.60	8,537.20	8,799.80	9,062.40	9,325.00	262.60
9.	8,168.00	8,448.80	8,729.60	9,010.40	9,291.20	9,572.00	9,852.80	280.80
10.	8,591.80	8,890.80	9,189.80	9,448.80	9,787.80	10,086.80	10,385.80	299.00
11.	9,010.40	9,335.40	9,660.40	9,985.40	10,310.40	10,635.40	10,960.40	325.00
12.	9,517.40	9,858.00	10,198.60	10,539.20	10,879.80	11,220.40	11,561.00	340.60
13.	10,172.60	10,531.40	10,890.20	11,249.00	11,607.80	11,966.60	12,325.40	358.80
14.	10,778.40	11,199.60	11,620.80	12,042.00	12,463.20	12,884.40	13,305.60	421.20
15.	11,438.80	11,899.00	12,359.20	12,819.40	13,279.60	13,739.80	14,200.00	460.20
16.	12,120.00	12,634.80	13,149.60	13,664.40	14,179.20	14,694.00	15,208.80	514.80
17.	12,923.40	13,461.60	13,999.80	14,538.00	15,076.20	15,614.40	16,152.60	538.20
18.	13,599.40	14,181.80	14,764.20	15,346.60	15,929.00	16,511.40	17,093.80	582.40
19.	14,363.80	14,990.40	15,617.00	16,243.60	16,870.20	17,496.80	18,123.40	626.60
20.	15,198.40	15,845.80	16,493.20	17,140.60	17,788.00	18,435.40	19,082.80	647.40
21.	15,960.20	16,657.00	17,353.80	18,050.60	18,747.40	19,444.20	20,141.00	696.80
22.	16,813.00	17,556.60	18,300.20	19,043.80	19,787.40	20,531.00	21,274.60	743.60
23.	17,733.40	18,497.80	19,262.20	20,026.60	20,791.00	21,555.40	22,319.80	764.40
24.	18,588.80	19,394.80	21,200.80	21,006.80	21,812.80	22,618.80	23,424.80	806.00
25.	19,444.20	20,297.00	21,149.80	22,002.60	22,855.40	23,708.20	24,561.00	852.80

SALARY SCHEDULE.

Effective April 1, 1977.

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Incre- ment
1.	\$ 6,421.80	\$ 6,601.20	\$ 6,780.60	\$ 6,960.00	\$ 7,139.40	\$ 7,318.80	\$ 7,498.20	\$179.40
2.	6,583.00	6,762.40	6,941.80	7,121.20	7,300.60	7,480.00	7,659.40	179.40
3.	6,767.60	6,970.40	7,173.20	7,376.00	7,578.80	7,781.60	7,984.40	202.80
4.	7,004.20	7,207.00	7,409.80	7,612.60	7,815.40	8,018.20	8,221.00	202.80
5.	7,188.80	7,409.80	7,630.80	7,851.80	8,072.80	8,293.80	8,514.80	221.00
6.	7,508.60	7,729.60	7,950.60	8,171.60	8,392.60	8,613.60	8,834.60	221.00
7.	7,786.80	8,028.60	8,270.40	8,512.20	8,754.00	8,995.80	9,237.60	241.80
8.	8,049.40	8,312.00	8,574.60	8,837.20	9,099.80	9,362.40	9,625.00	262.60
9.	8,468.00	8,748.80	9,029.60	9,310.40	9,591.20	9,872.00	10,152.80	280.80
10.	8,891.80	9,190.80	9,489.80	9,748.80	10,087.80	10,386.80	10,685.80	299.00
11.	9,310.40	9,635.40	9,960.40	10,285.40	10,610.40	10,935.40	11,260.40	325.00
12.	9,817.40	10,158.00	10,498.60	10,839.20	11,179.80	11,520.40	11,861.00	340.60
13.	10,472.60	10,831.40	11,190.20	11,549.00	11,907.80	12,266.60	12,625.40	358.80
14.	11,078.40	11,499.60	11,920.80	12,342.00	12,763.20	13,184.40	13,605.60	421.20
15.	11,738.80	12,199.00	12,659.20	13,119.40	13,579.60	14,039.80	14,500.00	460.20
16.	12,420.00	12,934.80	13,449.60	13,964.40	14,479.20	14,994.00	15,508.80	514.80
17.	13,223.40	13,761.60	14,299.80	14,838.00	15,376.20	15,914.40	16,452.60	538.20
18.	13,899.40	14,481.80	15,064.20	15,646.60	16,229.00	16,811.40	17,393.80	582.40
19.	14,663.80	15,290.40	15,917.00	16,543.60	17,170.20	17,796.80	18,423.40	626.60
20.	15,498.40	16,145.80	16,793.20	17,440.60	18,088.00	18,735.40	19,382.80	647.40
21.	16,260.20	16,957.00	17,653.80	18,350.60	19,047.40	19,744.20	20,441.00	696.80
22.	17,113.00	17,856.60	18,600.20	19,343.80	20,087.40	20,831.00	21,574.60	743.60
23.	18,033.40	18,797.80	19,562.20	20,326.60	21,091.00	21,855.40	22,619.80	764.40
24.	18,888.80	19,694.80	21,500.80	21,306.80	22,112.80	22,918.80	23,724.80	806.00
25.	19,744.20	20,597.00	21,449.80	22,302.60	23,155.40	24,008.20	24,861.00	852.80

SECTION 3. Notwithstanding any general or special law to the contrary, each officer or employee of the several counties who was on active pay status on June thirtieth, nineteen hundred and seventy-six, and who was still on such active pay status on December first, nineteen hundred and seventy-six, shall receive a one-time, lump sum catch-up adjustment payment in the amount of one hundred and fifty dollars or one and one-half per cent of the annual salary rate of such officer or employee on said June thirtieth, nineteen hundred and seventy-six, whichever is greater; which amount shall not be added into the annual salary rate; provided, however, that this section shall not apply to employees of the several counties who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws nor to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "110 - Temporary Employees".

For purposes of this section, "on active pay status" shall mean actually paid for working on the aforesaid dates, on vacation with pay, on a leave of absence with pay for whatever reason, on leave of absence without pay due to illness, or on a leave of absence without pay granted by the appropriate appointing authority prior to either of said dates for a period not exceeding three months, including any extensions of said leave.

SECTION 4. Notwithstanding any general or special law to the contrary, each officer or employee of the several counties who was on active pay status on June thirtieth, nineteen hundred and seventy-six, and who is still on such active pay status on December first, nineteen hundred and seventy-seven, shall receive a one-time, lump sum catch-up adjustment payment in the amount of two hundred and fifty dollars or two and one-half per cent of the annual salary rate of such officer or employee on said June thirtieth, nineteen hundred and seventy-six, whichever is greater; which amount shall not be added into the annual salary rate; provided, however, that this section shall not apply to employees of a county who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws nor to persons whose services are coded in accordance with the

expenditure code manual under the subsidiary title "110-Temporary Employees". For purposes of this section, "on active pay status" shall mean actually paid for working on the aforesaid dates, on vacation with pay, on a leave of absence with pay for whatever reason, on leave of absence without pay due to illness, or on a leave of absence without pay granted by the appropriate appointing authority prior to either of said dates for a period not exceeding three months, including any extensions of said leave.

SECTION 5. Except those specifically excluded in another section of this act and notwithstanding any law, rule or regulation to the contrary, all county employees who are not subject to the salary schedule in section one and two of this act, including but not limited to sheriff's, registrars of deeds, county treasurers, district court defenders, shall receive a salary increase effective July first, nineteen hundred and seventy-six of three hundred dollars and effective January first, nineteen hundred and seventy-seven a salary increase of two hundred and fifty dollars and effective April first, nineteen hundred and seventy-seven a salary increase of three hundred dollars.

SECTION 6. Those employees who have collectively bargained with their employers and who have by said bargaining established a separate salary schedule or received a cost-of-living increase shall not be subject to or receive any benefits as a result of this act. Those employees who are in the process of collectively bargaining with their employers for the fiscal years beginning July first, nineteen hundred and seventy-five or July first, nineteen hundred and seventy-six may notify said employers of their acceptance of section two of this act as their salary schedule for said fiscal year beginning July first, nineteen hundred and seventy-six and may continue to negotiate other issues without changing said salary schedule as appearing in section two of this act until July first, nineteen hundred and seventy-seven, if the county commissioners of the county or several counties involved have accepted the other provisions of this act.

SECTION 7. The acceptance of the provisions of this act by the county commissioners of the several counties shall constitute agreement of such commissioners that when there are two or more possible salaries for a position, they shall compensate at the salary with the most remuneration.

SECTION 8. No county employee shall receive a benefit from this act unless the county commissioners of the county or several counties paying such employee's salary have accepted all the provisions of this act, except that provision in section one which the

county commissioners may accept or refuse independently of the other sections of this act.

SECTION 9. This act shall take effect upon its passage.

Approved May 24, 1977.

Chap. 234. 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 salary adjustments for certain officers and 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 422 of the acts of 1974, and inserting in place thereof the following:-

GENERAL SALARY SCHEDULE.

Effective July 1, 1976.

(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	\$112.92	\$116.37	\$119.82	\$123.27	\$126.72	\$130.17	\$133.62
II	116.02	119.47	122.92	126.37	129.82	133.27	136.72
III	119.57	123.47	127.37	131.27	135.27	139.07	142.97
IV	124.12	128.02	131.92	135.82	139.72	143.62	147.52
V	127.67	131.92	136.17	140.42	144.67	148.92	153.17
VI	133.82	138.07	142.32	146.57	150.82	155.07	159.32
VII	139.17	143.82	148.87	153.12	157.77	162.42	167.07
VIII	144.22	149.27	154.32	159.37	164.42	169.47	174.72
IX	152.27	157.67	163.07	168.47	173.87	179.27	184.67

Job Group	Step 2. Minimum.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7	Step Maximum
X	\$160.42	\$166.17	\$171.92	\$177.67	\$183.42	\$189.17	\$194.92
XI	168.47	174.72	180.97	187.22	193.47	199.72	205.97
XII	178.22	184.77	191.32	197.87	204.42	210.97	217.52
XIII	10.82	197.72	204.62	211.52	218.42	225.32	232.22
XIV	202.47	210.57	218.67	226.77	234.87	242.97	251.07
XV	215.17	224.02	232.87	241.72	250.57	259.42	268.27
XVI	228.27	238.17	248.07	257.97	267.87	277.77	287.67
XVII	243.72	254.07	264.42	274.77	285.12	295.47	305.82
XVIII	256.72	267.92	279.12	290.32	301.52	312.72	323.92
XIX	271.42	283.47	295.52	307.57	319.62	331.67	343.72
XX	287.47	299.92	312.37	324.82	337.27	349.72	362.17
XXI	302.12	315.52	328.92	342.32	355.72	369.12	382.52
XXII	318.52	332.82	347.12	361.42	375.72	390.02	404.32
XXIII	336.22	350.92	365.62	380.32	395.02	409.72	424.42
XXIV	352.67	368.17	383.67	399.17	414.67	430.17	445.67
XXV	369.12	385.52	401.92	418.32	434.72	451.12	467.52
XXVI	383.77	400.97	418.17	435.37	452.57	469.77	486.97
XXVII	401.47	419.22	436.97	454.72	472.47	490.22	507.97
XXVIII	417.97	436.57	455.17	473.77	492.37	510.97	529.57
XXIX	436.02	455.47	474.92	494.37	513.82	533.27	552.72
XXX	455.87	476.17	496.47	516.77	537.07	557.37	577.67
XXXI	474.02	495.22	516.42	537.62	558.82	580.02	601.22
XXXII	493.92	515.97	538.02	560.07	582.12	604.17	626.22
XXXIII	513.77	536.67	559.57	582.47	605.37	628.27	651.17

SECTION 2. Said paragraph (1) of said section 46 of said chapter 30 is hereby further amended by striking out the salary schedule, as most recently amended by section 1 of this act, and inserting in place thereof the following:-

GENERAL SALARY SCHEDULE.

Effective January 1, 1977.

(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	\$117.73	\$121.18	\$124.63	\$128.08	\$131.53	\$134.98	\$138.43
II	120.83	124.28	127.73	131.18	134.63	138.08	141.53

III	\$124.38	\$128.28	\$132.18	\$136.08	\$139.98	\$143.88	\$147.78
IV	128.93	132.83	136.73	140.63	144.53	148.43	152.33
V	132.48	136.73	140.98	145.23	149.48	153.73	157.98
VI	138.63	142.88	147.13	151.38	155.63	159.88	164.13
VII	143.98	148.63	153.28	157.93	162.58	167.23	171.88
VIII	149.03	154.08	159.13	164.18	169.23	174.28	179.33
IX	157.08	162.48	167.88	173.28	178.68	184.08	189.48
X	165.23	170.98	176.73	182.48	188.23	193.98	199.73
XI	173.28	179.53	185.78	192.03	198.28	204.53	210.78
XII	183.03	189.58	196.13	202.68	209.23	215.78	222.23
XIII	195.63	202.53	209.43	216.33	223.23	230.13	237.03
XIV	207.28	215.38	223.48	231.58	239.68	247.78	255.88
XV	219.98	228.83	237.68	246.53	255.38	264.23	273.08
XVI	233.08	242.98	252.88	262.78	272.68	282.58	292.48
XVII	248.53	258.88	269.23	279.58	289.93	300.28	310.63
XVIII	261.53	272.73	283.93	295.13	306.33	317.53	328.73
XIX	276.23	288.28	300.33	312.38	324.43	336.48	348.53
XX	292.28	304.73	317.18	329.63	342.08	354.53	366.98
XXI	306.93	320.33	333.73	347.13	360.52	373.93	387.33
XXII	323.33	337.63	351.93	366.23	380.53	394.83	409.13
XXIII	341.03	355.73	370.43	385.13	399.83	414.53	429.23
XXIV	357.48	372.98	388.48	403.98	419.48	434.98	450.48
XXV	373.93	390.33	406.73	423.13	439.53	455.93	472.33
XXVI	388.58	405.78	422.98	440.18	457.38	474.58	491.78
XXVII	406.28	424.03	441.78	459.53	477.28	495.03	512.78
XXVIII	422.78	441.38	459.98	478.58	497.18	515.78	534.38
XXIX	440.83	460.28	479.73	499.18	518.63	538.08	557.53
XXX	460.68	480.98	501.28	521.58	541.88	562.18	582.48
XXXI	478.83	500.03	521.23	542.43	563.63	584.83	606.03
XXXII	498.73	520.78	542.83	564.88	586.93	608.98	631.03
XXXIII	518.58	541.48	564.38	587.28	610.18	633.08	655.98

SECTION 3. Said paragraph (1) of said section 46 of said chapter 30 is hereby further amended by striking out the salary schedule, as most recently amended by section 2 of this act, and inserting in place thereof the following:-

GENERAL SALARY SCHEDULE.

Effective April 1, 1977.

(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	\$123.50	\$126.95	\$130.40	\$133.85	\$137.30	\$140.75	\$144.20
II	126.60	130.05	133.50	136.95	140.40	143.85	147.30

III	\$130.15	\$143.05	\$137.95	\$141.85	\$145.75	\$149.65	\$153.55
IV	134.70	138.60	142.50	146.40	150.30	154.20	158.10
V	138.25	142.50	146.75	151.00	155.25	159.50	163.75
VI	144.40	148.65	152.90	157.15	161.40	165.65	169.90
VII	149.75	154.40	159.05	163.70	168.35	173.00	177.65
VIII	154.80	159.85	164.90	169.95	175.00	180.05	185.10
IX	162.85	168.25	173.65	179.05	184.45	189.85	195.25
X	171.00	176.75	182.50	188.25	194.00	199.75	205.50
XI	179.05	185.30	191.55	197.80	204.05	210.30	216.55
XII	188.80	195.35	201.90	208.45	215.00	221.55	228.10
XIII	201.40	208.30	215.20	222.10	229.00	235.90	242.80
XIV	213.05	221.15	229.25	237.35	245.45	253.55	261.65
XV	225.75	234.60	243.45	252.30	261.15	270.00	278.85
XVI	238.85	248.75	258.65	268.55	278.45	288.35	298.25
XVII	254.30	264.65	275.00	285.35	295.70	306.05	316.40
XVIII	267.30	278.50	289.70	300.90	312.10	323.30	334.50
XIX	282.00	294.05	306.10	318.15	330.20	342.25	354.30
XX	298.05	310.50	322.95	335.40	347.85	360.30	372.75
XXI	312.70	326.10	339.50	352.90	366.30	379.70	393.10
XXII	329.10	343.40	357.70	372.00	386.30	400.60	414.90
XXIII	346.80	361.50	376.20	390.90	405.60	420.30	435.00
XXIV	363.25	378.75	394.25	409.75	425.25	440.75	456.25
XXV	379.70	396.10	412.50	428.90	445.30	461.70	478.10
XXVI	394.35	411.55	428.75	445.95	463.15	480.35	497.55
XXVII	412.05	429.80	447.55	465.30	483.05	500.80	518.55
XXVIII	428.55	447.15	465.75	484.35	502.95	521.55	540.15
XXIX	446.60	466.05	485.50	504.95	524.40	543.85	563.30
XXX	466.45	486.75	507.05	527.35	547.65	567.95	588.25
XXXI	484.60	505.80	527.00	548.20	569.40	590.60	611.80
XXXII	504.50	526.55	548.60	570.65	592.70	614.75	636.80
XXXIII	524.35	547.25	570.15	593.05	615.95	638.85	661.75

SECTION 3A. The general salary schedules in sections one, two and three of this act shall not apply to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws.

SECTION 4. Except as hereinafter provided, 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, shall be increased over the rates payable as of June thirtieth, nineteen hundred and seventy-six, by the amount of five dollars and seventy-seven cents per week or three hundred dollars per annum; provided, however, that this section shall not apply to

salaries fixed by statute; nor to 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; nor to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to officers and employees of the general court, of the governor, of the executive council, of the state secretary, of the state treasurer, of the state auditor and of the attorney general whose salaries are established under the appropriate sections of chapters three, six, nine, ten, eleven and twelve of the General Laws; nor to salaries, other than salaries determined by the governing board of a public institution of higher education, payable to officers and employees whose salaries are determined by the governor or by other offices, boards or commissions with or without the approval of the governor or the governor and council, as the case may be; nor to compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services - Non-Employees".

SECTION 5. Except as hereinafter provided, 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, shall be increased over the rates payable as of December thirty-first, nineteen hundred and seventy-six, by the amount of four dollars and eighty-one cents per week or two hundred and fifty dollars per annum; provided, however, that this section shall not apply to salaries fixed by statute; nor to 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; nor to salaries payable to employees who are represented by an employee organization certified by the labor relations commission as recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to officers and employees of the general court, of the governor, of the executive council, of the state secretary, of the state treasurer, of the state auditor and of the attorney general whose salaries are established under the appropriate sections of chapters three, six, nine, ten, eleven and twelve of the General Laws; nor to salaries, other than salaries

determined by the governing board of a public institution of higher education, payable to officers and employees whose salaries are determined by the governor or by other offices, boards or commissions with or without the approval of the governor or the governor and council, as the case may be; nor to compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services - Non-Employees".

SECTION 6. Except as hereinafter provided, 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, shall be increased over the rates payable as of March thirty-first, nineteen hundred and seventy-seven, by the amount of five dollars and seventy-seven cents per week or three hundred dollars per annum; provided, however, that this section shall not apply to salaries fixed by statute; nor to 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; nor to salaries payable to employees who are represented by an employee organization certified by the labor relations commission as recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to officers and employees of the general court, of the governor, of the executive council, of the state secretary, of the state treasurer, of the state auditor and of the attorney general whose salaries are established under the appropriate sections of chapters three, six, nine, ten, eleven and twelve of the General Laws; nor to salaries, other than salaries determined by the governing board of a public institution of higher education, payable to officers and employees whose salaries are determined by the governor or by other offices, boards or commissions with or without the approval of the governor or the governor and council, as the case may be; nor to compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services - Non-Employees".

SECTION 7. 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 "nineteen thousand four hundred and six", inserted by section 3 of chapter 422 of the acts of 1974, and insert-

ing in place thereof the words:- nineteen thousand seven hundred and six.

SECTION 8. Said first sentence of said first paragraph of said section 22 of said chapter 6 is hereby further amended by striking out the words “nineteen thousand seven hundred and six”, inserted by section 7 of this act, and inserting in place thereof the words:- nineteen thousand nine hundred and fifty-six.

SECTION 9. Said first sentence of said first paragraph of said section 22 of said chapter 6 is hereby further amended by striking out the words “nineteen thousand nine hundred and fifty-six”, inserted by section 8 of this act, and inserting in place thereof the words:- twenty thousand two hundred and fifty-six.

SECTION 10. The sixth sentence of section 43 of said chapter 6 is hereby amended by striking out the words “thirteen thousand eight hundred and twenty-six”, inserted by section 4 of chapter 422 of the acts of 1974, and inserting in place thereof the words:-fourteen thousand one hundred and twenty-six,- and by striking out the words “eleven thousand seven hundred and sixty-five”, as so inserted, and inserting in place thereof the words:- twelve thousand and sixty-five.

SECTION 11. Said sixth sentence of said section 43 of said chapter 6 is hereby further amended by striking out the words “fourteen thousand one hundred and twenty-six”, inserted by section 10 of this act, and inserting in place thereof the words:-fourteen thousand three hundred and seventy-six,- and by striking out the words “twelve thousand and sixty-five”, as so inserted, and inserting in place thereof the words:- twelve thousand three hundred and fifteen.

SECTION 12. Said sixth sentence of said section 43 of said chapter 6 is hereby further amended by striking out the words “fourteen thousand three hundred and seventy-six”, inserted by section 11 of this act, and inserting in place thereof the words:-fourteen thousand six hundred and seventy-six,- and by striking out the words “twelve thousand three hundred and fifteen”, as so inserted, and inserting in place thereof the words:- twelve thousand six hundred and fifteen.

SECTION 13. The first sentence of the third paragraph of section 48 of said chapter 6, as appearing in section 1 of chapter 507 of the acts of 1974, is hereby amended by striking out, in lines 1 and 2, the words “twenty-seven thousand five hundred” and inserting in place thereof the words:- twenty-seven thousand eight hundred,- 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 and ninety-three.

SECTION 14. Said first sentence of said third paragraph of said section 48 of said chapter 6 is hereby further amended by striking out the words “twenty-seven thousand eight hundred”, inserted by section 13 of this act, and inserting in place thereof the words:- twenty-eight thousand and fifty,- and by striking out the words “nine thousand and ninety-three”, as so inserted, and inserting in place thereof the words:- nine thousand three hundred and forty-three.

SECTION 15. Said first sentence of said third paragraph of said section 48 of said chapter 6 is hereby further amended by striking out the words “twenty-eight thousand and fifty”, inserted by section 14 of this act, and inserting in place thereof the words:- twenty-eight thousand three hundred and fifty,- and by striking out the words “nine thousand three hundred and forty-three”, as so inserted, and inserting in place thereof the words:- nine thousand six hundred and forty-three.

SECTION 16. The second sentence of section 75 of said chapter 6 is hereby amended by striking out the words “twenty thousand eight hundred and sixty”, inserted by section 7 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-one thousand one hundred and sixty.

SECTION 17. Said second sentence of said section 75 of said chapter 6 is hereby further amended by striking out the words “twenty-one thousand one hundred and sixty”, inserted by section 16 of this act, and inserting in place thereof the words:- twenty-one thousand four hundred and ten.

SECTION 18. Said second sentence of said section 75 of said chapter 6 is hereby further amended by striking out the words “twenty-one thousand four hundred and ten”, inserted by section 17 of this act, and inserting in place thereof the words:- twenty-one thousand seven hundred and ten.

SECTION 19. The second sentence of the second paragraph of section 121 of said chapter 6 is hereby amended by striking out the words “thirteen thousand eight hundred and twenty-six”, inserted by section 8 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- fourteen thousand one hundred and twenty-six.

SECTION 20. Said second sentence of said second paragraph of said section 121 of said chapter 6 is hereby further amended by striking out the words “fourteen thousand one hundred and twenty-six”, inserted by section 19 of this act, and inserting in place thereof the words:- fourteen thousand three hundred and seventy-six.

SECTION 21. Said second sentence of said second paragraph of said section 121 of said chapter 6 is hereby further amended by striking out the words “fourteen thousand three hundred and seventy-six”, inserted by section 20 of this act, and inserting in place thereof the words:- fourteen thousand six hundred and seventy-six.

SECTION 22. The second sentence of the second paragraph of section 129 of said chapter 6 is hereby amended by striking out the words “nineteen thousand four hundred and six”, inserted by section 9 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- nineteen thousand seven hundred and six.

SECTION 23. Said second sentence of said second paragraph of said section 129 of said chapter 6 is hereby further amended by striking out the words “nineteen thousand seven hundred and six”, inserted by section 22 of this act, and inserting in place thereof the words:- nineteen thousand nine hundred and fifty-six.

SECTION 24. Said second sentence of said second paragraph of said section 129 of said chapter 6 is hereby further amended by striking out the words “nineteen thousand nine hundred and fifty-six”, inserted by section 23 of this act, and inserting in place thereof the words:- twenty thousand two hundred and fifty-six.

SECTION 25. The second paragraph of section 32 of chapter 6A of the General Laws, as appearing in section 2 of chapter 1229 of the acts of 1973, is hereby amended by striking out, in line 1, the words “thirty thousand”, and inserting in place thereof the words:- thirty thousand and three hundred.

SECTION 26. Said second paragraph of said section 32 of said chapter 6A is hereby further amended by striking out the words “thirty thousand and three hundred”, inserted by section 25 of this act, and inserting in place thereof the words:- thirty thousand five hundred and fifty.

SECTION 27. Said second paragraph of said section 32 of said chapter 6A is hereby further amended by striking out the words “thirty thousand five hundred and fifty”, inserted by section 26 of this act, and inserting in place thereof the words:- thirty thousand eight hundred and fifty.

SECTION 28. The first paragraph of section 4A of chapter 7 of the General Laws as most recently amended by section 4 of chapter 835 of the acts of 1974, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The executive office for administration and finance shall include a comptroller's division, in charge of a comptroller, who shall have the rank of a deputy commissioner

and shall be appointed by the governor for a term coterminous with that of the governor, and shall receive a salary of thirty-two thousand one 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-two thousand one 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.

SECTION 29. Said first paragraph of said section 4A of said chapter 7 is hereby further amended by striking out the first sentence, as most recently amended by section 28 of this act, 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-two thousand four hundred and ten 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-two thousand four hundred and ten 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.

SECTION 30. Said first paragraph of said section 4A of said chapter 7 is hereby further amended by striking out the first sentence, as most recently amended by section 29 of this act, 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-two thousand seven hundred and ten dollars; a purchasing agent's division, in charge of a purchas-

ing 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-two thousand seven hundred and ten 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.

SECTION 31. The fourth sentence of the second paragraph of section 4I of said chapter 7, as appearing in section 8 of chapter 835 of the acts of 1974, is hereby amended by striking out, in lines 1 and 2, the words "fifteen thousand seven hundred and sixty-six", and inserting in place thereof the words:- sixteen thousand and sixty-six,- and by striking out, in line 3, the words "fourteen thousand six hundred and twenty-three" and inserting in place thereof the words:- fourteen thousand nine hundred and twenty-three.

SECTION 32. Said fourth sentence of said second paragraph of said section 4I of said chapter 7 is hereby further amended by striking out the words "sixteen thousand and sixty-six", inserted by section 31 of this act, and inserting in place thereof the words:- sixteen thousand three hundred and sixteen,- and by striking out the words "fourteen thousand nine hundred and twenty-three", as so inserted, and inserting in place thereof the words:- fifteen thousand one hundred and seventy-three.

SECTION 33. Said fourth sentence of said second paragraph of said section 4I of said chapter 7 is hereby further amended by striking out the words "sixteen thousand three hundred and sixteen", inserted by section 32 of this act, and inserting in place thereof the words:- sixteen thousand six hundred and sixteen,-and by striking out the words "fifteen thousand one hundred and seventy-three", as so inserted, and inserting in place thereof the words:- fifteen thousand four hundred and seventy-three.

SECTION 34. Section 8 of chapter 13 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 13 of chapter 422 of the acts of 1974, and inserting in place thereof the following sentence:- Said director shall receive such salary, not exceeding thirteen thousand six hundred and sixty-five dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 35. Said section 8 of said chapter 13 is hereby further amended by striking out the second sentence, as most recently amended by section 34 of this act, and inserting in place thereof the following sentence:- Said director shall receive such salary, not exceeding thirteen thousand nine hundred and fifteen dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 36. Said section 8 of said chapter 13 is hereby further amended by striking out the second sentence, as most recently amended by section 35 of this act, and inserting in place thereof the following sentence:- Said director shall receive such salary, not exceeding fourteen thousand two hundred and fifteen dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 37. The second sentence of section 41 of said chapter 13 is hereby amended by striking out the words “seven thousand seven hundred and sixty-one”, inserted by section 14 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- eight thousand and sixty-one,- and by striking out the words “six thousand nine hundred and thirteen”, as so inserted, and inserting in place thereof the words:- seven thousand two hundred and thirteen.

SECTION 38. Said second sentence of said section 41 of said chapter 13 is hereby further amended by striking out the words “eight thousand and sixty-one”, inserted by section 37 of this act, and inserting in place thereof the words:- eight thousand three hundred and eleven,- and by striking out the words “seven thousand two hundred and thirteen”, as so inserted, and inserting in place thereof the words:- seven thousand four hundred and sixty-three.

SECTION 39. Said second sentence of said section 41 of said chapter 13 is hereby further amended by striking out the words “eight thousand three hundred and eleven”, inserted by section 38 of this act, and inserting in place thereof the words:- eight thousand six hundred and eleven,- and by striking out the words “seven thousand four hundred and sixty-three”, as so inserted, and inserting in place thereof the words:- seven thousand seven hundred and sixty-three.

SECTION 40. Said section 41 of said chapter 13 is hereby further amended by striking out the third sentence, as most recently amended by section 15 of chapter 422 of the acts of 1974, and inserting in place thereof the following sentence:- The secretary of the board shall receive a salary of seven thousand two hundred and thirteen dollars.

SECTION 41. Said section 41 of said chapter 13 is hereby further amended by striking out the third sentence, as most recently amended by section 40 of this act, and inserting in place thereof the following sentence:- The secretary of the board shall receive a salary of seven thousand four hundred and sixty-three dollars.

SECTION 42. Said section 41 of said chapter 13 is hereby further amended by striking out the third sentence, as most recently amended by section 41 of this act, and inserting in place thereof the following sentence:- The secretary of the board shall receive a salary of seven thousand seven hundred and sixty-three dollars.

SECTION 43. The first sentence of section 44 of said chapter 13 is hereby amended by striking out the words "nine thousand four hundred and sixty", inserted by section 16 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- nine thousand seven hundred and sixty,- and by striking out the words "eight thousand six hundred and eleven", as so inserted, and inserting in place thereof the words:- eight thousand nine hundred and eleven.

SECTION 44. Said first sentence of said section 44 of said chapter 13 is hereby further amended by striking out the words "nine thousand seven hundred and sixty", inserted by section 43 of this act, and inserting in place thereof the words:- ten thousand and ten,- and by striking out the words "eight thousand nine hundred and eleven", as so inserted, and inserting in place thereof the words:- nine thousand one hundred and sixty-one.

SECTION 45. Said first sentence of said section 44 of said chapter 13 is hereby further amended by striking out the words "ten thousand and ten", inserted by section 44 of this act, and inserting in place thereof the words:- ten thousand three hundred and ten,- and by striking out the words "nine thousand one hundred and sixty-one", as so inserted, and inserting in place thereof the words:- nine thousand four hundred and sixty-one.

SECTION 46. 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-eight thousand five hundred and two", inserted by section 17 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-eight thousand eight hundred and two,- and by striking out the words "twenty-two thousand and seventy-four", as so inserted, and inserting in place thereof the words:- twenty-two thousand three hundred and seventy-four.

SECTION 47. Said second sentence of said third paragraph of said section 2 of said chapter 14 is hereby further amended by striking out the words "twenty-eight thousand eight hundred and

two", inserted by section 46 of this act, and inserting in place thereof the words:— twenty-nine thousand and fifty-two,- and by striking out the words "twenty-two thousand three hundred and seventy-four", as so inserted, and inserting in place thereof the words:— twenty-two thousand six hundred and twenty-four.

SECTION 48. Said second sentence of said third paragraph of said section 2 of said chapter 14 is hereby further amended by striking out the words "twenty-nine thousand and fifty-two", inserted by section 47 of this act, and inserting in place thereof the words:— twenty-nine thousand three hundred and fifty-two,- and by striking out the words "twenty-two thousand six hundred and twenty-four", as so inserted, and inserting in place thereof the words:— twenty-two thousand nine hundred and twenty-four.

SECTION 49. Section 1C of chapter 15 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 3 of chapter 855 of the acts of 1974, and inserting in place thereof the following sentence:— He shall receive such salary, not exceeding thirty-eight thousand five hundred and thirty-two dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

SECTION 50. Said section 1C of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 49 of this act, and inserting in place thereof the following sentence:— He shall receive such salary, not exceeding thirty-eight thousand seven hundred and eighty-two dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

SECTION 51. Said section 1C of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 50 of this act, and inserting in place thereof the following sentence:— He shall receive such salary, not exceeding thirty-nine thousand and eighty-two dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

SECTION 52. The first paragraph of section 1F of said chapter 15 is hereby amended by striking out the third sentence, as most recently amended by section 4 of chapter 855 of the acts of 1974, and inserting in place thereof the following sentence:— He shall receive such salary, not exceeding thirty-eight thousand five hundred and thirty-two dollars, as the board may approve.

SECTION 53. Said first paragraph of said section 1F of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 52 of this act, and

inserting in place thereof the following sentence:- He shall receive such salary, not exceeding thirty-eight thousand seven hundred and eighty-two dollars, as the board may approve.

SECTION 54. Said first paragraph of said section 1F of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 53 of this act, and inserting in place thereof the following sentence:- He shall receive such salary, not exceeding thirty-nine thousand and eighty-two dollars, as the board may approve.

SECTION 55. The seventh sentence of section 1 of chapter 16 of the General Laws is hereby amended by striking out the words "thirty-one thousand six hundred and eighty-eight", inserted by section 18 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- thirty-one thousand nine hundred and eighty-eight,- and by striking out the words "twenty-four thousand eight hundred and sixty-four", as so inserted, and inserting in place thereof the words:- twenty-five thousand one hundred and sixty-four.

SECTION 56. Said seventh sentence of said section 1 of said chapter 16 is hereby further amended by striking out the words "thirty-one thousand nine hundred and eighty-eight", inserted by section 55 of this act, and inserting in place thereof the words:- thirty-two thousand two hundred and thirty-eight,- and by striking out the words "twenty-five thousand one hundred and sixty-four", as so inserted, and inserting in place thereof the words:- twenty-five thousand four hundred and fourteen.

SECTION 57. Said seventh sentence of said section 1 of said chapter 16 is hereby further amended by striking out the words "thirty-two thousand two hundred and thirty-eight", inserted by section 56 of this act, and inserting in place thereof the words:- thirty-two thousand five hundred and thirty-eight,- and by striking out the words "twenty-five thousand four hundred and fourteen", as so inserted, and inserting in place thereof the words:- twenty-five thousand seven hundred and fourteen.

SECTION 58. The third sentence of section 9 of said chapter 16 is hereby amended by striking out the words "twenty-four thousand one hundred and thirty-six", inserted by section 19 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-four thousand four hundred and thirty-six.

SECTION 59. Said third sentence of said section 9 of said chapter 16 is hereby further amended by striking out the words "twenty-four thousand four hundred and thirty-six", inserted by section 58 of this act, and inserting in place thereof the words:- twenty-four thousand six hundred and eighty-six.

SECTION 60. Said third sentence of said section 9 of said chapter 16 is hereby further amended by striking out the words “twenty-four thousand six hundred and eighty-six”, inserted by section 59 of this act, and inserting in place thereof the words:- twenty-four thousand nine hundred and eighty-six.

SECTION 61. The third sentence of section 12 of said chapter 16 is hereby amended by striking out the words “twenty-two thousand eight hundred and ninety-four”, inserted by section 20 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-three thousand one hundred and ninety-four.

SECTION 62. Said third sentence of said section 12 of said chapter 16 is hereby further amended by striking out the words “twenty-three thousand one hundred and ninety-four”, inserted by section 61 of this act, and inserting in place thereof the words:- twenty-three thousand four hundred and forty-four.

SECTION 63. Said third sentence of said section 12 of said chapter 16 is hereby further amended by striking out the words “twenty-three thousand four hundred and forty-four”, inserted by section 62 of this act, and inserting in place thereof the words:- twenty-three thousand seven hundred and forty-four.

SECTION 64. 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-four thousand eight hundred and nine”, inserted by section 21 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- thirty-five thousand one hundred and nine.

SECTION 65. Said third sentence of said first paragraph of said section 2 of said chapter 17 is hereby further amended by striking out the words “thirty-five thousand one hundred and nine”, inserted by section 64 of this act, and inserting in place thereof the words:- thirty-five thousand three hundred and fifty-nine.

SECTION 66. Said third sentence of said first paragraph of said section 2 of said chapter 17 is hereby further amended by striking out the words “thirty-five thousand three hundred and fifty-nine”, inserted by section 65 of this act, and inserting in place thereof the words:- thirty-five thousand six hundred and fifty-nine.

SECTION 67. Section 3 of chapter 18 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in chapter 37 of the acts of 1975, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding thirty-four thousand eight hundred and sixty-six dollars, as the governor may determine, and shall devote full time during business hours to the duties of the office.

SECTION 68. Said section 3 of said chapter 18 is hereby further amended by striking out the fifth sentence, as most recently amended by section 67 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding thirty-five thousand one hundred and sixteen dollars, as the governor may determine, and shall devote full time during business hours to the duties of the office.

SECTION 69. Said section 3 of said chapter 18 is hereby further amended by striking out the fifth sentence, as most recently amended by section 68 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding thirty-five thousand four hundred and sixteen dollars, as the governor may determine, and shall devote full time during business hours to the duties of the office.

SECTION 70. The fourth sentence of the first paragraph of section 4 of said chapter 18, as most recently amended by section 1 of chapter 752 of the acts of 1974, is hereby further amended by striking out, in lines 1 and 2, the words "thirty thousand four hundred and forty-three" and inserting in place thereof the words:- thirty thousand seven hundred and forty-three.

SECTION 70A. The fifth sentence of said first paragraph of said section 4 of said chapter 18, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "twenty-four thousand eight hundred and sixty-four" and inserting in place thereof the words:- twenty-five thousand one hundred and sixty-four.

SECTION 71. Said fourth sentence of said first paragraph of said section 4 of said chapter 18 is hereby further amended by striking out the words "thirty thousand seven hundred and forty-three", inserted by section 70 of this act, and inserting in place thereof the words:- thirty thousand nine hundred and ninety-three.

SECTION 71A. Said fifth sentence of said first paragraph of said section 4 of said chapter 18 is hereby further amended by striking out the words "twenty-five thousand one hundred and sixty-four", as inserted by section 70A of this act, and inserting in place thereof the words:- twenty-five thousand four hundred and fourteen.

SECTION 72. Said fourth sentence of said first paragraph of said section 4 of said chapter 18 is hereby further amended by striking out the words "thirty thousand nine hundred and ninety-three", inserted by section 71 of this act, and inserting in place thereof the words:- thirty-one thousand two hundred and ninety-three.

SECTION 72A. Said fifth sentence of said first paragraph of said section 4 of said chapter 18 is hereby further amended by striking out the words “twenty-five thousand four hundred and fourteen”, inserted by section 71A of this act, and inserting in place thereof the words:- twenty-five thousand seven hundred and fourteen.

SECTION 73. The fourth sentence of section 1 of chapter 18A of the General Laws is hereby amended by striking out the words “twenty-eight thousand six hundred and five”, inserted by section 6 of chapter 855 of the acts of 1974, and inserting in place thereof the words:- twenty-eight thousand nine hundred and five.

SECTION 74. Said fourth sentence of said section 1 of said chapter 18A is hereby further amended by striking out the words “twenty-eight thousand nine hundred and five”, inserted by section 73 of this act, and inserting in place thereof the words:-twenty-nine thousand one hundred and fifty-five.

SECTION 75. Said fourth sentence of said section 1 of said chapter 18A is hereby further amended by striking out the words “twenty-nine thousand one hundred and fifty-five”, inserted by section 74 of this act, and inserting in place thereof the words:-twenty-nine thousand four hundred and fifty-five.

Section 76. The sixth paragraph of section 2 of chapter 19 of the General Laws is hereby amended by striking out the words “forty-four thousand eight hundred and seventy-six”, inserted by section 29 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- forty-five thousand one hundred and seventy-six.

SECTION 77. Said sixth paragraph of said section 2 of said chapter 19 is hereby further amended by striking out the words “forty-five thousand one hundred and seventy-six”, inserted by section 76 of this act, and inserting in place thereof the words:- forty-five thousand four hundred and twenty-six.

SECTION 78. Said sixth paragraph of said section 2 of said chapter 19 is hereby further amended by striking out the words “forty-five thousand four hundred and twenty-six”, inserted by section 77 of this act, and inserting in place thereof the words:- forty-five thousand seven hundred and twenty-six.

SECTION 79. The second sentence of section 2 of chapter 20 of the General Laws is hereby amended by striking out the words “nineteen thousand seven hundred and eighty”, inserted by section 30 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty thousand and eighty.

SECTION 80. Said second sentence of said section 2 of said chapter 20 is hereby further amended by striking out the words "twenty thousand and eighty", inserted by section 79 of this act, and inserting in place thereof the words:- twenty thousand three hundred and thirty.

SECTION 81. Said second sentence of said section 2 of said chapter 20 is hereby further amended by striking out the words "twenty thousand three hundred and thirty", inserted by section 80 of this act, and inserting in place thereof the words:- twenty thousand six hundred and thirty.

SECTION 82. Section 5 of said chapter 20 is hereby amended by striking out the words "sixteen thousand and nineteen", inserted by section 31 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- sixteen thousand three hundred and nineteen.

SECTION 83. Said section 5 of said chapter 20 is hereby further amended by striking out the words "sixteen thousand three hundred and nineteen", inserted by section 82 of this act, and inserting in place thereof the words:- sixteen thousand five hundred and sixty-nine.

SECTION 84. Said section 5 of said chapter 20 is hereby further amended by striking out the words "sixteen thousand five hundred and sixty-nine", inserted by section 83 of this act, and inserting in place thereof the words:- sixteen thousand eight hundred and sixty-nine.

SECTION 85. Section 3A of chapter 21 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 44 of chapter 706 of the acts of 1975, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding twenty-five thousand one hundred and sixty-four dollars as the board of environmental management may determine.

SECTION 86. Said section 3A of said chapter 21 is hereby further amended by striking out the second sentence, as most recently amended by section 85 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding twenty-five thousand four hundred and fourteen dollars as the board of environmental management may determine.

SECTION 87. Said section 3A of said chapter 21 is hereby further amended by striking out the second sentence, as most recently amended by section 86 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding twenty-five thousand seven hundred

and fourteen dollars as the board of environmental management may determine.

SECTION 88. The second sentence of section 2 of chapter 22 of the General Laws is hereby amended by striking out the words “twenty-four thousand one hundred and thirty-six”, inserted by section 33 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-four thousand four hundred and thirty-six.

SECTION 89. Said second sentence of said section 2 of said chapter 22 is hereby further amended by striking out the words “twenty-four thousand four hundred and thirty-six”, inserted by section 88 of this act, and inserting in place thereof the words:- twenty-four thousand six hundred and eighty-six.

SECTION 90. Said second sentence of said section 2 of said chapter 22 is hereby further amended by striking out the words “twenty-four thousand six hundred and eighty-six”, inserted by section 89 of this act, and inserting in place thereof the words:- twenty-four thousand nine hundred and eighty-six.

SECTION 91. Section 2 of chapter 23 of the General Laws, as most recently amended by section 1 of chapter 609 of the acts of 1974, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-six thousand three hundred 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 five hundred and forty dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of sixteen thousand two hundred and thirty dollars and the other associate commissioner shall receive a salary of thirteen thousand three hundred and ninety-nine dollars.

SECTION 92. Said section 2 of said chapter 23 is hereby further amended by striking out the second sentence, as most recently amended by section 91 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-six thousand five hundred and eighty-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 seven hundred and ninety dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of sixteen thousand four hundred and eighty dollars and the other associate commissioner shall receive a salary of thirteen thousand six hundred and forty-nine dollars.

SECTION 93. Said section 2 of said chapter 23 is hereby further amended by striking out the second sentence, as most recently amended by section 92 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-six thousand eight hundred and eighty-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-two thousand and ninety dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of sixteen thousand seven hundred and eighty dollars and the other associate commissioner shall receive a salary of thirteen thousand nine hundred and forty-nine dollars.

SECTION 94. Paragraph (b) of section 9I of said chapter 23 is hereby amended by striking out the words "thirty-one thousand eight hundred", inserted by section 2 of chapter 609 of the acts of 1974, and inserting in place thereof the words:- thirty-two thousand one hundred.

SECTION 95. Said paragraph (b) of said section 9I of said chapter 23 is hereby further amended by striking out the words "thirty-two thousand one hundred", inserted by section 94 of this act, and inserting in place thereof the words:- thirty-two thousand three hundred and fifty.

SECTION 96. Said paragraph (b) of said section 9I of said chapter 23 is hereby further amended by striking out the words "thirty-two thousand three hundred and fifty", inserted by section 95 of this act, and inserting in place thereof the words:- thirty-two thousand six hundred and fifty.

SECTION 97. The first sentence of section 9P of said chapter 23, as most recently amended by section 3 of chapter 609 of the acts of 1974, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-three thousand" and inserting in place thereof the words:- twenty-three thousand three hundred,- and by striking out, in line 3, the words "twenty-one thousand" and inserting in place thereof the words:- twenty-one thousand three hundred.

SECTION 98. Said first sentence of said section 9P of said chapter 23 is hereby further amended by striking out the words "twenty-three thousand three hundred", inserted by section 97 of this act, and inserting in place thereof the words:- twenty-three thousand five hundred and fifty,- and by striking out the words "twenty-one thousand three hundred", as so inserted, and inserting in place thereof the words:- twenty-one thousand five hundred and fifty.

SECTION 99. Said first sentence of said section 9P of said chapter 23 is hereby further amended by striking out the words “twenty-three thousand five hundred and fifty”, inserted by section 98 of this act, and inserting in place thereof the words:- twenty-three thousand eight hundred and fifty,- and by striking out the words “twenty-one thousand five hundred and fifty”, as so inserted, and inserting in place thereof the words:- twenty-one thousand eight hundred and fifty.

SECTION 100. The second sentence of the first paragraph of section 15 of said chapter 23 is hereby amended by striking out the words “twenty-six thousand five hundred and fifty”, inserted by section 38 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-six thousand eight hundred and fifty,- and by striking out the words “twenty-four thousand four hundred and twenty-six”, as so inserted, and inserting in place thereof the words:- twenty-four thousand seven hundred and twenty-six.

SECTION 101. Said second sentence of said first paragraph of said section 15 of said chapter 23 is hereby further amended by striking out the words “twenty-six thousand eight hundred and fifty”, inserted by section 100 of this act, and inserting in place thereof the words:- twenty-seven thousand one hundred,- and by striking out the words “twenty-four thousand seven hundred and twenty-six”, as so inserted, and inserting in place thereof the words:- twenty-four thousand nine hundred and seventy-six.

SECTION 102. Said second sentence of said first paragraph of said section 15 of said chapter 23 is hereby further amended by striking out the words “twenty-seven thousand one hundred”, inserted by section 101 of this act, and inserting in place thereof the words:- twenty-seven thousand four hundred,- and by striking out the words “twenty-four thousand nine hundred and seventy-six”, as so inserted, and inserting in place thereof the words:- twenty-five thousand two hundred and seventy-six.

SECTION 103. 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-seven thousand six hundred and fifty-three”, inserted by section 39 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-seven thousand nine hundred and fifty-three.

SECTION 104. Said fourth sentence of said first paragraph of said section 1 of said chapter 23A is hereby further amended by striking out the words “twenty-seven thousand nine hundred and fifty-three”, inserted by section 103 of this act, and inserting in

place thereof the words:- twenty-eight thousand two hundred and three.

SECTION 105. Said fourth sentence of said first paragraph of said section 1 of said chapter 23A is hereby amended by striking out the words “twenty-eight thousand two hundred and three”, inserted by section 104 of this act, and inserting in place thereof the words:- twenty-eight thousand five hundred and three.

SECTION 106. Section 2 of chapter 25 of the General Laws, as most recently amended by section 1 of chapter 38 of the acts of 1975, is hereby further amended by striking out the sixth sentence and inserting in place thereof the following sentence:- The chairman shall receive a salary of thirty thousand three hundred dollars and each of the other commissioners shall receive a salary of twenty-five thousand three hundred dollars.

SECTION 107. Said section 2 of said chapter 25 is hereby further amended by striking out the sixth sentence, as most recently amended by section 106 of this act, and inserting in place thereof the following sentence:- The chairman shall receive a salary of thirty thousand five hundred and fifty dollars and each of the other commissioners shall receive a salary of twenty-five thousand five hundred and fifty dollars.

SECTION 108. Said section 2 of said chapter 25 is hereby further amended by striking out the sixth sentence, as most recently amended by section 107 of this act, and inserting in place thereof the following sentence:- The chairman shall receive a salary of thirty thousand eight hundred and fifty dollars and each of the other commissioners shall receive a salary of twenty-five thousand eight hundred and fifty dollars.

SECTION 109. The second sentence of section 2 of chapter 26 of the General Laws is hereby amended by striking out the words “twenty-four thousand one hundred and thirty-six”, inserted by section 42 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-four thousand four hundred and thirty-six.

SECTION 110. Said second sentence of said section 2 of said chapter 26 is hereby further amended by striking out the words “twenty-four thousand four hundred and thirty-six”, inserted by section 109 of this act, and inserting in place thereof the words:- twenty-four thousand six hundred and eighty-six.

SECTION 111. Said second sentence of said section 2 of said chapter 26 is hereby further amended by striking out the words “twenty-four thousand six hundred and eighty-six”, inserted by section 110 of this act, and inserting in place thereof the words:- twenty-four thousand nine hundred and eighty-six.

SECTION 112. The second sentence of section 6 of said chapter 26 is hereby amended by striking out the words “twenty-five thousand two hundred and twenty-eight”, inserted by section 43 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-five thousand five hundred and twenty-eight.

SECTION 113. Said second sentence of said section 6 of said chapter 26 is hereby further amended by striking out the words “twenty-five thousand five hundred and twenty-eight”, inserted by section 112 of this act, and inserting in place thereof the words:- twenty-five thousand seven hundred and seventy-eight.

SECTION 114. Said second sentence of said section 6 of said chapter 26 is hereby further amended by striking out the words “twenty-five thousand seven hundred and seventy-eight”, inserted by section 113 of this act, and inserting in place thereof the words:- twenty-six thousand and seventy-eight.

SECTION 115. The third sentence of section 1 of chapter 27 of the General Laws is hereby amended by striking out the words “thirty-four thousand five hundred and sixty-seven”, inserted by section 44 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- thirty-four thousand eight hundred and sixty-seven.

SECTION 116. Said third sentence of said section 1 of said chapter 27 is hereby further amended by striking out the words “thirty-four thousand eight hundred and sixty-seven”, inserted by section 115 of this act, and inserting in place thereof the words:- thirty-five thousand one hundred and seventeen.

SECTION 117. Said third sentence of said section 1 of said chapter 27 is hereby further amended by striking out the words “thirty-five thousand one hundred and seventeen”, inserted by section 116 of this act, and inserting in place thereof the words:- thirty-five thousand four hundred and seventeen.

SECTION 118. The first sentence of the first paragraph of section 2 of said chapter 27 is hereby amended by striking out the words “twenty-one thousand three hundred and ninety-seven”, inserted by section 45 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-one thousand six hundred and ninety-seven.

SECTION 119. Said first sentence of said first paragraph of said section 2 of said chapter 27 is hereby further amended by striking out the words “twenty-one thousand six hundred and ninety-seven”, inserted by section 118 of this act, and inserting in place thereof the words:- twenty-one thousand nine hundred and forty-seven.

SECTION 120. Said first sentence of said first paragraph of said section 2 of said chapter 27 is hereby further amended by striking out the words “twenty-one thousand nine hundred and forty-seven”, inserted by section 119 of this act, and inserting in place thereof the words:- twenty-two thousand two hundred and forty-seven.

SECTION 121. The first sentence of the fourth paragraph of section 4 of said chapter 27 is hereby amended by striking out the words “twenty-four thousand one hundred and thirty-six”, inserted by section 46 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-four thousand four hundred and thirty-six,- and by striking out the words “eighteen thousand six hundred and seventy-seven”, as so inserted, and inserting in place thereof the words:- eighteen thousand nine hundred and seventy-seven.

SECTION 122. Said first sentence of said fourth paragraph of said section 4 of said chapter 27 is hereby further amended by striking out the words “twenty-four thousand four hundred and thirty-six”, inserted by section 121 of this act, and inserting in place thereof the words:- twenty-four thousand six hundred and eighty-six,- and by striking out the words “eighteen thousand nine hundred and seventy-seven”, as so inserted, and inserting in place thereof the words:- nineteen thousand two hundred and twenty-seven.

SECTION 123. Said first sentence of said fourth paragraph of said section 4 of said chapter 27 is hereby further amended by striking out the words “twenty-four thousand six hundred and eighty-six”, inserted by section 122 of this act, and inserting in place thereof the words:- twenty-four thousand nine hundred and eighty-six,- and by striking out the words “nineteen thousand two hundred and twenty-seven”, as so inserted, and inserting in place thereof the words:- nineteen thousand five hundred and twenty-seven.

SECTION 124. Section 2 of chapter 28 of the General Laws is hereby amended by striking out the words “twenty-eight thousand five hundred and two”, inserted by section 47 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-eight thousand eight hundred and two,- and by striking out the words “nine thousand two hundred and seventeen”, as so inserted, and inserting in place thereof the words:- nine thousand five hundred and seventeen.

SECTION 125. Said section 2 of said chapter 28 is hereby further amended by striking out the words “twenty-eight thousand eight hundred and two”, inserted by section 124 of this act, and

inserting in place thereof the words:- twenty-nine thousand and fifty-two,- and by striking out the words “nine thousand five hundred and seventeen”, as so inserted, and inserting in place thereof the words:- nine thousand seven hundred and sixty-seven.

SECTION 126. Said section 2 of said chapter 28 is hereby further amended by striking out the words “twenty-nine thousand and fifty-two”, inserted by section 125 of this act, and inserting in place thereof the words:- twenty-nine thousand three hundred and fifty-two,- and by striking out the words “nine thousand seven hundred and sixty-seven”, as so inserted, and inserting in place thereof the words:- ten thousand and sixty-seven.

SECTION 126A. The fourth paragraph of section 3 of chapter 55 of the General Laws, inserted by section 1 of chapter 151 of the acts of 1975, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The director shall devote full time to his duties during normal business hours and shall receive an annual salary of twenty-two thousand three hundred dollars.

SECTION 126B. Said fourth paragraph of said section 3 of said chapter 55 is hereby further amended by striking out the first sentence, as most recently amended by section 126A of this act, and inserting in place thereof the following sentence:- The director shall devote full time to his duties during normal business hours and shall receive an annual salary of twenty-two thousand five hundred and fifty dollars.

SECTION 126C. Said fourth paragraph of said section 3 of said chapter 55 is hereby further amended by striking out the first sentence, as most recently amended by section 126B of this act, and inserting in place thereof the following sentence:- The director shall devote full time to his duties during normal business hours and shall receive an annual salary of twenty-two thousand eight hundred and fifty dollars.

SECTION 127. 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-six thousand five hundred and fifty”, inserted by section 48 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- twenty-six thousand eight hundred and fifty,- and by striking out the words “twenty-four thousand four hundred and twenty-six”, as so inserted, and inserting in place thereof the words:- twenty-four thousand seven hundred and twenty-six.

SECTION 128. Said fourth sentence of said first paragraph of said section 1 of said chapter 58A is hereby further amended by

striking out the words “twenty-six thousand eight hundred and fifty”, inserted by section 127 of this act, and inserting in place thereof the words:- twenty-seven thousand one hundred,- and by striking out the words “twenty-four thousand seven hundred and twenty-six”, as so inserted, and inserting in place thereof the words:- twenty-four thousand nine hundred and seventy-six.

SECTION 129. Said fourth sentence of said first paragraph of said section 1 of chapter 58A is hereby further amended by striking out the words “twenty-seven thousand one hundred”, inserted by section 128 of this act, and inserting in place thereof the words:- twenty-seven thousand four hundred,- and by striking out the words “twenty-four thousand nine hundred and seventy-six”, as so inserted, and inserting in place thereof the words:-twenty-five thousand two hundred and seventy-six.

SECTION 130. 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 558 of the acts of 1974, 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 five 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 131. Said section 14 of said chapter 185 is hereby further amended by striking out the first sentence, as most recently amended by section 130 of this act, 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 seven hundred and fifty-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 132. Said section 14 of said chapter 185 is hereby further amended by striking out the first sentence, as most recently amended by section 131 of this act, and inserting in place thereof the following sentence:- The judge and associate judges of the land court shall each receive a salary of thirty-seven thousand and fifty-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 133. The second sentence of section 3A of chapter 211 of the General Laws, as most recently amended by chapter 650 of the acts of 1967, is hereby further amended by inserting after

the word “seventy-five”, in line 3, the words:- and eighteen hundredths.

SECTION 134. Said second sentence of said section 3A of said chapter 211 is hereby further amended by striking out the words “eighteen hundredths”, inserted by section 133 of this act, and inserting in place thereof the words:- and thirty-three hundredths.

SECTION 135. Said second sentence of said section 3A of said chapter 211 is hereby further amended by striking out the words “thirty-three hundredths”, inserted by section 134 of this act, and inserting in place thereof the words:- fifty-one hundredths.

SECTION 136. Section 22 of said chapter 211 is hereby amended by striking out the first sentence, as amended by section 2 of chapter 558 of the acts of 1974, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of forty-two thousand five hundred and thirty-six dollars and each associate justice, a salary of forty-one thousand 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 137. Said section 22 of said chapter 211 is hereby further amended by striking out the first sentence, as most recently amended by section 136 of this act, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of forty-two thousand seven hundred and eighty-six dollars and each associate justice, a salary of forty-one thousand three hundred and thirty-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 138. Said section 22 of said chapter 211 is hereby further amended by striking out the first sentence, as most recently amended by section 137 of this act, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of forty-three thousand and eighty-six dollars and each associate justice, a salary of forty-one thousand six hundred and thirty-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 139. 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 558 of the acts of 1974,

and inserting in place thereof the following sentence:- The chief justice shall receive a salary of thirty-nine thousand five hundred and twenty dollars and each associate justice, a salary of thirty-eight thousand 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 140. Said section 2 of said chapter 211A is hereby further amended by striking out the first sentence, as most recently amended by section 139 of this act, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of thirty-nine thousand seven hundred and seventy dollars and each associate justice, a salary of thirty-eight thousand three hundred and twenty-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 141. Said section 2 of said chapter 211A is hereby further amended by striking out the first sentence, as most recently amended by section 140 of this act, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of forty thousand and seventy dollars and each associate justice, a salary of thirty-eight thousand six hundred and twenty-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 142. The second paragraph of section 6 of said chapter 211A, as appearing in chapter 784 of the acts of 1974, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Said clerk shall fix such salaries, in the case of the first assistant clerk at an amount of eighty-five and thirteen hundredths per cent of his total combined salary, and in the case of the second and third assistant clerks at an amount of seventy-five and twenty-two hundredths per cent of his total combined salary.

SECTION 143. Said second paragraph of said section 6 of said chapter 211A is hereby further amended by striking out the third sentence, as amended by section 142 of this act, and inserting in place thereof the following sentence:- Said clerk shall fix such salaries, in the case of the first assistant clerk at an amount of eighty-five and twenty-four hundredths per cent of his total combined salary, and in the case of the second and third assistant

clerks at an amount of seventy-five and forty-one hundredths per cent of his total combined salary.

SECTION 144. Said second paragraph of said section 6 of said chapter 211A is hereby further amended by striking out the third sentence, as most recently amended by section 143 of this act, and inserting in place thereof the following:- Said clerk shall fix such salaries, in the case of the first assistant clerk at an amount of eighty-five and thirty-seven hundredths per cent of his total combined salary, and in the case of the second and third assistant clerks at an amount of seventy-five and sixty-three hundredths per cent of his total combined salary.

SECTION 145. The first sentence of section 14E of chapter 212 of the General Laws is hereby amended by striking out the words "one hundred and twenty-one", inserted by section 4 of said chapter 558 of the acts of 1974, and inserting in place thereof the words:- one hundred and twenty-three.

SECTION 146. Said first sentence of said section 14E of said chapter 212 is hereby further amended by striking out the words "one hundred and twenty-three", inserted by section 145 of this act, and inserting in place thereof the words:- one hundred and twenty-four.

SECTION 147. Said first sentence of said section 14E of said chapter 212 is hereby further amended by striking out the words "one hundred and twenty-four", inserted by section 146 of this act, and inserting in place thereof the words:- one hundred and twenty-five.

SECTION 148. Section 27 of said chapter 212 is hereby amended by striking out the first sentence, as amended by section 5 of chapter 558 of the acts of 1974, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of thirty-eight thousand and seventy-one dollars and each associate justice, a salary of thirty-six thousand five 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 149. Said section 27 of said chapter 212 is hereby further amended by striking out the first sentence, as most recently amended by section 148 of this act, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of thirty-eight thousand three hundred and twenty-one dollars and each associate justice, a salary of thirty-six thousand seven hundred and fifty-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 150. Said section 27 of said chapter 212 is hereby further amended by striking out the first sentence, as most recently amended by section 149 of this act, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of thirty-eight thousand six hundred and twenty-one dollars and each associate justice, a salary of thirty-seven thousand and fifty-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 151. Chapter 217 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 3 of chapter 862 of the acts of 1975, 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	\$32,038
Middlesex	32,038
Norfolk	32,038
Essex	32,038
Hampden	32,038
Worcester	32,038
Bristol	32,038
Plymouth	32,038
Barnstable	32,038
Berkshire	32,038
Franklin	32,038
Hampshire	32,038
Nantucket	32,038
Dukes	11,643

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-three thousand two hundred and forty-four dollars for his combined services as chief judge and judge of probate.

SECTION 152. Said chapter 217 is hereby further amended by striking out section 34, as most recently amended by section 151 of this act, 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	\$32,288
Middlesex	32,288
Norfolk	32,288
Essex	32,288
Hampden	32,288
Worcester	32,288
Bristol	32,288
Plymouth	32,288
Barnstable	32,288
Berkshire	32,288
Franklin	32,288
Hampshire	32,288
Nantucket	32,288
Dukes	11,893

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-three thousand four hundred and ninety-four dollars for his combined services as chief judge and judge of probate.

SECTION 153. Said chapter 217 is hereby further amended by striking out section 34, as most recently amended by section 152 of this act, 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	\$32,588
Middlesex	32,588

Norfolk	32,588
Essex	32,588
Hampden	32,588
Worcester	32,588
Bristol	32,588
Plymouth	32,588
Barnstable	32,588
Berkshire	32,588
Franklin	32,588
Hampshire	32,588
Nantucket	32,588
Dukes	12,193

The judge designated under section two A shall, irrespective of the county in which he serves as judge of probate, receive a salary of thirty-three thousand seven hundred and ninety-four dollars for his combined services as chief judge and judge of probate.

SECTION 153A. Said chapter 217 is hereby further amended by striking out section 34, as most recently amended by section 153 of this act, and inserting in place thereof the following section:-

Section 34. Each judge of probate, including the circuit judge of probate for Hampshire county, but excepting the judge of probate designated under section two A to have and perform the duties described in section eight, shall be paid by the commonwealth a salary of thirty-two thousand five hundred and eighty-eight dollars.

The judge designated under section two A shall receive a salary of thirty-three thousand seven hundred and ninety-four dollars for his combined services as chief judge and judge of probate.

SECTION 154. Said chapter 217 is hereby further amended by striking out section 35A, as most recently amended by section 6A of chapter 558 of the acts of 1974, and inserting in place thereof the following section:-

Section 35A. The salaries of the registers of probate, except the registers of probate in Dukes and Nantucket counties, shall be seventy-five and twenty-three hundredths per cent of the judges' salaries in their respective counties. The salaries of the registers of probate in the counties of Dukes County and Nantucket shall be nine thousand five hundred and ninety-three dollars.

SECTION 155. Said chapter 217 is hereby further amended by striking out section 35A, as most recently amended by section 154 of this act, and inserting in place thereof the following section:-

Section 35A. The salaries of the registers of probate, except the registers of probate in Dukes and Nantucket counties, shall be

seventy-five and forty-three per cent of the judges' salaries in their respective counties. The salaries of the registers of probate in the counties of Dukes County and Nantucket shall be nine thousand eight hundred and forty-three dollars.

SECTION 156. Said chapter 217 is hereby further amended by striking out section 35A, as most recently amended by section 155 of this act, and inserting in place thereof the following section:-

Section 35A. The salaries of the registers of probate, except the registers of probate in Dukes and Nantucket counties, shall be seventy-five and sixty-five hundredths per cent of the judges' salaries in their respective counties. The salaries of the registers of probate in the counties of Dukes County and Nantucket shall be ten thousand one hundred and forty-three dollars.

SECTION 157. Said chapter 217 is hereby further amended by striking out section 35B, as most recently amended by section 2 of chapter 852 of the acts of 1971, and inserting in place thereof the following section:-

Section 35B. The salary of a first assistant register of probate shall be seventy-five and thirty-one hundredths per cent of the salary of the register in his county.

The salary of a second assistant register of probate shall be seventy and thirty-seven hundredths per cent of the salary of the register in his county.

The salary of a third assistant register of probate shall be sixty-five and forty-four hundredths per cent of the salary of the register in his county.

The salary of a fourth assistant register shall be sixty and fifty hundredths per cent of the salary of the register in his county.

The salary of the fifth or sixth assistant register of probate shall be fifty-five and fifty-six hundredths per cent of the salary of the register in his county.

SECTION 158. Said chapter 217 is hereby further amended by striking out section 35B, as most recently amended by section 157 of this act, and inserting in place thereof the following section:-

Section 35B. The salary of a first assistant register of probate shall be seventy-five and fifty-six hundredths per cent of the salary of the register in his county.

The salary of a second assistant register of probate shall be seventy and sixty-eight hundredths per cent of the salary of the register in his county.

The salary of a third assistant register of probate shall be sixty-five and seventy-nine hundredths per cent of the salary of the register in his county.

The salary of a fourth assistant register shall be sixty and ninety hundredths per cent of the salary of the register in his county.

The salary of a fifth or sixth assistant register of probate shall be fifty-six and two hundredths per cent of the salary of the register in his county.

SECTION 159. Said chapter 217 is hereby further amended by striking out section 35B, as most recently amended by section 158 of this act, and inserting in place thereof the following section:-

Section 35B. The salary of a first assistant register of probate shall be seventy-five and eighty-six hundredths per cent of the salary of the register in his county.

The salary of a second assistant register of probate shall be seventy-one and three hundredths per cent of the salary of the register in his county.

The salary of a third assistant register of probate shall be sixty-six and twenty-one hundredths per cent of the salary of the register in his county.

The salary of a fourth assistant register shall be sixty-one and forty hundredths per cent of the salary of the register in his county.

The salary of a fifth or sixth assistant register of probate shall be fifty-six and fifty-five hundredths per cent of the salary of the register in his county.

SECTION 160. 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 7 of chapter 558 of the acts of 1974, and inserting in place thereof the following sentence:- He shall receive a salary of thirty-two thousand and thirty-eight dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 161. Said second paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the second sentence, as most recently amended by section 160 of this act, and inserting in place thereof the following sentence:- He shall receive a salary of thirty-two thousand two hundred and eighty-eight dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 162. Said second paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the second sentence, as most recently amended by section 161 of this act, and inserting in place thereof the following sentence:- He shall receive a salary of thirty-two thousand five hundred and eighty-eight dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 163. 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 5 of chapter 862 of the acts of 1975, and inserting in place thereof the following sentence:- A special justice of the district court or of the Boston juvenile court who does not serve full time in accordance with the provisions of section six A or section fifty-eight B shall be paid by the county sixty-two dollars for each day's services, or at the rate by the day of the salary of the justice of the court where he is assigned, whichever is greater.

SECTION 164. Said fourth paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the first sentence, as most recently amended by section 163 of this act, and inserting in place thereof the following sentence:- A special justice of the district court or of the Boston juvenile court who does not serve full time in accordance with the provisions of section six A or section fifty-eight B shall be paid by the county sixty-three dollars for each day's services, or at the rate by the day of the salary of the justice of the court where he is assigned, whichever is greater.

SECTION 165. Said fourth paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the first sentence, as most recently amended by section 164 of this act, and inserting in place thereof the following sentence:- A special justice of the district court or of the Boston juvenile court who does not serve full time in accordance with the provisions of section six A or section fifty-eight B shall be paid by the county sixty-four dollars for each day's services, or at the rate by the day of the salary of the justice of the court where he is assigned, whichever is greater.

SECTION 166. Said chapter 218 is hereby further amended by striking out section 75, as most recently amended by section 9 of chapter 558 of the acts of 1974, 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-two thousand and thirty-eight dollars and the salary of each of the associate justices shall be thirty thousand four hundred and sixty-eight dollars.

SECTION 167. Said chapter 218 is hereby further amended by striking out section 75, as most recently amended by section 166 of this act, 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-two thousand two hundred and eighty-eight dollars and the salary of each of the

associate justices shall be thirty thousand seven hundred and eighteen dollars.

SECTION 168. Said chapter 218 is hereby further amended by striking out said section 75, as most recently amended by section 167 of this act, 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-two thousand five hundred and eighty-eight dollars and the salary of each of the associate justices shall be thirty-one thousand and eighteen dollars.

SECTION 169. Said chapter 218 is hereby further amended by striking out section 75A, as most recently amended by section 9A of chapter 558 of the acts of 1974, 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-three thousand one hundred and fifty-four dollars.

SECTION 170. Said chapter 218 is hereby further amended by striking out section 75A, as most recently amended by section 169 of this act, 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-three thousand four hundred and four dollars.

SECTION 171. Said chapter 218 is hereby further amended by striking out section 75A, as most recently amended by section 170 of this act, 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-three thousand seven hundred and four dollars.

SECTION 172. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 10 of chapter 558 of the acts of 1974, and inserting in place thereof the following section:-

Section 76. The salary of the justice of the Boston juvenile court shall be thirty-two thousand and thirty-eight dollars.

SECTION 173. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 172 of this act, and inserting in place thereof the following section:-

Section 76. The salary of the justice of the Boston juvenile court shall be thirty-two thousand two hundred and eighty-eight dollars.

SECTION 174. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 173 of this act, and inserting in place thereof the following section:-

Section 76. The salary of the justice of the Boston juvenile court shall be thirty-two thousand five hundred and eighty-eight dollars.

SECTION 175. Said chapter 218 is hereby further amended by striking out section 76A, as most recently amended by section 1 of chapter 741 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 four hundred and sixty-eight dollars.

SECTION 176. Said chapter 218 is hereby further amended by striking out section 76A, as most recently amended by section 175 of this act, 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 seven hundred and eighteen dollars.

SECTION 177. Said chapter 218 is hereby further amended by striking out section 76A, as most recently amended by section 176 of this act, 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-one thousand and eighteen dollars.

SECTION 178. The first paragraph of section 77A of said chapter 218, as appearing in section 5 of chapter 863 of the acts of 1975, is hereby amended by striking out, in line 74, the words "thirty thousand one hundred and sixty-eight" and inserting in place thereof the words:- thirty thousand four hundred and sixty-eight.

SECTION 179. Said first paragraph of said section 77A of said chapter 218 is hereby further amended by striking out the words "thirty thousand four hundred and sixty-eight", inserted by sec-

tion 178 of this act, and inserting in place thereof the words:-
thirty thousand seven hundred and eighteen.

SECTION 180. Said first paragraph of said section 77A of said chapter 218 is hereby further amended by striking out the words “thirty thousand seven hundred and eighteen”, inserted by section 179 of this act, and inserting in place thereof the words:-
thirty-one thousand and eighteen.

SECTION 181. Said section 77A of said chapter 218 is hereby further amended by striking out the first paragraph, as most recently amended by section 5 of chapter 863 of the acts of 1975, and inserting in place thereof the following paragraph:-

Section 77A. The salaries of the justices of the

first district court of Barnstable,
second district court of Barnstable,
district court of central Berkshire,
district court of southern Berkshire,
district court of northern Berkshire,
fourth district court of Berkshire,
district court of Leominster,
district court of Lee,
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 eastern Franklin,
district court of Lawrence,
first district court of Essex,
second district court of Essex,
third district court of Essex,
district court of eastern Essex,
district court of southern Essex,
central district court of northern Essex,
district court of Winchendon,
district court of Williamstown,
district court of Peabody,
district court of Newburyport,
district court of Chicopee,
district court of Springfield,
district court of western Hampden,
district court of Holyoke,
district court of eastern Hampden,
district court of Hampshire,
district court of eastern 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 Natick,
 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,
 district court of Dukes county,
 district court of Nantucket,
 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,
 district court of western Worcester,
 and district court of Fitchburg shall be
 thirty-one thousand and eighteen dollars.

SECTION 182. Section 77B of said chapter 218 is hereby amended by striking out the second paragraph, as most recently amend-

ed by section 10 of chapter 862 of the acts of 1975, and inserting in place thereof the following paragraph:-

Special justices, who do not serve full time in accordance with the provisions of section six A of this chapter, 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-two dollars per day, whichever is greater.

SECTION 183. Said section 77B of said chapter 218 is hereby further amended by striking out the second paragraph, as most recently amended by section 182 of this act, and inserting in place thereof the following paragraph:-

Special justices, who do not serve full time in accordance with the provisions of section six A of this chapter, 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-three dollars per day, whichever is greater.

SECTION 184. Said section 77B of said chapter 218 is hereby further amended by striking out the second paragraph, as most recently amended by section 183 of this act, and inserting in place thereof the following paragraph:-

Special justices, who do not serve full time in accordance with the provisions of section six A of this chapter, 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-four dollars per day, whichever is greater.

SECTION 185. Section 78 of said chapter 218 is hereby amended by striking out the first paragraph, as most recently amended by section 4 of chapter 863 of the acts of 1975, and inserting in place thereof the following paragraph:- The salary of the justice of the following district court

district court of Chicopee,
shall be twelve thousand four hundred and eighty-nine dollars;
the salary of the justice of each of the following district courts

district court of western Worcester,
district court of eastern Hampshire,
shall be ten thousand nine hundred and nineteen dollars; the
salary of the justice of the following district court

district court of eastern Franklin,
shall be nine thousand four 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 three hundred and sixteen dollars.

SECTION 186. Said section 78 of said chapter 218 is hereby further amended by striking out the first paragraph, as most recently amended by section 185 of this act, and inserting in place thereof the following paragraph:-

The salary of the justice of the following district court
 district court of Chicopee,
 shall be twelve thousand seven hundred and thirty-nine dollars;
 and salary of the justice of each of the following district courts
 district court of western Worcester,
 district court of eastern Hampshire,
 shall be eleven thousand one hundred and sixty-nine dollars; the
 salary of the justice of the following district court
 district court of eastern Franklin,
 shall be nine thousand seven hundred and twenty-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 five hundred and sixty-six dollars.

SECTION 187. Said section 78 of said chapter 218 is hereby further amended by striking out the first paragraph, as most recently amended by section 186 of this act, and inserting in place thereof the following paragraph:-

The salary of the justice of the following district court
 district court of Chicopee,
 shall be thirteen thousand and thirty-nine dollars; the salary of
 the justice of each of the following district courts
 district court of western Worcester,
 district court of eastern Hampshire,
 shall be eleven thousand four hundred and sixty-nine dollars; the
 salary of the justice of the following district court
 district court of eastern Franklin,
 shall be ten thousand and twenty-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 eight hundred and sixty-six dollars.

SECTION 188. Section 93 of chapter 221 of the General Laws, as most recently amended by section 1 of chapter 743 of the acts of 1960, is hereby further amended by striking out, in line 3, the

words “seventy-five per cent” and inserting in place thereof the words:- seventy-five and eighteen hundredths per cent.

SECTION 189. Said section 93 of said chapter 221 is hereby further amended by striking out the words “seventy-five and eighteen hundredths per cent”, inserted by section 188 of this act, and inserting in place thereof the words:- seventy-five and thirty-three hundredths per cent.

SECTION 190. Said section 93 of said chapter 221 is hereby further amended by striking out the words “seventy-five and thirty-three hundredths per cent”, inserted by section 189 of this act, and inserting in place thereof the words:- seventy-five and fifty-one hundredths per cent.

SECTION 191. Section 94 of said chapter 221 is hereby amended by striking out the four paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY, as most recently amended by chapter 631 of the acts of 1974, and inserting in place thereof the following four paragraphs:-

Clerk. - A sum equivalent to seventy-five and eighteen hundredths per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

Assistant Clerk. - A sum equivalent to seventy and twenty-two hundredths 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 and twenty-two hundredths 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 and twenty-nine hundredths 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.

SECTION 192. Said section 94 of said chapter 221 is hereby further amended by striking out the four paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY, as most recently amended by section 191 of this act, and inserting in place thereof the following four paragraphs:-

Clerk. - A sum equivalent to seventy-five and thirty-three hundredths per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

Assistant Clerk. - A sum equivalent to seventy and forty hundredths 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 and forty hundredths 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 and fifty-three hundredths 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.

SECTION 193. Said section 94 of said chapter 221 is hereby further amended by striking out the four paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY, as most recently amended by section 192 of this act, and inserting in place thereof the following four paragraphs:-

Clerk. - A sum equivalent to seventy-five and fifty-one hundredths per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

Assistant Clerk. - A sum equivalent to seventy and sixty-one hundredths 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 and sixty-one hundredths 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 and eighty-four hundredths 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.

SECTION 194. Section 99B of chapter 276 of the General Laws is hereby amended by striking out subdivision (2), as most recently amended by section 15 of chapter 558 of the acts of 1974, 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 July 1, 1976

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Incre- ment
1.	\$12,673.40	\$13,211.60	\$13,749.80	\$14,288.00	\$14,826.20	\$15,364.40	\$15,902.60	\$538.20
2.	13,349.40	13,931.80	14,514.20	15,096.60	15,679.00	16,261.40	16,843.80	582.40
3.	14,113.80	14,740.40	15,367.00	15,993.60	16,620.20	17,246.80	17,873.40	626.60
4.	14,948.40	15,595.80	16,243.20	16,890.60	17,538.00	18,185.40	18,832.80	647.40
5.	15,710.20	16,407.00	17,103.80	17,800.60	18,497.40	19,194.20	19,891.00	696.80
6.	16,563.00	17,306.60	18,050.20	18,793.80	19,537.40	20,281.00	21,024.60	743.60
7.	17,483.40	18,247.80	19,012.20	19,776.60	20,541.00	21,305.40	22,069.80	764.40
8.	18,338.80	19,144.80	19,950.80	20,756.80	21,562.80	22,368.80	23,174.80	806.00
9.	19,194.20	20,047.00	20,899.80	21,752.60	22,605.40	23,458.20	24,311.00	852.80
10.	19,956.00	20,850.40	21,744.80	22,639.20	23,533.60	24,428.00	25,322.40	894.40
11.	20,876.40	21,799.40	22,722.40	23,645.40	24,568.40	25,491.40	26,414.40	923.00

SECTION 195. Said section 99B of said chapter 276 is hereby further amended by striking out subdivision (2), as most recently amended by section 194 of this act, 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, 1977

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Incre- ment
1.	\$12,923.40	\$13,461.60	\$13,999.80	\$14,538.00	\$15,076.20	\$15,614.40	\$16,152.60	\$538.20
2.	13,599.40	14,181.80	14,764.20	15,346.60	15,929.00	16,511.40	17,093.80	582.40
3.	14,363.80	14,990.40	15,617.00	16,243.60	16,870.20	17,496.80	18,123.40	626.60
4.	15,198.40	15,845.80	16,493.20	17,140.60	17,788.00	18,435.40	19,082.80	647.40
5.	15,960.20	16,657.00	17,353.80	18,050.60	18,747.40	19,444.20	20,141.00	696.80
6.	16,813.00	17,556.60	18,300.20	19,043.80	19,787.40	20,531.00	21,274.60	743.60
7.	17,733.40	18,497.80	19,262.20	20,026.60	20,791.00	21,555.40	22,319.80	764.40
8.	18,588.80	19,394.80	21,200.80	21,006.80	21,812.80	22,618.80	23,424.80	806.00
9.	19,444.20	20,297.00	21,149.80	22,002.60	22,855.40	23,708.20	24,561.00	852.80
10.	20,206.00	21,100.40	21,994.80	22,889.20	23,783.60	24,678.00	25,572.40	894.40
11.	21,126.40	22,049.40	22,972.40	23,895.40	24,818.40	25,741.40	26,664.40	923.00

SECTION 196. Said section 99B of said chapter 276 is hereby further amended by striking out subdivision (2), as most recently amended by section 195 of this act, 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 April 1, 1977

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Incre- ment
1.	\$13,223.40	\$13,761.60	\$14,299.80	\$14,838.00	\$15,376.20	\$15,914.40	\$16,452.60	\$538.20
2.	13,899.40	14,481.80	15,064.20	15,646.60	16,229.00	16,811.40	17,393.80	582.40
3.	14,663.80	15,290.40	15,917.00	16,543.60	17,170.20	17,796.80	18,423.40	626.60
4.	15,498.40	16,145.80	16,793.20	17,440.60	18,088.00	18,735.40	19,382.80	647.40
5.	16,260.20	16,957.00	17,653.80	18,350.60	19,047.40	19,744.20	20,441.00	696.80
6.	17,113.00	17,856.60	18,600.20	19,343.80	20,087.40	20,831.00	21,574.60	743.60
7.	18,033.40	18,797.80	19,562.20	20,326.60	21,091.00	21,855.40	22,619.80	764.40
8.	18,888.80	19,694.80	21,500.80	21,306.80	22,112.80	22,918.80	23,724.80	806.00
9.	19,744.20	20,597.00	21,449.80	22,302.60	23,155.40	24,008.20	24,861.00	852.80
10.	20,506.00	21,400.40	22,294.80	23,189.20	24,083.60	24,978.00	25,872.40	894.40
11.	21,426.40	22,349.40	23,272.40	24,195.40	25,118.40	26,041.40	26,964.40	923.00

SECTION 196A. 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-six thousand six hundred and fourteen”, inserted by section 49 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- thirty-six thousand seven hundred and sixty-four,- and by striking out the words “twenty thousand five hundred and ninety-six”, as so inserted, and inserting in place thereof the words:- twenty thousand seven hundred and forty-six.

SECTION 196B. Said second sentence of said fourth paragraph of said section 3 of said chapter 354 is hereby further amended by striking out the words “thirty-six thousand seven hundred and sixty-four”, inserted by section 196A of this act, and inserting in place thereof the words:- thirty-six thousand eight hundred and eighty-nine,- and by striking out the words “twenty thousand seven hundred and forty-six”, as so inserted, and inserting in place thereof the words:- twenty thousand eight hundred and seventy-one.

SECTION 196C. Said second sentence of said fourth paragraph of said section 3 of said chapter 354 is hereby further amended by striking out the words “thirty-six thousand eight hundred and eighty-nine”, inserted by section 196B of this act, and inserting in place thereof the words:- thirty-seven thousand and thirty-nine,-and by striking out the words “twenty thousand eight hundred and seventy-one”, as so inserted, and inserting in place thereof the words:- twenty-one thousand and twenty-one.

SECTION 196D. The last paragraph of section 4 of chapter 598 of the acts of 1958 is hereby amended by striking out the words “nine thousand one hundred and fifty-three”, inserted by section 50 of chapter 422 of the acts of 1974, and inserting in place thereof the words:- nine thousand three hundred and three,- and by striking out the words “two thousand two hundred and eighty-eight”, as so inserted, and inserting in place thereof the words:- two thousand four hundred and thirty-eight.

SECTION 196E. Said last paragraph of said section 4 of said chapter 598 is hereby further amended by striking out the words “nine thousand three hundred and three”, inserted by section 196D of this act, and inserting in place thereof the words:- nine thousand four hundred and twenty-eight”,- and by striking out the words “two thousand four hundred and thirty-eight”, as so inserted, and inserting in place thereof the words:- two thousand five hundred and sixty-three.

SECTION 196F. Said last paragraph of said section 4 of said chapter 598 is hereby further amended by striking out the words

“nine thousand four hundred and twenty-eight”, inserted by section 196E of this act, and inserting in place thereof the words:-nine thousand five hundred and seventy-eight,- and by striking out the words “two thousand five hundred and sixty-three”, as so inserted, and inserting in place thereof the words:-two thousand seven hundred and thirteen.

SECTION 197. Notwithstanding any general or special law to the contrary, each officer or employee of the commonwealth, except members of the general court but including each blind worker paid by the Massachusetts Commission for the blind as provided in section one hundred and forty-three of chapter six of the General Laws, and each member of the Massachusetts Turnpike Authority, who was on active pay status on June thirtieth, nineteen hundred and seventy-six, and who was still on such active pay status on December first, nineteen hundred and seventy-six, shall receive a one-time, lump sum, catch-up adjustment payment in the amount of one hundred and fifty dollars or one and one-half per cent of the annual salary rate of such officer, employee (or member) on said June thirtieth, nineteen hundred and seventy-six, whichever is greater; which amount shall not be added into the annual salary rate; provided, however, that this section shall not apply to employees of the commonwealth who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws nor to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title “03 -Non-Employees”.

For purposes of this section, “on active pay status” shall mean actually paid for working on the aforesaid dates, on vacation with pay, on a leave of absence with pay for whatever reason, on leave of absence without pay due to illness, or on a leave of absence without pay granted by the appropriate appointing authority prior to either of said dates for a period not exceeding three months, including any extension of said leave.

SECTION 197A. 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 198. Sections one, four, seven, ten, thirteen, sixteen, nineteen, twenty-two, twenty-five, twenty-eight, thirty-one, thirty-four, thirty-seven, forty, forty-three, forty-six, forty-nine, fifty-two, fifty-five, fifty-eight, sixty-one, sixty-four, sixty-seven, seventy, seventy A, seventy-three, seventy-six, seventy-nine, eighty-two, eighty-five, eighty-eight, ninety-one, ninety-four, ninety-seven, one hundred, one hundred and three, one hundred and six, one hundred and nine, one hundred and twelve, one hundred and fifteen, one hundred and eighteen, one hundred and twenty-one, one hundred and twenty-four, one hundred and twenty-six A, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-three, one hundred and thirty-six, one hundred and thirty-nine, one hundred and forty-two, one hundred and forty-five, one hundred and forty-eight, one hundred and fifty-one, one hundred and fifty-four, one hundred and fifty-seven, one hundred and sixty, one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-nine, one hundred and seventy-two, one hundred and seventy-five, one hundred and seventy-eight, one hundred and eighty-two, one hundred and eighty-five, one hundred and eighty-eight, one hundred and ninety-one, one hundred and ninety-four, one hundred and ninety-six A and one hundred and ninety-six D shall take effect as of July first, nineteen hundred and seventy-six.

Sections two, five, eight, eleven, fourteen, seventeen, twenty, twenty-three, twenty-six, twenty-nine, thirty-two, thirty-five, thirty-eight, forty-one, forty-four, forty-seven, fifty, fifty-three, fifty-six, fifty-nine, sixty-two, sixty-five, sixty-eight, seventy-one, seventy-one A, seventy-four, seventy-seven, eighty, eighty-three, eighty-six, eighty-nine, ninety-two, ninety-five, ninety-eight, one hundred and one, one hundred and four, one hundred and seven, one hundred and ten, one hundred and thirteen, one hundred and sixteen, one hundred and nineteen, one hundred and twenty-two, one hundred and twenty-five, one hundred and twenty-six B, one hundred and twenty-eight, one hundred and thirty-one, one hundred and thirty-four, one hundred and thirty-seven, one hundred and forty, one hundred and forty-three, one hundred and forty-six, one hundred and forty-nine, one hundred and fifty-two, one hundred and fifty-five, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-four, one hundred and sixty-seven, one hundred and

seventy, one hundred and seventy-three, one hundred and seventy-six, one hundred and seventy-nine, one hundred and eighty-three, one hundred and eighty-six, one hundred and eighty-nine, one hundred and ninety-two, one hundred and ninety-five, one hundred and ninety-six B and one hundred and ninety-six E shall take effect as of January first, nineteen hundred and seventy-seven.

Sections three, six, nine, twelve, fifteen, eighteen, twenty-one, twenty-four, twenty-seven, thirty, thirty-three, thirty-six, thirty-nine, forty-two, forty-five, forty-eight, fifty-one, fifty-four, fifty-seven, sixty, sixty-three, sixty-six, sixty-nine, seventy-two, seventy-two A, seventy-five, seventy-eight, eighty-one, eighty-four, eighty-seven, ninety, ninety-three, ninety-six, ninety-nine, one hundred and two, one hundred and five, one hundred and eight, one hundred and eleven, one hundred and fourteen, one hundred and seventeen, one hundred and twenty, one hundred and twenty-three, one hundred and twenty-six, one hundred and twenty-six C, one hundred and twenty-nine, one hundred and thirty-two, one hundred and thirty-five, one hundred and thirty-eight, one hundred and forty-one, one hundred and forty-four, one hundred and forty-seven, one hundred and fifty, one hundred and fifty-three, one hundred and fifty-six, one hundred and fifty-nine, one hundred and sixty-two, one hundred and sixty-five, one hundred and sixty-eight, one hundred and seventy-one, one hundred and seventy-four, one hundred and seventy-seven, one hundred and eighty, one hundred and eighty-four, one hundred and eighty-seven, one hundred and ninety, one hundred and ninety-three, and one hundred and ninety-six, one hundred and ninety-six C and one hundred and ninety-six F shall take effect as of April first, nineteen hundred and seventy-seven.

Section three A shall take effect upon the passage of this act.

Section one hundred and ninety-seven shall take effect upon the passage of this act.

Section one hundred and eighty-one shall take effect as of July first, nineteen hundred and seventy-seven. Section one hundred and fifty-three A shall take effect on July first, nineteen hundred and seventy-nine.

Approved May 25, 1977.

Chap. 235. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD 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 Marshfield 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 balance of a loan incurred as a result of the Marshfield Boy's Baseball League, Inc., making improvements to the land owned by the said town and under the control of the recreation department of said town, in an amount of six thousand two hundred dollars, said amount being legally unenforceable against said town.

SECTION 2. No payment 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 penalties of perjury that the services for which said amount is due were actually performed and that the said amount is actually unpaid.

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 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 May 26, 1977.

Chap. 236. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight 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	\$1,069,217.52
2. For contractual services	97,025.00
3. For supplies and materials	240,525.00
4. For current charges and obligations	113,058.12
5. For equipment	9,025.00
8. For debt and interest	227,625.00
11. For reserve fund	25,000.00
11a. For reserve for salary increases	157,000.00
12. For group insurance	49,500.00
For total expenditures	<u>\$1,987,975.64</u>

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

Approved May 26, 1977.

Chap. 237. AN ACT REQUIRING THE PAYMENT OF TUITION BY POST-SECONDARY STUDENTS AT THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE.

Be it enacted, etc., as follows:

Section 33 of chapter 74 of the General Laws, as most recently amended by chapter 548 of the acts of 1970, is hereby further amended by inserting after the second sentence the following sentence:- The trustees of the Essex Agricultural and Technical Institute shall require from each person enrolled full time in a post-secondary program payment of tuition in an amount equal to the tuition paid at a regional community college.

Approved May 27, 1977.

EMERGENCY LETTER — June 2, 1977 @ 4:30 P. M.

Chap. 238. AN ACT PROVIDING ACCESS BY PARENTS NOT GRANTED CUSTODY TO THE EDUCATIONAL AND HEALTH RECORDS OF THEIR CHILDREN.

Be it enacted, etc., as follows:

Section 31 of chapter 208 of the General Laws, as amended by section 31 of chapter 400 of the acts of 1975, is hereby further amended by adding the following paragraph:-

The entry of an order or judgment relative to the custody of minor children shall not negate or impede the ability of the parent not granted custody to have such access to the academic, medical, hospital, or other health records of the child, as he would have had if the custody order or judgment had not been entered.

Approved May 27, 1977.

Chap. 239. AN ACT AUTHORIZING THE TRAFFIC DIRECTOR OF THE CITY OF CAMBRIDGE TO APPOINT TRAFFIC CONTROL OFFICERS AND TO PROMULGATE REGULATIONS FOR THE TOWING AND REMOVAL OF REPEATEDLY TAGGED MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 455 of the acts of 1961 is hereby amended by striking out the fifth sentence and inserting in place thereof the following two sentences:- Upon recommendation of the traffic director, the city manager shall have the authority to create subordinate staff positions in the department of traffic and parking including parking control officers. The traffic director shall make appointments to such subordinate positions.

SECTION 2. Section 3 of said chapter 455, as most recently amended by chapter 340 of the acts of 1972, is hereby further amended by adding the following clause:-

(e) The traffic director may promulgate regulations that provide that any sergeant or officer of higher rank in the police department may cause to be removed to some convenient place by towing by an independent contractor any vehicle, except a vehicle owned by the commonwealth or a political subdivision thereof or by the United States or an instrumentality thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate otherwise conspicuously

marked as so owned or registered, and except a vehicle owned by a disabled veteran and bearing a distinctive number plate authorized by the General Laws which is parked or standing on any part of any street, way, highway, road or parkway if in the calendar year in which such vehicle is so removed and in the preceding calendar year, five or more notices, in the aggregate, have been affixed to said vehicle, as provided in section twenty C of chapter ninety of the General Laws, and remain unpaid and the cost of such removal and of storage charges resulting therefrom, in accordance with the traffic regulations then in effect, shall be imposed upon the owner of such vehicle. Any such vehicle so removed shall be held until all charges imposed for such removal and storage following the same have been paid and due notice has been received that the fines provided in such notices affixed to said vehicle have been paid or security for the payment thereof has been deposited. The police department shall promptly mail written notice to the registered owner of any such vehicle so removed, directed to the address furnished by the registry of motor vehicles or comparable agency of the state in which said vehicle is registered, stating the date on which such vehicle was removed, the location to which such vehicle has been removed, and a statement that such vehicle shall be released by the police on the payment of all fines, storage and towing charges due. Any such vehicle so removed shall be deemed to have been abandoned and may be disposed of in accordance with section twenty-two C of said chapter ninety if, within thirty days of the mailing of the notice to the registered owner as provided for herein, said owner has not paid all charges imposed for such removal and storage following the same and the fines provided in such notices affixed to said vehicle or security for the payment thereof has been deposited.

Approved May 27, 1977.

EMERGENCY LETTER — May 31, 1977 @ 11:25 A. M.

Chap. 240. AN ACT PROHIBITING THE SALE OF BROADHEADS, RAZORHEADS, OR ANY OTHER ARROWHEAD USED EXCLUSIVELY FOR HUNTING PURPOSES TO ANY PERSON UNDER FIFTEEN YEARS OF AGE.

Be it enacted, etc., as follows:

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

Section 16. Whoever sells or offers for sale devices known as broadheads, razorheads, or any other arrowhead used exclusively for hunting purposes to any person under fifteen years of age shall be punished by a fine of one hundred dollars upon conviction of the first offense, five hundred dollars upon conviction of the second offense, and one thousand dollars and not less than six months nor more than one year in a house of correction for the third and subsequent offenses.

Approved May 27, 1977.

Chap. 241. AN ACT FURTHER REGULATING THE COMPOSITION OF THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 58 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 715 of the acts of 1975, and inserting in place thereof the following sentence:- The Worcester juvenile court and the Springfield juvenile court shall each consist of one justice, the Bristol county juvenile court shall consist of two justices, and the Boston juvenile court shall consist of one justice and two special justices, all of whom shall be members of the bar and shall devote their entire time during ordinary business hours to their duties and shall not, directly or indirectly, engage in the practice of law.

SECTION 2. Section 21 of chapter 810 of the acts of 1963 is hereby amended by striking out the second sentence.

SECTION 3. Section 11 of chapter 862 of the acts of 1975 is hereby amended by inserting after the word "court", in line 2, the words:- except to the Boston juvenile court,.

SECTION 4. This act shall take effect on June first, nineteen hundred and seventy-seven.

Approved May 27, 1977.

Chap. 242. AN ACT DIRECTING THE CITY OF REVERE TO GRANT A CERTAIN PENSION TO VINCENT A. STERITI.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary and in order to promote the public good, the retirement board of the city of Revere is hereby authorized and directed to retire fire fighter Vincent A. Steriti, of the fire department of the

city of Revere who as the result of injuries sustained by him while in the performance of his duties at a fire is totally and permanently incapacitated for further service as a fire fighter. The annual amount of pension payable to said Vincent A. Steriti under this act shall be fixed in an amount equal to the regular rate of compensation which he would have been paid at the point of retirement had he continued in service as a fire fighter of said city at the grade held by him at the time of his retirement. The annual pension payable by said city to said Vincent A. Steriti under the provisions of this act shall be reduced by the amount of any compensation he may receive from any gainful employment after the effective date of his retirement. Said Vincent A. Steriti shall be entitled to and shall receive all annual cost-of-living adjustments, in his annual pension, granted under the provisions of any general or special law. Such retirement shall become effective as of the date following the last day on which he received regular compensation. Upon the retirement of Vincent A. Steriti, the retirement board of said city shall forthwith pay to him all amounts standing to his credit in the annuity savings fund of the retirement system of said city.

SECTION 2. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to said Vincent A. Steriti, 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 3. Upon the death of said Vincent A. Steriti, leaving Elizabeth Steriti, his wife, surviving him, said city shall pay to her for as long as she remains unmarried a pension in the amount of three-fourths of the amount of the pension payable to him at the time of his death. Upon the death of the survivor of said Vincent A. Steriti, and said Elizabeth Steriti, the city of Revere shall pay to the surviving children of Vincent A. and Elizabeth Steriti, until the age of eighteen, a pension of equal proportion to each child which shall total three-fourths of the amount of the pension payable to Vincent A. Steriti, at the time of his death.

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

Approved June 1, 1977.

Chap. 243. AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO CONTRACT FOR THE CONSTRUCTION OF A NEW WELL FOR ITS WATER SUPPLY WITHOUT OBTAINING COMPETITIVE BIDS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section four B of chapter forty of the General Laws and any general or special law to the contrary, the town of Franklin is hereby authorized to contract for the construction of a new well for its water supply, as voted by said town under Article 9 of the warrant for the special town meeting held on March third, nineteen hundred and seventy-seven, without inviting proposals by advertisement and awarding the contract in accordance with competitive bidding.

Approved June 1, 1977.

EMERGENCY LETTER — June 2, 1977 @ 4:30 P. M.

Chap. 244. AN ACT INCREASING THE MEMBERSHIP OF THE ATHOL DEMOCRATIC TOWN COMMITTEE.

Be it enacted, etc., as follows:

Notwithstanding any law or rule or regulation to the contrary, the Athol democratic town committee may expand its membership to thirty-five members.

Approved June 1, 1977.

Chap. 245. AN ACT AUTHORIZING CERTAIN CONSTRUCTION CONTRACTORS TO PARTICIPATE IN STATE PROJECTS.

Be it enacted, etc., as follows:

The definition of "State employee" in section 1 of chapter 268A of the General Laws, as amended by section 2 of chapter 350 of the acts of 1969, is hereby further amended by adding the following:— No construction contractor nor any of their personnel shall be deemed to be a state employee or special state employee under the provisions of paragraph (o) or this paragraph as a result of participation in the engineering and environmental analysis for major construction projects either as a consultant or part of a consultant group for the commonwealth. Such contractors or personnel may be awarded construction contracts by the commonwealth and may continue with outstanding construction contracts with the commonwealth during the period of such participation; provided, that no such contractor or personnel shall

directly or indirectly bid on or be awarded a contract for any construction project if they have participated in the engineering or environmental analysis thereof.

Approved June 1, 1977.

Chap. 246. AN ACT GRANTING CERTAIN POLICE OFFICERS THE RIGHT TO A HEARING PRIOR TO DISCHARGE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 96, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 96. In any town in which such appointments are not subject to chapter thirty-one, they shall be made annually or for a term of years not exceeding three years, as the selectmen shall determine, and the selectmen may remove such officers for cause at any time during such appointment after a hearing.

SECTION 2. Said chapter 41 is hereby further amended by striking out section 97, as so appearing, and inserting in place thereof the following section:-

Section 97. In towns which accept this section or have accepted corresponding provisions of earlier laws there shall be a police department established under the direction of the selectmen, who shall appoint a chief of police and such other police officers as they deem necessary, and fix their compensation in an amount not in the aggregate exceeding the annual appropriation therefor. In any such town in which such appointments are not subject to chapter thirty-one, they shall be made annually or for a term of years not exceeding three years, as the selectmen shall determine, and the selectmen may remove such chief or other officers for cause at any time during such appointment after a hearing. The selectmen may make suitable regulations governing the police department and the officers thereof. The chief of police shall be in immediate control of all town property used by the department, and of the police officers, who shall obey his orders.

Approved June 1, 1977.

Chap. 247. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight 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	\$2,439,508.92
2. For contractual services	106,854.00
3. For supplies and materials	431,500.00
4. For current charges and obligations	292,442.77
5. For equipment	44,205.00
6. For structures and improvements	75,800.00
8. For debt and interest	75,800.00
11. For reserve fund	50,000.00
11a. For reserve for salary increases	276,625.00
12. For group insurance	125,000.00
For total expenditures	<u>\$3,841,935.69</u>

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

Approved June 1, 1977.

Chap. 248. AN ACT RELATIVE TO THE REMOVAL OF APPOINTED OFFICIALS IN THE TOWN OF BURLINGTON.

Be it enacted, etc., as follows:

The town of Burlington is hereby authorized to establish by by-law a procedure for the removal of all employees or appointed officials of the town, excepting employees or appointed officials of the school department, which will require that such vote of removal, if made by an appointing authority consisting of three or more persons, shall be by a vote of one vote more than the vote required for a majority.

Approved June 1, 1977.

Chap. 249. AN ACT AUTHORIZING THE CONVEYANCE BY THE DEPARTMENT OF PUBLIC WORKS TO THE TOWN OF HUNTINGTON OF AN EASEMENT IN LAND IN SAID TOWN FOR A SEWERAGE SYSTEM.

Be it enacted, etc., as follows:

The department of public works, acting for and on behalf of the commonwealth, shall convey without consideration to the town of Huntington an easement in land in said town for the construction, layout, repair and maintenance of a sewer line by said town.

Said easement is shown on a plan of land on file in the office of the highway engineer for district No. 1 of the department of the public works of the commonwealth and is entitled "Phase 1 Water Pollution Control Program, Board of Selectmen, Town of Huntington, Massachusetts," and bears the date of May, 1975, and has been drawn by Almer Huntley Jr. & Associates Inc.

The centerline of said easement, which is thirty feet in width, is bounded and described as follows:

Beginning at a point bearing S. 45° 31' 07" W. and 188 feet from the northeast corner of the land to be conveyed from the Commonwealth of Massachusetts by the Department of Public Works to the Town of Huntington, Massachusetts, and the southeasterly corner of land being retained by the Commonwealth of Massachusetts as shown on the aforementioned plan; thence running in a northwesterly direction 283 feet to a point; thence continuing in a northwesterly direction about 180 feet to a point; thence turning and running in a southwesterly direction about 88 feet to a point in the center of the west branch of the Westfield River, all as shown on a plan on file in the office of the department of public works for the commonwealth entitled

“Plan of Land in Huntington, Mass. to be conveyed to the Inhabitants of Huntington by the Commonwealth of Massachusetts Department of Public Works” bearing date of 2/21/75 and drawn by Almer Huntley Jr. & Associates Inc. of Northampton, Massachusetts.

Approved June 2, 1977.

Chap. 250. AN ACT AUTHORIZING THE CONVEYANCE BY THE DEPARTMENT OF PUBLIC WORKS TO THE TOWN OF HUNTINGTON OF LAND AND AN EASEMENT IN LAND IN SAID TOWN FOR A SEWERAGE TREATMENT PLANT SITE AND ACCESS ROAD THERETO.

Be it enacted, etc., as follows:

The department of public works acting for and on behalf of the commonwealth shall convey without consideration to the town of Huntington by deed land in said town hereinafter described for the construction of a sewerage treatment plant and an easement in land in said town, hereinafter described, for use as an access road to said treatment plant site by said town. Said land to be conveyed is bounded and described as follows:

Beginning at a concrete bound set at the northwest corner of the tract of land herein described and thence turning and running S. 44° 43' 53" E. along land now or formerly of the Penn Central Transportation Company a distance of 209.17 feet to a cement bound; thence turning and running S. 53° 01' 00" E. 533.28 feet, more or less, along land of said Penn Central Transportation Company to a point; thence S. 05° 25' 00" W. 70 feet, more or less, to a point along land now or formerly of the heirs of Simon Gareau; thence turning and running in a northwesterly direction by the edge of the west branch of the Westfield River a distance of 820 feet to a point; thence N. 45° 31' 07" E. 206 feet along other land belonging to the Commonwealth of Massachusetts acquired by the Department of Public Works to the cement bound and the point of beginning. Containing 2.158 acres.

Said land is shown on a plan of land entitled “Plan of Land in Huntington, Mass. to be Conveyed to the Inhabitants of Huntington by the Commonwealth of Massachusetts, Department of Public Works” which plan bears the date of 2/21/75, is drawn by Almer Huntley, Jr. & Associates, Inc. of Northampton, Massachusetts and is on file in the office of District #1 Highway

Engineer of the Department of Public Works of the Commonwealth of Massachusetts.

Said easement to be conveyed is bounded and described as follows:

Beginning at a point in land of the Commonwealth of Massachusetts acquired by the Department of Public Works which is located N. $88^{\circ} 09' 16''$ E. 8.17 feet of the point, which is located 960 feet southeasterly from the easterly side of Route 112 in the 1937 State Highway layout of Route 112 in the Town of Huntington, Massachusetts, and S. $88^{\circ} 09' 16''$ W. 127.50 feet south of land of the Penn Central Transportation Co. and thence turning and running N. $88^{\circ} 09' 16''$ E. 21.11 feet to a point in other land acquired by the Department of Public Works on behalf of the Commonwealth; thence S. $20^{\circ} 32' 20''$ E. 17.80 feet along said other land of the Commonwealth to a point; thence continuing in a southeasterly direction along land acquired by the Department of Public Works for the Commonwealth of Massachusetts along a curve with a radius of 465 feet a distance of 162.64 feet to a point; thence S. $40^{\circ} 34' 43''$ E. 62.82 feet along said other land acquired by the Department of Public Works for the Commonwealth to a point; thence S. $50^{\circ} 36' 15''$ E. 90.71 feet, more or less, along said other land acquired by the Department of Public Works for the Commonwealth to a point; thence S. $45^{\circ} 31' 07''$ W. along said land above described to be conveyed by the Department of Public Works on behalf of the Commonwealth to the Town of Huntington for a sewerage treatment plant site to a point; thence N. $50^{\circ} 36' 15''$ W. 90.32 feet, more or less, along other land acquired by the Department of Public Works for the Commonwealth of Massachusetts to a point; thence N. $40^{\circ} 34' 43''$ W. 64.58 feet to a point; thence continuing around a curve with a radius of 485 feet, more or less, a distance of 169.63 feet to a point along said other land acquired by the Department of Public Works for the Commonwealth of Massachusetts to a point; thence continuing N. $20^{\circ} 32' 20''$ W. 24.56 feet, more or less, along said other land acquired by the Department of Public Works for the Commonwealth of Massachusetts to a point and the point of beginning. Containing 6,830 square feet of land, more or less.

For further description, see "Plan of Access Road Easement in Huntington, Mass. Prepared for the Town of Huntington" bearing date of November 6, 1975 and drawn by Almer Huntley, Jr. & Associates, Inc. of Northampton, Mass. on file with the office

of the Department of Public Works for the Commonwealth of Massachusetts.

Approved June 2, 1977.

Chap. 251. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO INVEST CERTAIN TRUST FUNDS IN CERTAIN INVESTMENTS AND TO CONTRACT FOR PROFESSIONAL INVESTMENT ADVICE.

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland may invest its trust funds, including cemetery perpetual care funds, in any investment authorized by section fifty-four of chapter forty-four of the General Laws, notwithstanding that the aggregate amount of the trust funds of said town is not in excess of one million dollars.

SECTION 2. With the approval of a majority vote of the annual town meeting, the town of Wayland may enter into contracts for periods not exceeding three years for professional investment advice.

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

Approved June 3, 1977.

Chap. 252. AN ACT FURTHER LIMITING REGISTRATIONS OF INTERNS, RESIDENTS, FELLOWS AND MEDICAL OFFICERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately a sufficient number of competent medical interns and house doctors in the hospitals 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:

Chapter 112 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 1 of chapter 1060 of the acts of 1973, and inserting in place thereof the following section:-

Section 9. An applicant for limited registration under this section may, upon payment of five dollars, be registered by the board as an intern, fellow or medical officer for such time as it may subscribe if he furnishes the board with satisfactory proof of the following:-

1. He is eighteen or over and of good moral character.

2. (a) He has creditably completed two years of a premedical course of study in a college or university and not less than three and one-half years of study in a legally chartered medical school having the power to grant degrees in medicine; or (b) if he is not enrolled in or a graduate of a legally chartered medical school in the United States or Canada, he is the holder of a standard certificate granted after an examination by the Education Council for Foreign Medical Graduates, unless granted an exemption by the board; or (c) he has completed two years of premedical education in a college or university of the United States, Canada or Puerto Rico and if he has studied medicine in a medical school outside the United States, Canada or Puerto Rico which is recognized by the World Health Organization, has completed all the formal requirements for the degree corresponding to doctor of medicine, except internship and social service, and has completed a year of clinical clerkship approved by the liaison committee on medical education of the American Medical Association.

3. He has been appointed an intern, fellow or medical officer in a hospital or other institution of the commonwealth, or of a county or municipality thereof, or in a hospital or clinic which is incorporated under the laws of the commonwealth or in a clinic which is affiliated with a hospital licensed by the department of public health under authority of section seventy-one of chapter one hundred and eleven, or in an out-patient clinic operated by the department of mental health, or in the department of public health for duty in clinics or in programs operated or approved by the department of public health, or in programs approved by the board of registration in medicine in the commonwealth and leading toward certification by specialty boards recognized by the American Medical Association.

Such limited registration shall entitle the said applicant to practice medicine only in the hospital, institution, clinic or program designated on his certificate of limited registration, or outside such hospital, institution, clinic or program for the treatment, under supervision of one of its medical officers who is a duly registered physician, of persons accepted by it as patients, or in any hospital, institution, clinic or program affiliated for training purposes with the hospital, institution, clinic or program designated on such certificate, which affiliation is approved by the board and in any case under regulations established by such hospital, institution, clinic or program. The name of any hospital, institution, clinic or program so affiliated and so approved

shall also be indicated on such certificate. Limited registration under this section may be revoked at any time by the board.

Approved June 3, 1977.

Chap. 253. AN ACT AUTHORIZING THE TOWN OF LENOX TO GRANT FIVE ADDITIONAL LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE LICENSED PREMISES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the town of Lenox may grant, in addition to the number authorized by said section seventeen, five additional licenses under the provisions of section twelve of said chapter one hundred and thirty-eight. Such additional licenses shall be subject to all the provisions of said chapter one hundred and thirty-eight except section seventeen.

Approved June 3, 1977.

Chap. 254. AN ACT RELATIVE TO SALARY AND FEES TO BE RETAINED BY THE SHERIFF OF NANTUCKET COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 37 of the General Laws, as most recently amended by section 1 of chapter 797 of the acts of 1972, is hereby further amended by adding the following paragraph:-

The sheriff of the county of Nantucket shall, in addition to his salary, retain all fees collected and received by him for service of process.

SECTION 2. This act shall take effect upon its acceptance by the county of Nantucket by a majority vote of the board of selectmen of the town of Nantucket, acting as county commissioners of said county.

Approved June 3, 1977.

Chap. 255. AN ACT AUTHORIZING THE CITY OF BOSTON TO GRANT A PENSION TO JOHN J. KRAFT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the fire commissioner of the city of Boston with the approval of the

mayor, shall forthwith retire, on an annual pension to be granted by said city and paid in equal monthly installments, to John J. Kraft, a fire fighter in the fire department of said city who is permanently incapacitated for further service as a fire fighter as a result of injuries sustained by him in the performance of his duty on January twenty-second, nineteen hundred and seventy-four. Such pension shall be equal to the annua" 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 the death of John J. Kraft leaving Elizabeth T. Kraft, his wife, surviving him, the city of Boston shall pay to her, so long as she remains unmarried, an annuity in the amount of three quarters of the amount of the pension payable to said John J. Kraft at the time of his death.

SECTION 2. Upon the retirement of said John J. Kraft under the provisions of section one, the retirement board of the city of Boston shall forthwith pay to said John J. Kraft all amounts standing to his credit, in the annuity savings fund of the retirement system of said city.

SECTION 3. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to said John J. Kraft 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.

Approved June 3, 1977.

Chap. 256. AN ACT AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS OF THE LUNENBURG WATER DISTRICT OF LUNENBURG, PREVIOUSLY RAISED BY BOND ISSUE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the Lunenburg Water District of Lunenburg may, by a two-thirds vote of those voting at a district meeting, appropriate sums, not exceeding one hundred and eighty thousand and two hundred dollars, in the aggregate, from the proceeds of a loan voted under Article 14 at the annual meeting of the district held March thirteenth, nineteen hundred and seventy-one, under the authority of clause (4) of section eight of said chapter forty-four, which proceeds are not presently necessary for the purposes specified in the authorization of said

loan, for the laying and relaying of water mains, and the construction of a well and pumping station, including pumping station equipment.

Approved June 3, 1977.

Chap. 257. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO EXPEND CERTAIN SUMS OF MONEY FOR THE PAYMENT OF BILLS INCURRED FOR THE OPERATION OF THE ESSEX COUNTY JAIL AND HOUSE OF CORRECTION AT LAWRENCE.

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 ninety-three thousand dollars for the payment of bills incurred for maintenance and supplies and contractual services, temporary employees, overtime pay for the Essex county jail and house of correction at Lawrence, for the fiscal year ending June thirtieth, nineteen hundred and seventy-seven. 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) or any other monies available.

Approved June 3, 1977.

Chap. 258. AN ACT CLARIFYING THE LAW WITH RESPECT TO THE ISSUANCE OF CAPITAL STOCK OF GAS AND ELECTRIC COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 164 of the General Laws, as appearing in section 7 of chapter 860 of the acts of 1973, is hereby further amended by striking out clause (b) and inserting in place thereof the following clause:-

(b) an increase of its capital stock of any class then authorized, or a reduction of any such class of stock; and.

SECTION 2. Section 14 of said chapter 164 is hereby amended by striking out the seventh sentence, as amended by chapter 296 of the acts of 1961, and inserting in place thereof the following sentence:- No application for the approval of an issue of stock shall be made unless authorized by vote of the directors passed not more than four months prior to such application.

SECTION 3. Said chapter 164 is hereby further amended by striking out section 18, as amended by section 2 of chapter 502 of the acts of 1973, and inserting in place thereof the following section:-

Section 18. Except as otherwise provided in this section, shares of the capital stock of a gas or electric company shall be offered at such price, not less than par, as its directors may fix. The vote of the department, as provided in section fourteen, as to the amount of stock reasonably necessary for the purpose for which the issue of such shares has been authorized, shall be based on the price fixed by the directors unless the department deems that such price is so low as to be inconsistent with the public interest, in which case it may fix the price at which such shares may be issued. If it deems that such shares cannot be disposed of at or above the par value thereof, it may, notwithstanding the provisions of this or any other section, authorize the issue of such shares at a price less than the par value thereof and with such requirements for the amortization of the discount as it may deem necessary in the public interest. Its determination shall be made part of the vote of the department as provided in section fourteen, and shall be certified and recorded as therein prescribed.

SECTION 4. Section 19 of said chapter 164, as appearing in section 3 of said chapter 502, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- A gas or electric company may issue any unissued shares of its capital stock from time to time authorized under its articles of incorporation in such manner, at such times, upon such terms, and at such price, not less than par, except as otherwise authorized by the department as provided in section eighteen, to be paid in cash, as the directors shall determine and as may be approved by the department.

Approved June 6, 1977.

Chap. 259. AN ACT DEFINING THE STANDARD OF CARE OWED TO CHILDREN BY CERTAIN LAND OWNERS.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85P, inserted by section 1 of chapter 315 of the acts of 1975, the following section:-

Section 85Q. Any person who maintains an artificial condition upon his own land shall be liable for physical harm to

children trespassing thereon if (a) the place where the condition exists is one upon which the land owner knows or has reason to know that children are likely to trespass, (b) the condition is one of which the land owner knows or has reason to know and which he realizes or should realize will involve an unreasonable risk of death or serious bodily harm to such children, (c) the children because of their youth do not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it, (d) the utility to the land owner of maintaining the condition and the burden of eliminating the danger are slight as compared with the risk to children involved, and (e) the land owner fails to exercise reasonable care to eliminate the danger or otherwise to protect the children.

Approved June 6, 1977.

Chap. 260. AN ACT INCREASING THE AMOUNT AND TERM OF HOME IMPROVEMENT LOANS MADE BY CO-OPERATIVE BANKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately improve the heating of homes by installing solar or wind-powered heating systems, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Subsection 6 of section 26 of chapter 170 of the General Laws, as most recently amended by section 2 of chapter 28 of the acts of 1977, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:- In loans and advances of credit to owners of improved real estate upon which it holds mortgages in any form, for the purpose of financing the repair, alteration, improvement or rehabilitation thereof or the purchase and installation of fixtures to be affixed thereto or durable appliances to be used in the maintenance and ordinary use of said real estate; provided, that at the time of making any loan or advance hereunder all such loans and advances with respect to any one parcel of real estate then outstanding, together with the loan or advance then being made, exclusive of discounts, shall not exceed ten thousand dollars nor, combined with the balances due on mortgages held by such corporation upon said parcel of real estate, exceed the value of said parcel of real estate as then certified by the security committee of such corporation; and provided, further, that such

loans or advances shall be payable at a time not exceeding ten years from the date thereof, and shall require payments to be made on account of the principal in substantially equal monthly installments. Such corporation may make such loan in an amount not to exceed twelve thousand dollars if at least two thousand dollars of such loan is for the purposes of financing the purchase and installation of a solar or wind-powered system or heat pump system, if such loan is for a period not to exceed ten years and is secured by a mortgage on the real estate in which the said solar or wind-powered system or heat pump system is installed, to be recorded in the appropriate registry of deeds.

Approved June 7, 1977.

Chap. 261. AN ACT AUTHORIZING THE FUNDING OF CERTAIN REVENUE ANTICIPATION NOTES OF AND PAYMENTS BY THE CITY OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. The city of Woburn, for the purposes specified in section four, may borrow, at one time or from time to time on or before June thirtieth of the current fiscal year, with the approval of the emergency finance board of said city, a sum not exceeding in the aggregate the amount of unpaid real estate and personal property taxes as of June thirtieth, nineteen hundred and seventy-six, exclusive of tax titles and tax possessions, plus the amount of payments made by said city during the current fiscal year pursuant to court orders, decisions of the appellate tax board and abatements granted by the assessors to reimburse taxpayers for overpayments of real estate and personal property taxes for years prior to the current fiscal year, less the aggregate of the surplus in the excess and deficiency account as of such date, the total of proceeds from the sale of tax title possessions and the receipts from tax title redemptions received during the first ten months of the current fiscal year, and the real estate and personal property taxes of prior years collected during such ten month period, but not exceeding in any event the sum of four million five hundred thousand dollars, and may issue and sell serial bonds or notes of said city therefor. Bonds and notes may be issued hereunder by the treasurer of said city with the approval of the mayor.

SECTION 2. The city of Woburn, for the purposes specified in section five, may borrow, at one time or from time to time dur-

ing the fiscal year ending June thirtieth, nineteen hundred and seventy-eight, with the approval of the emergency finance board of said city, a sum not exceeding in the aggregate the amount of payments made by said city during said fiscal year pursuant to court orders, decisions of the appellate tax board or abatements granted by the assessors to reimburse taxpayers for overpayments of real estate and personal property taxes for years prior to the current fiscal year, but not exceeding in any event the sum of three million five hundred thousand dollars, and may issue and sell serial bonds or notes of said city therefor. Bonds and notes may be issued hereunder by the treasurer of said city with the approval of the mayor.

SECTION 3. Bonds or notes issued under this act shall bear on their face the words, City of Woburn Funding Loan, Act of 1977. Each issue shall constitute a separate loan and such loans shall be payable in not more than seven years from their dates. Debt incurred under authority of this act shall not be included in determining the limit of indebtedness of the city under the provisions of section ten of chapter forty-four of the General Laws, but shall, except as herein provided, be subject to the provisions of said chapter forty-four, including the provisions of section seventeen thereof relative to temporary loans in anticipation of the issue of bonds or notes.

SECTION 4. Amounts borrowed under section one shall be expended for the payment of revenue anticipation notes maturing in the current fiscal year and for the making of payments by the city of Woburn during the current fiscal year pursuant to court orders, decisions of the appellate tax board or abatements granted by the assessors to reimburse taxpayers for overpayments of real estate and personal property taxes for years prior to the current fiscal year or for reimbursing the treasury of said city for such payments made out of general funds of said city. The expenses of borrowing under section one shall be included in the nineteen hundred and seventy-eight fiscal year tax levy without appropriation to the extent not otherwise provided. The expenses so paid shall be reported by the auditor of said city to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless said city has otherwise made provision therefor.

SECTION 5. Amounts borrowed under section two of this act shall be expended for the making of payments by the city of Woburn during the fiscal year ending June thirtieth, nineteen hundred and seventy-eight pursuant to court orders, decisions of

the appellate tax board or abatements granted by the assessors to reimburse taxpayers for overpayments of real estate and personal property taxes for years prior to the current fiscal year or for reimbursing the treasury of said city for such payments made out of general funds of the city. The expenses of borrowing under section two shall be included in the nineteen hundred and seventy-nine fiscal year tax levy without appropriation to the extent not otherwise provided. The expenses so paid shall be reported by said city auditor to the assessors of said city, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless said city has otherwise made provision therefor.

SECTION 6. Sums equal to the amounts borrowed under section one shall be credited to the excess and deficiency account to the extent of any deficit therein as of June thirtieth of the current fiscal year, and the remainder shall be set up on the books of the city of Woburn, together with amounts in the real and personal property tax overpayments account as of such date, as a reserve for unpaid real estate and personal property taxes. Sums equal to the amounts borrowed under section two shall be credited to the excess and deficiency account to the extent of any deficit therein as of June thirtieth, nineteen hundred and seventy-eight and the remainder shall be credited to this reserve. There shall also be credited to this reserve amounts levied pursuant to section seven and the proceeds from the sale of tax title possessions and the receipts from tax title redemptions received after the current fiscal year. There shall be charged to this reserve, to the extent of the reserve, sums equal to unpaid real estate taxes which are transferred to the tax titles account after the current fiscal year, together with abatements granted in any fiscal year after the current fiscal year with respect to unpaid real estate and personal property taxes of prior fiscal years in excess of the applicable overlay. If at the close of any fiscal year, the reserve exceeds the unpaid real estate and personal property taxes, exclusive of tax titles and tax possessions, the excess shall be applied to the payment of interest and principal coming due in the next fiscal year on debt incurred under this act. Any balance of such excess shall be transferred to the excess and deficiency account.

SECTION 7. If the foregoing reserve at the close of a fiscal year is less than the unpaid real estate and personal property taxes, exclusive of tax titles and tax possessions, the assessors shall include in the tax levy required by law to be determined in the next fiscal year a sum equal to such deficiency after first deducting the total of the proceeds from the sale of tax title possessions and the

receipts from tax title redemptions, in addition to the real estate and personal property taxes of years prior to the then current fiscal year, collected or received during the eleven months next after said year-end, and also after deducting any surplus in the excess and deficiency account as of said year-end.

SECTION 8. Deductions made by the assessors under clause (a) of section twenty-three of chapter fifty-nine of the General Laws for a fiscal year on account of estimated receipts, other than those estimated by the state tax commission, any provision of general law to the contrary notwithstanding, shall be subject to the approval of said commission and shall not exceed the aggregate amount of actual receipts received during the preceding calendar year from the same sources as certified to said commission by the city auditor on or before March first.

SECTION 9. For each fiscal year beginning with the fiscal year ending on June thirtieth, nineteen hundred and seventy-eight, the overlay to be assessed for the city of Woburn under section twenty-five of said chapter fifty-nine shall be not less than five per cent.

SECTION 10. If at any time, in the opinion of a majority of the members of the board described in clause (9) of section eight of chapter forty-four of the General Laws, a deficiency in the collection of taxes or other revenue makes it necessary for the city to incur an emergency loan to meet expenses or liabilities of the city of Woburn, such a deficiency may be treated as an emergency appropriation under said clause (9).

SECTION 11. The provisions of sections six, seven, eight, nine and ten shall be in force whether or not any loan issued under this act is outstanding.

SECTION 12. This act shall take effect upon its passage.

Approved June 7, 1977.

Chap. 262. AN ACT RELATIVE TO ALLOWING SAVINGS BANKS TO ACQUIRE CERTAIN LOANS.

Be it enacted, etc., as follows:

Chapter 168 of the General Laws is hereby amended by striking out section 37, as most recently amended by chapter 266 of the acts of 1974, and inserting in place thereof the following section:-

Section 37. Said corporation may make or acquire a loan or series of loans to one or more responsible borrowers, evidenced by note, loan agreement, or other instrument, with or without

security, at such lawful rate of interest and subject to such other lawful charges as the board of investment shall by rules or regulations determine. Such loan or loans shall be payable and shall be paid in installments at intervals of not exceeding one month. Such note or other instrument may provide for the payment of the first installment on a date not more than three months from the date of the instrument or of some one subsequent installment on a date not more than three months from the date of the last prior installment. The total obligation of any one person to any such corporation outstanding at any one time in this class of investment, 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 or acquired 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 or acquired by any such corporation, at any time outstanding, shall not exceed ten per cent of its deposits not in excess of fifty million dollars plus five per cent of its deposits in excess of fifty million dollars. The aggregate limitation of ten per cent of its deposits may be waived by the commissioner upon the application of a corporation not to exceed, however, an aggregate limitation of twelve per cent of its deposits. The provisions of sections eighty-six to one hundred and ten, inclusive, of chapter one hundred and forty shall not, except as provided in section one hundred and fourteen A of said chapter, apply to loans made or acquired under this section.

Approved June 7, 1977.

Chap. 263. AN ACT REQUIRING CONDOMINIUM AND CERTAIN MULTI-UNIT OWNERS TO FURNISH CERTAIN INFORMATION TO THE REGISTRARS OF VOTERS.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by striking out section 10A, as most recently amended by chapter 30 of the acts of 1972, and inserting in place thereof the following section:-

Section 10A. Every innholder licensed under any provision of chapter one hundred and forty and every keeper of a lodging house or public lodging house licensed thereunder and every multi-dwelling unit owner shall deliver to the person performing the duties required by section four, on a suitable blank to be furnished him by said person a statement, signed under the penalties

of perjury, showing the name of every person seventeen years of age or older on January first of said year whose place of residence on said January first was at such inn, lodging house, public lodging house or multi-dwelling unit. For the purposes of this section "lodging house" shall include fraternity houses and dormitories of educational institutions. For the purposes of this section, "multi-dwelling unit" shall mean condominiums of any size and any residential apartment complex consisting of more than eight rental dwelling units. In the case of a fraternity house or dormitory, the statement required to be delivered by this section shall be the responsibility of the person in charge of each said fraternity house or dormitory. In the case of the multi-dwelling unit, the owner or his designated representative at such place, or in the case of condominiums only, the president or principal officer of the condominium association, shall provide the required information.

Approved June 7, 1977.

Chap. 264. AN ACT PROVIDING FOR A CHIEF DEPUTY SHERIFF FOR HAMPDEN COUNTY.

Be it enacted, etc., as follows:

Section 71 of chapter 221 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 sheriffs of Suffolk, Middlesex and Hampden counties may each designate one court officer to act as chief deputy sheriff for attendance on the superior court in his county.

Approved June 7, 1977.

Chap. 265. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF EMPLOY THE OLDER WORKER WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15FF, inserted by chapter 141 of the acts of 1977, the following section:-

Section 15GG. The governor shall annually issue a proclamation setting apart the third week in March as Employ the Older Worker Week and recommending that said week be observed in an appropriate manner by the people.

Approved June 7, 1977.

Chap. 266. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY TO BORROW MONEY FOR CERTAIN REPAIRS AT THE COUNTY AIRPORT.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Dukes County are hereby authorized to expend, for the purposes of repairing and expanding the apron and lighting and cable replacement at the county airport operated by said county, a sum not exceeding thirty thousand dollars.

SECTION 2. For the purposes of 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, thirty thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words, Dukes County Airport Loan, Act of 1977. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than seven years from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved June 7, 1977.

Chap. 267. AN ACT REQUIRING THAT VOTERS BE INFORMED THAT FAILURE TO RETURN CERTAIN REQUESTS FOR CENSUS INFORMATION MAY RESULT IN THEIR BEING DROPPED FROM LISTS OF REGISTERED VOTERS.

Be it enacted, etc., as follows:

Section 4 of chapter 51 of the General Laws is hereby amended by adding the following paragraph:-

In any city or town which communicates with residents by mail for the purpose of obtaining such information, the communication shall state in boldface type on the postcard, envelope and printed material contained in such communication the following statement: "Warning - failure to respond to this mailing may result in removal from the voting list."

Approved June 7, 1977.

Chap. 268. AN ACT AUTHORIZING THE TOWN OF DANVERS TO OBTAIN WATER FROM THE IPSWICH RIVER.

Be it enacted, etc., as follows:

SECTION 1. The town of Danvers may, in accordance with such conditions as may be set forth by the department of environmental quality engineering, for the purpose of increasing its water supply for the use of the inhabitants of the town of Danvers and the town of Middleton, draw water not to exceed twenty million gallons per day from the Ipswich river in the town of Middleton or the town of Danvers during the period from December first to May thirty-first, inclusive, in any year, provided that the flow rate of said river as measured at the point of withdrawal is a minimum of seventeen million gallons per day and the town of Danvers may, under other conditions, draw water for such purposes at such times as may be authorized by the department of environmental quality engineering.

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

Approved June 8, 1977.

Chap. 269. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would cause great inconvenience in the issues of bonds and notes to carry out the purposes of various acts passed during the regular annual legislative session of the years nineteen hundred and seventy-four, nineteen hundred and seventy-five and nineteen hundred and seventy-six, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section one of chapter six hundred and seventy-five of the acts of nineteen hundred and seventy-four, 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, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-nine, as recommended by the governor in a message to the general court dated

January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter two hundred and ninety-three of the acts of nineteen hundred and seventy-five, further providing for the construction of certain drainage and flood control facilities in the cities of Melrose, Malden, Everett and Revere and the towns of Saugus, Stoneham and Wakefield, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than a year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand, as recommended by the governor in a message to the general court dated January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section two of chapter seven hundred and eighty of the acts of nineteen hundred and seventy-five, further providing for construction by the metropolitan district commission of a marginal conduit or conduits with appurtenant pumping station and chlorination and detention facility in the cities of Boston and Cambridge, shall be issued for maximum terms of forty years, the initial maturities of which shall be payable not later than a 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 January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 4. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section six of chapter eight hundred and forty-one of the acts of nineteen hundred and seventy-five, providing for the improvement by the metropolitan district commission of recreational facilities at Revere beach in the city of Revere, 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, two thousand and one, and the bonds provided for in section seven of said chapter eight hundred and forty-one shall be issued for maximum terms of twenty years, the initial maturities of which shall

be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand, as recommended by the governor in a message to the general court dated January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 5. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under sections twelve and thirteen of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five, providing for a comprehensive rail transit, accelerated highway and railroad improvement and maintenance bonding authorization 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 eighty, and the bonds provided for in paragraph (a) of section two, in section seven B and in section fourteen of said chapter eight hundred and fifty-nine shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and one, as recommended by the governor in a message to the general court dated January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 6. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section two of chapter seventy-nine of the acts of nineteen hundred and seventy-six, providing for the purchase of certain property in the town of Dartmouth from the Southeastern Massachusetts University Building Authority for the use of the Southeastern Massachusetts University, 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, and the bonds provided for in section three of said chapter seventy-nine shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and ten, as recommended by the governor in a message to the general court dated January nineteenth, nineteen hundred and seventy-seven,

in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 7. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section nine of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six, 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 eighty-one, and the bonds provided for in sections ten, eleven, twelve and thirteen of said chapter four hundred and eighty-one shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and one, as recommended by the governor in a message to the general court dated January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 8. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section fourteen of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six, providing for a capital outlay program for the commonwealth, shall be issued for maximum terms of thirty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and eleven, as recommended by the governor in a message to the general court dated January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 9. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section fifteen of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six, providing for a capital outlay program for the commonwealth, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-one, as recommended by the governor in a message to the general court dated January nineteenth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article

LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 10. Section 10 of chapter 481 of the acts of 1976 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

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 sixty-three million and ten thousand dollars.

SECTION 11. Section 13 of said chapter 481 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

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 six million three hundred and twenty-five thousand dollars.

Approved June 8, 1977.

Chap. 270. AN ACT ESTABLISHING A DEPARTMENT OF COMMUNITY DEVELOPMENT IN THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the town of Wareham, hereinafter called the town, a department of community development hereinafter called the department.

SECTION 2. There shall be a director of the department, hereinafter called the director, who shall be an executive officer of said town and, ex officio, a member of the community development authority, hereinafter created. All provisions of local by-law for the appointment, removal, and compensation of heads of departments shall be applicable to the position. The director shall be appointed by the board of selectmen and be exempt from the provisions of chapters thirty and thirty-one of the General Laws, and shall have full charge and supervision of the work of the department and its personnel, and exercise such other duties, powers, and functions as may be established by by-

law. The director shall hire staff for the department subject to the provisions of local by-law governing the hiring of personnel.

SECTION 3. The powers, duties, and functions of the department, while not expressly limited to, shall include the following powers subject to the limitations provided in this act:

(a) To provide technical assistance to the planning board and to conduct investigations, make studies, surveys, and plans and disseminate information relative to community development, including desirable patterns for land use and community growth, 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, and to compile, analyze, and interpret data pertaining to municipal planning, initiate and conduct studies of the resources, possibilities, and needs of the town, 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) locating 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;

(b) To provide technical assistance to the economic development and industrial corporation and industrial development financing authority in relation to projects developed concurrently and in cooperation between said agencies for the purposes of economic development for the town;

(c) To develop, test, and report methods and techniques and carry out projects relative to community development;

(d) To provide to the town accountant 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;

(e) To make studies and conduct investigations related to community development for all town departments which have, or project, capital expenditures or which contribute to the physical development of the town;

(f) To assist in the preparation and submission of an annual long-range capital improvement program for the town, including data as to the cost of each project, recommended relative priorities of projects from the standpoint of urgency and desirability, and to recommend methods of financing said im-

provement programs by aid of loans, special revenue and trust funds, accumulated surplus, and funds obtained from the annual levy, together with the estimated amounts returnable to the town by betterment assessments;

(g) To administer and coordinate, under the authority and direction of the town, the disposition of any funds received under clause (b) of section six;

(h) To make studies of housing needs and markets, including data with respect to population and family groups and their distribution according to income, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages and other factors affecting 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.

SECTION 4. There is hereby created a community development authority of the town, hereinafter 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. The powers of the authority under said chapter one hundred and twenty-one B shall be exercised in conformity with the restrictions contained in this act. The authority shall be managed, controlled and governed by a three member board of officers. Membership of said board of officers shall include the director of the department of community development, ex officio, who shall be appointed by said board of selectmen and designated chairman of the authority; and two residents of the town, one of whom shall be appointed by said board of selectmen and one of whom shall be appointed by the secretary of the executive office of communities and development. With the exception of the director of the department of community development who serves ex officio, the members shall be appointed to an initial term of one and two years, respectively. Upon the expiration of the term of office of any such member, or any subsequent member, his successor shall be appointed in like manner for a term of two years. In the event of a vacancy in the office of a member, his successor shall be appointed in like manner to serve for the unexpired term.

Any member may be removed by said board of selectmen for misfeasance or willful neglect of duty, but only after reasonable public notice and a public hearing.

After the appointment of the director of the department of community development and the appointment of the other two

officers, the town clerk shall forthwith file a certificate of their appointments 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 and officers as members of the authority shall not receive any compensation except expenses incurred while serving on the authority, subject to the approval of said board of selectmen. The authority shall make use of the services of the department for staff and administrative functions and the department may charge the authority for such services an amount agreed to by the department and the authority with the approval of said board of selectmen.

SECTION 5. The authority shall have in addition to the powers set forth in section four the following powers and duties, subject to the provisions of said chapter one hundred and twenty-one B and the approval of the board of selectmen:

(a) To determine what areas within its jurisdiction constitute decadent, substandard, or blighted open areas;

(b) To prepare and execute plans 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 demolition and removal of buildings and improvements;

(c) To clear and improve property acquired by it or the town;

(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 said chapter one hundred and twenty-one B have been complied with;

(f) To act as agent of the town or to cooperate under the authority and direction of the town 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 town;

(g) To recommend the taking by eminent domain, as provided for under said chapter one hundred and twenty-one B, 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 purpose of the authority, and to hold, sell, exchange, transfer, lease, or assign such property to the authority or to any other person;

(h) To acquire, 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 sell, exchange, transfer, lease, or assign such property to the town or to any other person;

(i) To utilize to the extent permissible by law, the advantages available to a municipal agency to finance community development projects to include but not be limited to functioning as a conduit or broker for private capital to finance various projects by taking advantage of the tax exempt or other favorable status available to a public agency in administering private funds from any corporation, partnership, or individual;

(j) To undertake and provide relocation projects as provided in said chapter one hundred and twenty-one B;

(k) 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 or duties.

SECTION 6. The powers, duties, and functions that shall be reserved to the town 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 said chapter one hundred and twenty-one B;

(b) To enter into agreements with the federal government upon recommendation of the director and approval of the board of selectmen, 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;

(c) 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;

(d) To approve at an annual or special town meeting the boundaries, and any subsequent changes thereto, of the part or parts of the town within which the power of the authority to undertake urban renewal projects shall be exercised. The requirement for such approval shall not, however, otherwise limit the exercise of the authority's powers or duties under said chapter one hundred and twenty-one B, or this act. The boundaries proposed for such approval shall be determined by the authority and be clearly delineated by streets, ways, property lines, natural features or other suitable means;

(e) To exercise all other powers delegated to the town under said chapter one hundred and twenty-one B.

SECTION 7. The board of selectmen may establish a community development advisory committee, hereinafter called the committee, that shall advise the selectmen and the authority on matters relative to community development as set forth in this act. The rules governing the composition of the committee, including term of office, structure, membership, number of members, principle place of residence, adoption of by-laws and selection of officers shall be established by said board of selectmen except that the committee shall be representative of disparate social and economic segments of the town considering such factors as income, ethnic heritage, racial origin, age, and sex. This committee may also serve to fulfill state and federal laws or regulations relative to citizen participation including advisory boards, project committees or similar entities provided that the committee's composition shall be in conformance with such laws or regulations as may be imposed from time to time.

SECTION 8. Notwithstanding the provisions of said chapter one hundred and twenty-one B and of this act, with respect to the authority, and department, the board of selectmen of the town shall exercise full control over their respective functions and shall approve all actions of said authority and department relative to the approval of development and rehabilitation plans, programs, selection of developers, execution of projects, approval and authorization of financing and expenditures, approval of staff and consultant hiring, approval of the department and authority budgets, and generally to oversee and supervise the operation of the department and the authority and shall formulate policy and provide guidance and direction for the rehabilitation, reconstruction, renewal, development, protection and preservation of the town.

SECTION 9. The town or the authority may obligate itself, in any contract with the federal government for a loan or the pay-

ment 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 town 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 town or authority the project in the condition in which it then exists. The obligation of the town or the authority under such contract shall be subject to specific enforcement by any court having jurisdiction.

SECTION 10. The provisions of this act are hereby declared to be severable and if any such provision or application of such provision to any person or circumstances shall be held to be invalid or unconstitutional such holding 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 all rights and powers, given to the operating agency under the provisions of any laws, which do not conflict with specific provisions of this act, shall be given to the authority of the town.

SECTION 11. This act shall take effect upon the date of its acceptance by a majority vote at any special or annual town meeting.

Approved June 8, 1977.

Chap. 271. AN ACT MAKING AVAILABLE A CERTAIN APPROPRIATION FOR THE PURPOSE OF CERTAIN DREDGING ACTIVITIES.

Be it enacted, etc., as follows:

Section 2 of chapter 283 of the acts of 1976 is hereby amended by striking out item 2270-0500 and inserting in place thereof the following item:- 2270-0500 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; 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; provided further, that an additional amount not exceeding three hundred thousand dollars shall be used for the dredging of the Neponset river at the Milton Town landing; provided further, that not less than three hundred thousand dollars shall be used for other dredging and cleaning of inland waters and great ponds and for repairs and modernization to state piers; provided further, that an amount not exceeding forty thousand dollars shall be used for the removal of marine vegetation and dredging to improve tidal circulation in Cape Cod bay in the vicinity of Pilgrim beach in the town of Truro; prior appropriation continued.

Harbor and Inland Waters Fund 100.0%

Approved June 9, 1977.

Chap. 272. AN ACT RELATIVE TO THE OWNERSHIP OF CERTAIN UNCLAIMED GRAVES IN MUNICIPAL CEMETERIES.

Be it enacted, etc., as follows:

Chapter 114 of the General Laws is hereby amended by inserting after section 10 the following section:-

Section 10A. Any town may take over the ownership of a grave in a cemetery established under section ten provided that such grave has not been used for a period of fifty years and that the ownership thereof cannot be ascertained. If such ownership is ascertained after such taking the town shall pay the fair value of such grave at the time of the taking to the owner thereof.

Approved June 9, 1977.

Chap. 273. AN ACT RELATIVE TO THE MEMBERSHIP OF THE DISTRICT BOARDS IN LOCAL DEPARTMENTS OF VETERANS SERVICES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 11 of chapter 115 of the General Laws, as amended by chapter 172 of the acts of 1964, is hereby further amended by inserting after the word "mayor", in line 2, the words:- or his designee.

SECTION 2. Said first paragraph of said section 11 of said chapter 115 is hereby further amended by inserting after the word "selectmen", in line 3, the words:- or its designee.

Approved June 9, 1977.

Chap. 274. AN ACT CONSTITUTING THE OFFICERS OF THE FIRST PARISH IN WAYLAND AS TRUSTEES OF THE TRUSTEES OF THE EAST SUDBURY MINISTERIAL FUND.

Be it enacted, etc., as follows:

The officers of the First Parish in Wayland duly elected pursuant to its by-laws shall constitute the trustees of The Trustees of the East Sudbury Ministerial Fund, a corporation established by chapter one hundred and forty-three of the acts of eighteen hundred and fifteen. The officers of the First Parish in Wayland shall hold all property of The Trustees of the East Sudbury Ministerial Fund and all permanent funds of the parish. Said officers shall have power to sell any property held by them. The acts of those persons who have assumed to act as trustees of The Trustees of the East Sudbury Ministerial Fund are hereby confirmed and made valid.

Approved June 9, 1977.

Chap. 275. AN ACT AUTHORIZING THE PARK AND CEMETERY COMMISSION OF THE TOWN OF SHREWSBURY TO REFUND CERTAIN MONIES.

Be it enacted, etc., as follows:

SECTION 1. The park and cemetery commission of the town of Shrewsbury is hereby authorized to refund monies paid by any person for the purchase of burial rights including perpetual care in Mountain View cemetery in said town when said person, his heirs or assigns, convey back to said town the burial rights, including perpetual care, purchased by said person.

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

Approved June 10, 1977.

Chap. 276. AN ACT AUTHORIZING GAS AND ELECTRIC COMPANIES TO MORTGAGE ALL OR SUBSTANTIALLY ALL OF ITS ASSETS PURSUANT TO A VOTE OF THE BOARD OF DIRECTORS UNDER AUTHORIZATION GRANTED BY THE STOCKHOLDERS AND CLARIFYING THE VOTE REQUIRED TO ISSUE BONDS TO SECURE OTHER BONDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 164 of the General Laws is hereby amended by striking out section 13, as most recently amended by section 2 of chapter 357 of the acts of 1976, and inserting in place thereof the following two sections:-

Section 13. A corporation subject to this chapter may, by vote of the holders of a majority of its shares outstanding and entitled to vote thereon at a meeting called therefor, or by vote of its directors under authority of a vote of the holders of a majority of its shares outstanding and entitled to vote thereon at a meeting called therefor, mortgage all or substantially all of its property, including its franchise. All persons who acquire any mains, conduits, poles, wires, fixtures or other apparatus in, over, under or across public ways by virtue of such mortgage shall have the same rights and be subject to the same obligations relative to their erection, care, maintenance and operation as the corporation would have had, or would have been subject to, if the mortgage had not been made.

Section 13A. A corporation subject to this chapter may, by vote of the holders of a majority of its shares outstanding and entitled to vote thereon at a meeting called therefor, or by vote of its directors under authority of a vote of the holders of a majority of its shares outstanding and entitled to vote thereon at a meeting called therefor, and subject to the limitations and restrictions of section fourteen but without regard to the limitations and restrictions of section fifteen, for the purpose of securing other bonds issued by it, issue and pledge bonds secured by prior liens upon all or part of the property mortgaged to secure such other bonds, in a principal amount not exceeding the principal amount of such other bonds, such issue and pledge to be to such extent and upon such terms as the department may approve; and such prior lien bonds shall not be counted in applying any limitations of law upon the amount of its outstanding bonds or for purposes of section sixteen.

SECTION 2. The first sentence of section 15 of said chapter 164, as amended by chapter 188 of the acts of 1955, is hereby further

amended by striking out, in line 3, the words , “under sections thirteen and fourteen,”.

Approved June 10, 1977.

Chap. 277. AN ACT ESTABLISHING ONE HUNDRED AND SIXTY REPRESENTATIVE DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 57 of the General Laws is hereby amended by striking out section 4, as most recently amended by section 1 of chapter 326 of the acts of 1973, and by inserting in place thereof the following section:-

Section 4. For the purpose of choosing representatives in the general court until the next decennial division of the commonwealth into representative districts, the commonwealth is divided, conformably with Article CI of the Articles of Amendment of the Constitution, into the one hundred and sixty following representative districts:-

Barnstable and Islands

First Barnstable. - Consisting of the towns of Brewster, Dennis, Harwich and Yarmouth, all in the county of Barnstable.

Second Barnstable. - Consisting of the towns of Barnstable and Sandwich in the county of Barnstable.

Third Barnstable. - Consisting of the towns of Bourne, Falmouth and Mashpee, all in the county of Barnstable.

Cape and Islands. - Consisting of the towns of Chatham, Eastham, Orleans, Provincetown, Truro and Wellfleet, all in the county of Barnstable; the towns of Chilmark, Edgartown, Gay Head, Gosnold, Oak Bluffs, Tisbury and West Tisbury, all in the county of Dukes County; and the town of Nantucket in the county of Nantucket.

Berkshire

First Berkshire. - Consisting of the towns of Adams, Cheshire, Clarksburg, Florida, Savoy and Windsor, and the city of North Adams, all in the county of Berkshire.

Second Berkshire. - Consisting of the towns of Dalton, Lanesborough, Hancock, New Ashford and Williamstown, and all precincts of wards one and two, and precinct C of ward seven, of the city of Pittsfield, all in the county of Berkshire.

Third Berkshire. - Consisting of all precincts of wards three, four, five and six, and precincts A and B of ward seven, of the city of Pittsfield, in the county of Berkshire.

Third Berkshire. - Consisting of all precincts of wards three, four, five and six, and precincts A and B of ward seven, of the city of Pittsfield, in the county of Berkshire.

Fourth Berkshire. - Consisting of the towns of Alford, Becket, Egremont, Great Barrington, Hinsdale, Lee, Lenox, Monterey, Mount Washington, New Marlborough, Otis, Peru, Richmond, Sandisfield, Sheffield, Stockbridge, Tyringham, Washington and West Stockbridge, all in the county of Berkshire.

Bristol

First Bristol. - Consisting of the towns of Easton, Mansfield and Norton, all in the county of Bristol.

Second Bristol. - Consisting of the city of Attleboro, in the county of Bristol.

Third Bristol. - Consisting of all precincts of ward one, precinct A of ward two, all precincts of ward three, precincts B and C of ward four, precincts B and C of ward five, and all precincts of wards six, seven and eight, of the city of Taunton, in the county of Bristol.

Fourth Bristol. - Consisting of the towns of Rehoboth, Seekonk and Swansea, all in the county of Bristol.

Fifth Bristol. - Consisting of all precincts of ward three, and precincts C, D and E of ward four, of the city of Fall River, and the towns of Dighton and Somerset, all in the county of Bristol.

Sixth Bristol. - Consisting of all precincts of wards seven, eight and nine, of the city of Fall River, in the county of Bristol.

Seventh Bristol. - Consisting of all precincts of wards one and two, of the city of Fall River, in the county of Bristol.

Eighth Bristol. - Consisting of precincts A, B and F of ward four, all precincts of wards five and six, of the city of Fall River, and the town of Westport, all in the county of Bristol.

Ninth Bristol. - Consisting of the towns of Berkley, Dartmouth and Freetown, all in the county of Bristol, and the town of Lakeville, in the county of Plymouth.

Tenth Bristol. - Consisting of the towns of Acushnet and Fairhaven in the county of Bristol, and the towns of Rochester, Marion and Mattapoisett, all in the county of Plymouth.

Eleventh Bristol. - Consisting of all precincts of ward one, and precincts A, B, C, D, E, F, G, I and J of ward two, of the city of New Bedford, in the county of Bristol.

Twelfth Bristol. - Consisting of precinct H of ward two, all precincts of ward three, and precincts A, B, C, E, F, G, H and I of ward four, of the city of New Bedford, in the county of Bristol.

Thirteenth Bristol. - Consisting of precinct D of ward four, and all precincts of wards five and six, of the city of New Bedford, in the county of Bristol.

Fourteenth Bristol. - Consisting of the towns of Foxborough and Plainville in the county of Norfolk, and the town of North Attleborough, in the county of Bristol.

Essex

First Essex. - Consisting of the towns of Amesbury and Salisbury, and the city of Newburyport, all in the county of Essex.

Second Essex. - Consisting of ward three of the city of Haverhill, and the towns of Georgetown, Groveland, Merrimac, Newbury, Rowley and West Newbury, all in the county of Essex.

Third Essex. - Consisting of all precincts of wards one, two and four, of the city of Haverhill, in the county of Essex.

Fourth Essex. - Consisting of the towns of Boxford, Essex, Hamilton, Ipswich, Middleton, Topsfield and Wenham, all in the county of Essex.

Fifth Essex. - Consisting of the city of Gloucester, and the towns of Manchester and Rockport, all in the county of Essex.

Sixth Essex. - Consisting of the city of Beverly, in the county of Essex.

Seventh Essex. - Consisting of the city of Salem, in the county of Essex.

Eighth Essex. - Consisting of the towns of Marblehead and Swampscott in the county of Essex.

Ninth Essex. - Consisting of precincts one, two and three of ward one, of the city of Lynn, and the town of Saugus, all in the county of Essex.

Tenth Essex. - Consisting of precinct four of ward one, and all precincts of wards two, three and four, of the city of Lynn, in the county of Essex.

Eleventh Essex. - Consisting of all precincts of wards five, six and seven, of the city of Lynn, and the town of Nahant, all in the county of Essex.

Twelfth Essex. - Consisting of precincts one, two and three of the town of Danvers, and all precincts of wards one, two and three, and precincts one and three of ward four, of the city of Peabody, all in the county of Essex.

Thirteenth Essex. - Consisting of precincts four, five, six, seven and eight of the town of Danvers, and precinct two of ward four, and all precincts of wards five and six, of the city of Peabody, all in the county of Essex.

Fourteenth Essex. - Consisting of precincts one, two, three, four, five, seven, eight, nine and ten of ward six, of the city of Lawrence, and the town of North Andover, all in the county of Essex.

Fifteenth Essex. - Consisting of the town of Methuen, in the county of Essex.

Sixteenth Essex. - Consisting of all precincts of wards one, two, three and four, and precincts one, three, six and seven of ward five, of the city of Lawrence, in the county of Essex.

Seventeenth Essex. - Consisting of the town of Andover, and precincts two, four, five and eight of ward five, and precinct six of ward six, of the city of Lawrence, all in the county of Essex.

Franklin

First Franklin. - Consisting of the towns of Ashfield, Buckland, Charlemont, Colrain, Conway, Deerfield, Hawley, Heath, Monroe, Montague, Rowe, Shelburne, Sunderland and Whately, all in the county of Franklin; and the towns of Chesterfield, Cummington, Goshen, Huntington, Middlefield, Plainfield, Williamsburg and Worthington, all in the county of Hampshire.

Second Franklin. - Consisting of the towns of Bernardston, Erving, Gill, Greenfield, Leverett, Leyden, New Salem, Northfield, Orange, Shutesbury, Warwick and Wendell, all in the county of Franklin.

Hampden

First Hampden. - Consisting of the towns of Brimfield, Holland, Monson, Palmer and Wales, all in the county of Hampden; the town of Ware in the county of Hampshire; and the towns of Hardwick and Petersham, all in the county of Worcester.

Second Hampden. - Consisting of the towns of East Longmeadow, Hampden and Longmeadow, all in the county of Hampden.

Third Hampden. - Consisting of the towns of Agawam, Blandford, Chester, Granville, Montgomery, Russell, Southwick and Tolland, all in the county of Hampden.

Fourth Hampden. - Consisting of the city of Westfield in the county of Hampden.

Fifth Hampden. - Consisting of precinct B of ward one, precinct C of ward two, and all precincts of wards three, four,

five, six and seven, of the city of Holyoke, in the county of Hampden.

Sixth Hampden. - Consisting of precinct A of ward one, and precincts A and B of ward two, of the city of Holyoke, and the town of West Springfield, all in the county of Hampden.

Seventh Hampden. - Consisting of the town of Ludlow, and all precincts of wards four, five and six of the city of Chicopee, all in the county of Hampden.

Eighth Hampden. - Consisting of all precincts of wards one, two, three, seven, eight and nine, of the city of Chicopee, in the county of Hampden.

Ninth Hampden. - Consisting of all precincts of wards one and two, of the city of Springfield, in the county of Hampden.

Tenth Hampden. - Consisting of all precincts of wards three and six, and precincts B and C of ward seven, of the city of Springfield, in the county of Hampden.

Eleventh Hampden. - Consisting of precincts A, B, C, D, E, F, G, J, K, L and M of ward eight, of the city of Springfield, in the county of Hampden.

Twelfth Hampden. - Consisting of all precincts of wards four and five, and precincts A, G, H and J of ward seven, of the city of Springfield, in the county of Hampden.

Thirteenth Hampden. - Consisting of precincts D, E, F, I and K of ward seven, precincts H and I of ward eight, of the city of Springfield, and the town of Wilbraham, all in the county of Hampden.

Hampshire

First Hampshire. - Consisting of the towns of Hatfield, Southampton and Westhampton, and the city of Northampton, all in the county of Hampshire.

Second Hampshire. - Consisting of the towns of Easthampton, Hadley and South Hadley, all in the county of Hampshire.

Third Hampshire. - Consisting of the towns of Amherst, Belchertown, Granby and Pelham, all in the county of Hampshire.

Middlesex

First Middlesex. - Consisting of the towns of Ashby, Dunstable, Groton, Pepperell, Shirley and Townsend, all in the county of Middlesex, and the town of Lunenburg, in the county of Worcester.

Second Middlesex. - Consisting of the towns of Ayer, Littleton and Westford, all in the county of Middlesex, and the towns of Berlin, Bolton and Harvard, all in the county of Worcester.

Third Middlesex. - Consisting of the towns of Boxborough, Hudson, Maynard and Stow, all in the county of Middlesex.

Fourth Middlesex. - Consisting of the city of Marlborough in the county of Middlesex, and the town of Southborough in the county of Worcester.

Fifth Middlesex. - Consisting of precinct three of the town of Framingham, and the town of Natick, all in the county of Middlesex.

Sixth Middlesex. - Consisting of precincts one, two, four, five, six, seven, eight, nine and ten of the town of Framingham, in the county of Middlesex.

Seventh Middlesex. - Consisting of precincts one and two of the town of Ashland and precincts eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of the town of Framingham, all in the county of Middlesex.

Eighth Middlesex. - Consisting of precinct three of the town of Ashland and the towns of Holliston, Hopkinton and Sherborn, all in the county of Middlesex, and the town of Medfield, in the county of Norfolk.

Ninth Middlesex. - Consisting of all precincts of wards one, two, three, four, six and seven, of the city of Waltham, in the county of Middlesex.

Tenth Middlesex. - Consisting of precincts one and four of ward one, precincts one and three of ward two, precincts one, three and four of ward three, and precinct four of ward four, of the city of Newton, and all precincts of wards five, eight and nine, of the city of Waltham, all in the county of Middlesex.

Eleventh Middlesex. - Consisting of precincts two and three of ward one, precinct two of ward two, precinct three of ward five, precincts one and four of ward six, all precincts of ward seven, and precincts one and two of ward eight, of the city of Newton, in the county of Middlesex.

Twelfth Middlesex. - Consisting of precinct four of ward two, precinct two of ward three, precincts one, two and three of ward four, precincts one, two and four of ward five, precincts two and three of ward six, and precincts three and four of ward eight, of the city of Newton, in the county of Middlesex.

Thirteenth Middlesex. - Consisting of the towns of Lincoln, Sudbury and Wayland, all in the county of Middlesex.

Fourteenth Middlesex. - Consisting of the towns of Acton, Carlisle and Concord, all in the county of Middlesex.

Fifteenth Middlesex. - Consisting of the town of Lexington, in the county of Middlesex.

Sixteenth Middlesex. - Consisting of the towns of Chelmsford and Tyngsborough in the county of Middlesex.

Seventeenth Middlesex. - Consisting of the town of Dracut, and all precincts of ward five, precincts two and four of ward six, and all precincts of ward nine, of the city of Lowell, all in the county of Middlesex.

Eighteenth Middlesex. - Consisting of all precincts of ward one, precincts two, three and four of ward two, precincts one, two and four of ward three, precinct two of ward four, precinct one of ward eight, precincts one, three and four of ward ten, and all precincts of ward eleven, of the city of Lowell, in the county of Middlesex.

Nineteenth Middlesex. - Consisting of precinct one of ward two, precincts three and five of ward three, precincts one, three and four of ward four, precincts one, three and five of ward six, all precincts of ward seven, precincts two, three and four of ward eight, and precinct two of ward ten, of the city of Lowell, in the county of Middlesex.

Twentieth Middlesex. - Consisting of the town of Tewksbury, and precincts one, two, four, five and six, of the town of Wilmington, all in the county of Middlesex.

Twenty-first Middlesex. - Consisting of the towns of North Reading and Reading, and precinct three of the town of Wilmington, all in the county of Middlesex.

Twenty-second Middlesex. - Consisting of the town of Lynnfield in the county of Essex, and the town of Wakefield in the county of Middlesex.

Twenty-third Middlesex. - Consisting of the towns of Bedford and Burlington in the county of Middlesex.

Twenty-fourth Middlesex. - Consisting of the town of Billerica in the county of Middlesex.

Twenty-fifth Middlesex. - Consisting of precincts five, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one, of the town of Arlington, in the county of Middlesex.

Twenty-sixth Middlesex. - Consisting of precincts one, two, three, four and six, of the town of Arlington, and the town of Belmont, all in the county of Middlesex.

Twenty-seventh Middlesex. - Consisting of precinct three of ward six, and all precincts of wards eight, nine, ten and eleven, of the city of Cambridge, in the county of Middlesex.

Twenty-eighth Middlesex. - Consisting of precincts three, four and five of ward three, all precincts of ward four, precincts three, four and five of ward five, precincts two, four and five of ward six, and all precincts of ward seven, of the city of Cambridge, in the county of Middlesex.

Twenty-ninth Middlesex. - Consisting of all precincts of wards one and two, precincts one and two of ward three, precincts one and two of ward five, and precinct one of ward six, of the city of Cambridge, and precincts one, two, three, four and six of ward two, of the city of Somerville, all in the county of Middlesex.

Thirtieth Middlesex. - Consisting of precincts two, three, five and six of ward four, precincts one, four and five of ward five, precincts one, three, four and five of ward six, and all precincts of ward seven, of the city of Somerville, in the county of Middlesex.

Thirty-first Middlesex. - Consisting of all precincts of ward one, precinct five of ward two, all precincts of ward three, precincts one and four of ward four, precincts two, three and six of ward five, and precinct two of ward six, of the city of Somerville, in the county of Middlesex.

Thirty-second Middlesex. - Consisting of the town of Watertown in the county of Middlesex.

Thirty-third Middlesex. - Consisting of the city of Woburn in the county of Middlesex.

Thirty-fourth Middlesex. - Consisting of precincts two, three, four and six, of the town of Stoneham, and the town of Winchester, all in the county of Middlesex.

Thirty-fifth Middlesex. - Consisting of the city of Melrose, and precincts one and five, of the town of Stoneham, all in the county of Middlesex.

Thirty-sixth Middlesex. - Consisting of all precincts of wards three, four, five, six and seven, of the city of Malden, in the county of Middlesex.

Thirty-seventh Middlesex. - Consisting of all precincts of wards one and two, precinct four of ward three, and all precincts of ward seven, of the city of Medford, and all precincts of wards one and two, of the city of Malden, all in the county of Middlesex.

Thirty-eighth Middlesex. - Consisting of precincts one, two, three and five of ward three, and all precincts of wards four, five, and six, of the city of Medford, in the county of Middlesex.

Thirty-ninth Middlesex. - Consisting of the city of Everett in the county of Middlesex.

Norfolk

First Norfolk. - Consisting of precincts three, four, six and seven of ward three, precincts one, two, three, four, five and six of ward four, and all precincts of ward six, of the city of Quincy, in the county of Norfolk.

Second Norfolk. - Consisting of all precincts of ward one, precincts one, two and five of ward three, precinct seven of ward four, and all precincts of ward five, of the city of Quincy, in the county of Norfolk.

Third Norfolk. - Consisting of ward two of the city of Quincy, and precincts five, six, nine, twelve, thirteen, sixteen and seventeen of the town of Weymouth, all in the county of Norfolk.

Fourth Norfolk. - Consisting of precincts one, two, three, four, seven, eight, ten, eleven, fourteen, fifteen and eighteen of the town of Weymouth, in the county of Norfolk.

Fifth Norfolk. - Consisting of the town of Braintree in the county of Norfolk.

Sixth Norfolk. - Consisting of the town of Canton, and precincts one, two, three and four, of the town of Randolph, all in the county of Norfolk.

Seventh Norfolk. - Consisting of the town of Milton, and precincts five and six of the town of Randolph, all in the county of Norfolk.

Eighth Norfolk. - Consisting of the towns of Sharon and Stoughton in the county of Norfolk.

Ninth Norfolk. - Consisting of the towns of Millis, Norfolk, Walpole and Wrentham, all in the county of Norfolk.

Tenth Norfolk. - Consisting of the towns of Bellingham and Franklin in the county of Norfolk, and the town of Blackstone in the county of Worcester.

Eleventh Norfolk. - Consisting of the town of Dedham and precincts one and two of the town of Westwood, all in the county of Norfolk.

Twelfth Norfolk. - Consisting of the town of Norwood and precinct three of the town of Westwood, all in the county of Norfolk.

Thirteenth Norfolk. - Consisting of the towns of Dover and Needham in the county of Norfolk.

Fourteenth Norfolk. - Consisting of the town of Wellesley in the county of Norfolk, and the town of Weston in the county of Middlesex.

Fifteenth Norfolk. - Consisting of precincts one, two, three, four, five, six, seven, eight, nine, ten and eleven of the town of Brookline, in the county of Norfolk.

Plymouth

First Plymouth. - Consisting of the towns of Kingston and Plymouth in the county of Plymouth.

Second Plymouth. - Consisting of the towns of Carver, Middleborough, Plympton and Wareham, all in the county of Plymouth.

Third Plymouth. - Consisting of the town of Cohasset in the county of Norfolk, and the towns of Hingham and Hull, all in the county of Plymouth.

Fourth Plymouth. - Consisting of the towns of Marshfield and Scituate in the county of Plymouth.

Fifth Plymouth. - Consisting of the towns of Hanover, Norwell and Rockland, all in the county of Plymouth.

Sixth Plymouth. - Consisting of the towns of Duxbury, Halifax, Hanson and Pembroke, all in the county of Plymouth.

Seventh Plymouth. - Consisting of the town of Holbrook in the county of Norfolk, and the towns of Abington and Whitman, all in the county of Plymouth.

Eighth Plymouth. - Consisting of the towns of Bridgewater and East Bridgewater in the county of Plymouth; and the town of Raynham, precinct B of ward two, precinct A of ward four and precinct A of ward five, of the city of Taunton, all in the county of Bristol.

Ninth Plymouth. - Consisting of all precincts of ward one, precinct C and D of ward two, all precincts of ward three, and precinct A of ward four, of the city of Brockton, in the county of Plymouth.

Tenth Plymouth. - Consisting of precinct B of ward two, precincts B, C and D of ward four, all precincts of ward five, and precinct B of ward six, of the city of Brockton, and the town of West Bridgewater, all in the county of Plymouth.

Eleventh Plymouth. - Consisting of the town of Avon in the county of Norfolk, and precinct A of ward two, precincts A, C and D of ward six, and all precincts of ward seven, of the city of Brockton, in the county of Plymouth.

Suffolk

First Suffolk. - Consisting of all precincts of ward one, of the city of Boston, in the county of Suffolk.

Second Suffolk. - Consisting of all precincts of ward two of the city of Boston, and wards one and two, precinct one of ward three, and wards four and five of the city of Chelsea, all in the county of Suffolk.

Third Suffolk. - Consisting of all precincts of wards three and eight, of the city of Boston, in the county of Suffolk.

Fourth Suffolk. - Consisting of all precincts of ward six, and precincts one, two, three, four and five of ward seven, of the city of Boston, in the county of Suffolk.

Fifth Suffolk. - Consisting of precincts six, eight, nine and ten of ward seven, precincts one, two, four, five, six, eight and nine of ward thirteen, and precincts one, three, four, seven and nine of ward fifteen, of the city of Boston, in the county of Suffolk.

Sixth Suffolk. - Consisting of precincts two, four, five, seven, eight, nine, ten, eleven, twelve, thirteen and fourteen of ward fourteen, and precinct three of ward eighteen, of the city of Boston, in the county of Suffolk.

Seventh Suffolk. - Consisting of precincts three, four and five of ward nine, all precincts of ward twelve, and precincts one, three and six of ward fourteen, of the city of Boston, in the county of Suffolk.

Eighth Suffolk. - Consisting of precincts one, three, four, five, six, seven, eight, nine and ten of ward five, of the city of Boston, in the county of Suffolk.

Ninth Suffolk. - Consisting of precincts one, two, three, four, five, six, seven, eight and nine of ward four, precinct two of ward five, precincts one and two of ward nine, and precinct one of ward twenty-one, of the city of Boston, in the county of Suffolk.

Tenth Suffolk. - Consisting of precincts three, five, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty of ward twenty, of the city of Boston, in the county of Suffolk.

Eleventh Suffolk. - Consisting of precincts nine and ten of ward eleven, precincts two, eight and nine of ward nineteen, and precincts one, two, four and six of ward twenty, of the city of Boston, in the county of Suffolk; and precincts twelve, thirteen, fourteen, fifteen and sixteen, of the town of Brookline, in the county of Norfolk.

Twelfth Suffolk. - Consisting of precincts one, two, three, four, five, six, seven and eight of ward eleven, precinct nine of ward eighteen, and precincts six, seven, ten, eleven, twelve and thirteen of ward nineteen, of the city of Boston, in the county of Suffolk.

Thirteenth Suffolk. - Consisting of precincts two and five of ward fifteen, precincts three, six, seven and eight of ward sixteen, and precincts one, two, three, five, six, eight, nine and eleven of ward seventeen, of the city of Boston, in the county of Suffolk.

Fourteenth Suffolk. - Consisting of precinct seven of ward seven, precincts three, seven and ten of ward thirteen, precincts six and eight of ward fifteen, and precincts one, two, four, five, nine, ten, eleven and twelve of ward sixteen, of the city of Boston, in the county of Suffolk.

Fifteenth Suffolk. - Consisting of precincts four, seven, ten, twelve, thirteen and fourteen of ward seventeen, and precincts one, two, four, five, six, seven and twenty-one of ward eighteen, of the city of Boston, in the county of Suffolk.

Sixteenth Suffolk. - Consisting of precincts eight, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-two and twenty-three of ward eighteen, of the city of Boston, in the county of Suffolk.

Seventeenth Suffolk. - Consisting of precinct ten of ward four, all precincts of ward ten, and precincts one, three, four and five of ward nineteen, of the city of Boston, in the county of Suffolk.

Eighteenth Suffolk. - Consisting of precincts four, six, seven, nine, eleven, thirteen and fifteen of ward twenty-one, and precincts two, three, six, nine, ten and twelve of ward twenty-two, of the city of Boston, in the county of Suffolk.

Nineteenth Suffolk. - Consisting of precincts two, three, five, eight, ten, twelve, fourteen and sixteen of ward twenty-one, and precincts one, four, five, seven, eight, eleven and thirteen of ward twenty-two, of the city of Boston, in the county of Suffolk.

Twentieth Suffolk. - Consisting of precincts one, two and three of ward one, precincts two, three and four of ward two, and precincts one, two and three of ward five of the city of Revere, and the town of Winthrop, all in the county of Suffolk.

Twenty-first Suffolk. - Consisting of precinct two of ward three of the city of Chelsea, precinct four of ward one, precinct one of ward two, all precincts of wards three and four, precincts four and five of ward five, and all precincts of ward six of the city of Revere, all in the county of Suffolk, and ward eight of the city of Malden, in the county of Middlesex.

Worcester

First Worcester. - Consisting of the towns of Athol, Holden, Hubbardston, Phillipston, Princeton, Rutland and Westminster, all in the county of Worcester.

Second Worcester. - Consisting of the towns of Ashburnham, Royalston, Templeton and Winchendon, and the city of Gardner, all in the county of Worcester.

Third Worcester. - Consisting of the city of Fitchburg in the county of Worcester.

Fourth Worcester. - Consisting of the city of Leominster in the county of Worcester.

Fifth Worcester. - Consisting of the towns of Barre, Brookfield, East Brookfield, New Braintree, North Brookfield, Oakham, Paxton, Spencer, Warren and West Brookfield, all in the county of Worcester.

Sixth Worcester. - Consisting of the towns of Charlton, Dudley, Southbridge and Sturbridge, all in the county of Worcester.

Seventh Worcester. - Consisting of the towns of Auburn, Millbury and Oxford, all in the county of Worcester.

Eighth Worcester. - Consisting of the towns of Douglas, Hopedale, Mendon, Millville, Sutton, Uxbridge and Webster, all in the county of Worcester.

Ninth Worcester. - Consisting of the towns of Grafton, Northbridge and Westborough, all in the county of Worcester.

Tenth Worcester. - Consisting of the town of Medway, in the county of Norfolk, and the towns of Milford and Upton, all in the county of Worcester.

Eleventh Worcester. - Consisting of the towns of Northborough and Shrewsbury in the county of Worcester.

Twelfth Worcester. - Consisting of the towns of Boylston, Clinton, Lancaster, Sterling and West Boylston, all in the county of Worcester.

Thirteenth Worcester. - Consisting of all precincts of wards one and nine, of the city of Worcester, in the county of Worcester.

Fourteenth Worcester. - Consisting of all precincts of ward two, precincts one, two, three, four, five and six of ward three, and precinct four of ward ten, of the city of Worcester, in the county of Worcester.

Fifteenth Worcester. - Consisting of precinct seven of ward three, precincts one, two, three, four, five and six of ward four, precinct seven of ward five, precinct three of ward eight, and precincts one, two, three, five, six and seven of ward ten, of the city of Worcester, in the county of Worcester.

Sixteenth Worcester. - Consisting of precincts seven and eight of ward four, precincts one, two, three, four, five and six of ward

five, all precincts of ward six, and precinct eight of ward eight, of the city of Worcester, in the county of Worcester.

Seventeenth Worcester. - Consisting of the town of Leicester, and all precincts of ward seven and precincts one, two, four, five, six and seven of ward eight, of the city of Worcester, all in the county of Worcester.

SECTION 2. The supreme judicial court shall have jurisdiction of any petition for a writ of mandamus relative to the establishment of one hundred and sixty representative districts under section one of this act. Every such petition shall be filed in said court within ten days after the effective date of this act.

Approved June 10, 1977.

Chap. 278. AN ACT RELATIVE TO COLLECTIVE BARGAINING BY JUDICIAL EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Employee" or "public employee" in section 1 of chapter 150E of the General Laws is hereby amended by striking out the first sentence, as amended by section 11 of chapter 689 of the acts of 1975, and inserting in place thereof the following sentence:- "Employee" or "public employee", any person in the executive or judicial branch of a government unit employed by a public employer except elected officials, appointed officials, members of any board or commission, representatives of any public employer, including the heads, directors and executive and administrative officers of departments and agencies of any public employer, and other managerial employees or confidential employees, and members of the militia or national guard and employees of the commission and officers and employees within the departments of the state secretary, state treasurer, state auditor and attorney general.

SECTION 2. Said definition of "Employer" or "public employer" in said section 1 of said chapter 150E is hereby further amended by adding the following sentence:- In the case of judicial employees, the employer shall be the chief justice of the supreme judicial court or any individual who is designated by him to represent him and act in his interest in dealing with judicial employees.

SECTION 3. The last paragraph of section 3 of said chapter 150E, added by chapter 591 of the acts of 1975, is hereby amended by adding the following sentence:- The appropriate bargaining units in the case of judicial employees shall be a pro-

fessional unit composed of all probation officers and court officers and a unit composed of all nonmanagerial or nonconfidential staff and clerical personnel employed by the judiciary.

SECTION 4. Said chapter 150E is hereby further amended by striking out section 7, as most recently amended by section 21 of chapter 480 of the acts of 1976, and inserting in place thereof the following section:-

Section 7. (a) Any collective bargaining agreement reached between the employer and the exclusive representative shall not exceed a term of three years. The agreement shall be reduced to writing, executed by the parties, and a copy of such agreement shall be filed with the commission by the employer.

(b) The employer, other than any employer that is a board of trustees of the community colleges, state colleges, or state universities, or the judiciary, shall submit to the appropriate legislative body within thirty days after the date on which the agreement is executed by the parties, a request for an appropriation necessary to fund the cost items contained therein; provided, that if the general court is not in session at that time, such request shall be submitted at the next session thereof. If the appropriate legislative body duly rejects the request for an appropriation necessary to fund the cost items, such cost items shall be returned to the parties for further bargaining. The provisions of the preceding two sentences shall not apply to agreements reached by school committees in cities and towns in which the provisions of section thirty-four of chapter seventy-one are operative.

(c) The provisions of this paragraph shall apply to every employer that is a board of trustees of the community colleges, state colleges or state universities and the judiciary. Every such employer shall submit to the governor, within thirty days after the date on which a collective agreement is executed by the parties, a request for an appropriation necessary to fund such incremental cost items contained therein as are required to be funded in the then current fiscal year; provided, however, that if such agreement first has effect in a subsequent fiscal year, such request shall be submitted pursuant to the provisions of this paragraph. Every employer to whom this subsection applies shall append to such request an estimate of the monies necessary to fund such incremental cost items contained therein as are required to be funded in each fiscal year, during the term of the agreement, subsequent to the fiscal year for which such request is made. The employer shall submit to the general court within the aforesaid thirty days, a copy of such request and such appended estimate. Whenever the governor shall have failed, within sixty

days from the date on which such request shall have been received by him, to recommend to the general court that the general court appropriate the monies so requested, the request shall be referred back to the parties for further bargaining.

(d) If a collective bargaining agreement reached by the employer and the exclusive representative contains a conflict between matters which are within the scope of negotiations pursuant to section six of this chapter and any municipal personnel ordinance, by-law, rule or regulation; the regulations of a police chief pursuant to section ninety-seven A of chapter forty-one; the regulations of a fire chief or other head of a fire department pursuant to chapter forty-eight; any of the following statutory provisions or rules or regulations made thereunder:

(a) the second paragraph of section twenty-eight of chapter seven;

(a¹/₂) section six E of chapter twenty-one;

(b) sections fifty to fifty-six, inclusive, of chapter thirty-five;

(c) section twenty-four A, paragraphs (4) and (5) of section forty-five, paragraphs (1), (4) and (10) of section forty-six, section forty-nine, as it applies to allocation appeals, and section fifty-three of chapter thirty;

(d) sections twenty-one A and twenty-one B of chapter forty;

(e) sections one hundred and eight D to one hundred and eight I, inclusive, and sections one hundred and eleven to one hundred and eleven I, inclusive, of chapter forty-one;

(f) section thirty-three A of chapter forty-four;

(g) sections fifty-seven to fifty-nine, inclusive, of chapter forty-eight;

(g¹/₂) section sixty-two of chapter ninety-two;

(h) sections fourteen to seventeen E, inclusive, of chapter one hundred and forty-seven;

(i) sections thirty to forty-two, inclusive, of chapter one hundred and forty-nine;

(j) section twenty-eight A of chapter seven;

(k) sections forty-five to fifty, inclusive, of chapter thirty;

(l) sections thirty, thirty-three and thirty-nine of chapter two hundred and seventeen;

(m) sections sixty-one, sixty-three and sixty-eight of chapter two hundred and eighteen;

(n) sections sixty-nine to seventy-three, inclusive, and seventy-five, eighty and eighty-nine of chapter two hundred and twenty-one;

(o) section fifty-three C of chapter two hundred and sixty-two;

(p) sections eighty-four, eighty-five, eighty-nine, and ninety-nine B of chapter two hundred and seventy-six, the terms of the collective bargaining agreement shall prevail.

Approved June 13, 1977.

EMERGENCY LETTER — June 13, 1977 @ 11:04 A. M.

Chap. 279. AN ACT AUTHORIZING CERTAIN CASH PRIZES AT BAZAARS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith additional funds for charitable organizations by allowing said organizations operating bazaars to offer certain cash prizes, therefore 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 7A of chapter 271 of the General Laws is hereby amended by striking out the definition "Bazaar", as appearing in chapter 810 of the acts of 1969, and inserting in place thereof the following definition:-

"Bazaar", a place maintained by the sponsoring organization for disposal by means of chance of one or both of the following types of prizes: (1) merchandise, of any value, (2) cash awards, not to exceed five dollars each.

Approved June 13, 1977.

Chap. 280. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF ESSEX TO EXPEND A CERTAIN SUM OF MONEY FOR THE PAYMENT OF DEBTS INCURRED DUE TO THE OPERATION OF THE FORMER ESSEX COUNTY TRAINING SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex are hereby authorized to expend from available funds a sum of money not to exceed thirty-nine thousand four hundred and ninety-two dollars in the aggregate for the payment of debts incurred for the maintenance and supplies and contractual services of the former Essex County Training School for the budgetary period ending June thirtieth, nineteen hundred and seventy-seven.

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

Approved June 13, 1977.

Chap. 281. AN ACT EXEMPTING THE OFFICE OF INSPECTOR OF PLUMBING AND GAS FITTINGS AND THE OFFICE OF SEALER OF WEIGHTS AND MEASURES OF THE TOWN OF MILTON FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of inspector of plumbing and gas fittings and the office of sealer of weights and measures of the town of Milton shall not be subject to the provisions of chapter thirty-one of the General Laws.

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

Approved June 13, 1977.

Chap. 282. AN ACT RELATIVE TO INVESTMENTS BY SAVINGS BANKS IN THE SAVINGS BANK INVESTMENT FUND.

Be it enacted, etc., as follows:

Section 49 of chapter 168 of the General Laws is hereby amended by striking out paragraph 1, as most recently amended by section 7 of chapter 362 of the acts of 1974, 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 representing a beneficial interest in any distinct investment fund consisting in whole or in part of equity securities (a) if the cost thereof added to the cost of such shares of an equity fund 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 such equity fund and in stocks shall exceed the total of such guaranty fund and surplus; and provided, further, that no such corporation shall invest in any such shares of any class representing a beneficial interest in any distinct investment fund which is not an equity fund if the cost thereof added to the cost of such shares of the class which is proposed for investment already owned shall exceed ten per cent of the total deposits of such corporation.

Approved June 13, 1977.

Chap. 283. AN ACT RELATIVE TO THE POWERS OF THE HOUSING COURT OF THE COUNTY OF HAMPDEN.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 3 of chapter 185B of the General Laws is hereby amended by inserting after the word "thirty-nine", in line 13, as appearing in section 1 of chapter 591 of the acts of 1973, the words:- , jurisdiction under the provisions of common law.

Approved June 13, 1977.

Chap. 284. AN ACT ABOLISHING LODGING AND BOARDING HOUSE LIENS.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 140 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 513 of the acts of 1972, and inserting in place thereof the following sentence:- Whoever puts up at a hotel, motel, inn, lodging house or boarding house and, without having an express agreement for credit, procures food, entertainment or accommodation without paying therefor, and with intent to cheat or defraud the owner or keeper thereof; or, with such intent, obtains credit at a hotel, motel, inn, lodging house or boarding house for such food, entertainment or accommodation by means of any false show of baggage or effects brought thereto; or with such intent, removes or causes to be removed any baggage or effects from a hotel, motel, or inn while a lien exists thereon for the proper charges due from him for fare and board furnished therein, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year; and whoever, without having an express agreement for credit, procures food or beverage from a common victualler without paying therefor and with intent to cheat or defraud shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than three months.

SECTION 2. Section twenty-three of chapter two hundred and fifty-five of the General Laws is hereby repealed.

SECTION 3. Said chapter 255 is hereby further amended by striking out section 31, as amended by section 12 of chapter 326 of the acts of 1950, and inserting in place thereof the following section:-

Section 31. Sections twenty-four to twenty-nine, inclusive, shall not restrict the right of a person who has a lien upon property to hold or dispose of it in any other lawful manner.

Approved June 13, 1977.

EMERGENCY LETTER — June 14, 1977 @ 11:36 A. M.

Chap. 285. AN ACT AUTHORIZING THE TOWN OF MANSFIELD TO TAKE BY EMINENT DOMAIN AN EASEMENT IN CERTAIN LAND IN THE TOWN OF NORTON FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

For the purpose of installing and maintaining a sewer outfall, as outlined by the division of water pollution control in the department of environmental quality engineering in the Taunton River Basin Plan for water quality management as approved by the Federal Environmental Protection Agency, the town of Mansfield is hereby authorized to take by eminent domain under the provisions of chapter seventy-nine or eighty A of the General Laws, a permanent easement, and a temporary easement for construction purposes only, in and across two parcels of land, one now or formerly owned by Richard F. Lincoln and Fred M. Lincoln and the other of Amelia Crowshaw both in the town of Norton, more specifically described as follows:

Parcel 1. Easement across the Lincoln property.

A permanent easement beginning at a point on the westerly side line of land now or formerly of the Penn Central Railroad Company, said point being 675 feet southerly of Crane Street; thence N87-47W, 720 feet along property line of land now or formerly of Spencer to a point; thence N84-47W, 722 feet along property line of land now or formerly of Mahoney and Crowshaw to a point; thence S13-00W, 336 feet along property line of land now or formerly of Crowshaw to a point; thence S75-00E, 30 feet along property line now or formerly of Crowshaw to a point; thence N13-00E, 310 feet to a point; thence S84-47E, 696 feet to a point; thence S87-47E, 742 feet to a point; thence N34-47W, 40 feet to a point, said point being the point of beginning.

Said permanent easement contains 52,890 square feet, more or less.

A temporary easement across the Lincoln property is described as follows:

A parcel of land twenty feet in width and running the entire length of said permanent easement hereinabove described and

adjoining the southerly and easterly side of said permanent easement. Said temporary easement contains 34,560 square feet, more or less.

The easements described above are over land conveyed to Richard F. and Fred M. Lincoln by deed recorded in the northern district registry of deeds in Bristol county, book 776 page 545 on June 13, 1927.

Parcel 2. Easement across the Crowshaw property.

A permanent easement beginning at a point on the southwesterly corner of property now or formerly of Lincoln, N13-00E, 32 feet to a point; thence S78-15W, 580 feet to a point; thence N56-45W, 490 feet to a point, said point being the centerline of an existing brook; thence southwesterly along centerline of the brook 32 feet to a point; thence S56-45E, 508 feet to a point; thence N78-15E, 584 feet to a point, said point being the point of beginning.

Said permanent easement contains 32,430 square feet, more or less.

A temporary easement across the Crowshaw property is described as follows:

A parcel of land twenty feet in width running the entire length of the permanent easement hereinabove described and adjoining the northerly side of said easement. Said temporary easement contains 21,340 square feet, more or less.

The easements described above are over land conveyed to Amelia Crowshaw by deed recorded in the northern district registry of deeds in Bristol county, book 863 page 37 on December 10, 1940.

Both of the above described easements are shown on a plan entitled Plan of Sewer Outfall Easement in Norton, Mass. for Wastewater Treatment Plant, dated March 9, 1977, prepared by RIM Engineering Company.

The town of Mansfield shall not take said easements until approval for acquisition has been granted by said division of environmental quality engineering and said Federal Environmental Protection Agency.

No construction of said sewerage treatment facility pursuant to this act or pursuant to chapter five hundred and fifty-three of the acts of nineteen hundred and seventy-six shall commence until a full and complete environmental assessment has been concluded by the town of Mansfield, a full and complete environmental appraisal completed by the Federal Environmental Protection Agency and a final project facilities plan approved by the division of water pollution control.

Said environmental reviews shall specifically consider the effect of the discharge into the Three Mile river, impact on potential underground wells in the city of Taunton and future water quality, method of sludge treatment and the size and location of the sludge sanitary landfill, potential noxious odors and the factors of air, noise and water pollution affecting the city of Taunton and the town of Norton.

Said easements shall be made available for the use of the towns of Norton and Foxborough in fulfilling their requirements of said Basin plan for water quality management.

Approved June 13, 1977.

Chap. 286. AN ACT RELATIVE TO INVESTMENTS OF DOMESTIC LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Paragraph 7 of section 63 of chapter 175 of the General Laws is hereby amended by striking out the last sentence, added by chapter 95 of the acts of 1964, and inserting in place thereof the following sentence:- No loan on such real property or such leasehold estate which is a participation or a part of a series or issue secured by the same mortgage instrument shall be authorized by this paragraph unless (1) the entire series or issue, which is secured by the same mortgage instrument, is held by the company, (2) the company holds a senior participation in such mortgage instrument giving it substantially the rights of a first mortgagee, or (3) the loan is evidenced by one or more bonds, notes or other evidences of indebtedness held by such company or such company holds a participating interest therein and such bonds, notes or other evidences of indebtedness form part of a series or issue of obligations secured by a mortgage instrument to a domestic or foreign insurer admitted and qualified to transact business in the commonwealth or in trust to a bank or trust company or other corporation, with or without a co-trustee, competent to act as trustee in the state of its domicile, provided that (i) all of such series or issue is of equal rank, (ii) the total amount of each series or issue complies with the restrictions of this paragraph respecting the ratio of loan to fair market value, and (iii) the security for such loan complies with all other provisions of this paragraph.

Approved June 13, 1977.

Chap. 287. AN ACT AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO LEASE CERTAIN PREMISES ON WACHUSETT MOUNTAIN STATE RESERVATION FOR THE CONSTRUCTION AND OPERATION OF A SKIING FACILITY.

Be it enacted, etc., as follows:

The commissioner of environmental management is hereby authorized to lease, on a form approved by the attorney general, for a period of thirty years with a provision for renewal periods of an additional thirty year term or less, a portion of land on Wachusett Mountain state reservation, for the support of skiing facilities, provided, however, that said lease shall contain a fair rental fee as determined by the said commissioner. The construction and use of any and all buildings and equipment to be utilized in connection with the aforesaid lease or any renewal thereof shall be subject to the approval of the said commissioner.

The said portion of land in Wachusett Mountain State Reservation, comprising of four hundred and fifty acres, more or less being located in the towns of Westminster and Princeton in the county of Worcester. Said land to be delineated on a plan on file with the department of environmental management entitled "Land to be leased for the support of skiing facilities located on Wachusett Mountain state reservation."

Prior to the issuance of any lease, said department shall conduct studies relative to the impact of the proposed ski area expansion on the public use of the remaining area of Wachusett Mountain state reservation and the towns of Westminster and Princeton particularly in regard to highway traffic, community emergency services, solid waste disposal, sewage disposal, community growth and the community tax base.

The department not less than sixty days before such lease is executed, and not less than one year before significant construction or physical expansion within the said leased area is approved, shall conduct one or more public hearings in the Mount Wachusett area for the purpose of disclosing the scope, capacity and basic specifications of the proposed ski facility, the provisions incorporated in design to cope with sewage disposal, highway traffic and police and fire protection and the provisions regarding selection of a private individual or corporation to construct and operate said areas and the details relative thereto.

Approved June 13, 1977.

Chap. 288. AN ACT RELATIVE TO THE LAW CONCERNING THE BONDS OF ELECTRIC AND GAS COMPANIES.

Be it enacted, etc., as follows:

Subdivision B of section 46 of chapter 168 of the General Laws, as amended by chapter 531 of the acts of 1976, is hereby further amended by striking out paragraph (4) and inserting in place thereof the following paragraph:-

4. For a period of five fiscal years next preceding such investment the net earnings of such company shall have averaged per year not less than one and three quarters times the average annual interest charges on its total funded debt applicable to that period, and for the last fiscal year preceding such investment such net earnings shall have been not less than one and three quarters times the interest charges on its total funded debt for such year, and for such period the gross operating revenues of any such company shall have averaged per year not less than five million dollars.

Approved June 13, 1977.

Chap. 289. AN ACT AUTHORIZING CHILDREN BETWEEN THE AGES OF FOURTEEN AND SIXTEEN TO WORK AS VOLUNTEERS IN NONPROFIT HOSPITALS UNTIL EIGHT O'CLOCK POST MERIDIAN.

Be it enacted, etc., as follows:

Section 60 of chapter 149 of the General Laws is hereby amended by striking out the last paragraph, added by chapter 267 of the acts of 1967, and inserting in place thereof the following paragraph:-

This section and section eighty-six shall not be deemed to prohibit children from fourteen to sixteen years of age from voluntarily performing services in a nonprofit hospital after regular school hours, but not after eight o'clock post meridian.

Approved June 13, 1977.

Chap. 290. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO USE A PORTION OF CONSERVATION LAND FOR THE PURPOSE OF CONSTRUCTING A SEWER LINE IN SAID CITY.

Be it enacted, etc., as follows:

The city of Fitchburg is hereby authorized to establish a perpetual right and easement for the purpose of laying, installing

and maintaining a sewer line, including all pipes, culverts, drains and connections, manholes and other appurtenances thereto, under, over and across and through a strip of land in said city known as Greene's Pond conservation land from Ashby road to Scott road. Said easement shall be a strip of land not to exceed twenty feet with a temporary easement of not more than ten feet on each side of such easement for working and construction purposes.

The establishment of any such perpetual right and easement shall be recorded by said city with the northern district registry of deeds in Worcester county.

Approved June 13, 1977.

Chap. 291. AN ACT REGULATING THE FIRST INSPECTION OF A PRESSURE VESSEL.

Be it enacted, etc., as follows:

Section 6 of chapter 146 of the General Laws, as amended by chapter 365 of the acts of 1971, is hereby further amended by adding the following sentence:- A district engineering inspector of the division of inspection of the department of public safety shall perform the first inspection of a pressure vessel required by this chapter.

Approved June 13, 1977.

Chap. 292. AN ACT RELATIVE TO THE RESTORATION OF REACQUIRED SHARES TO THE STATUS OF AUTHORIZED BUT UNISSUED SHARES.

Be it enacted, etc., as follows:

Chapter 156B of the General Laws is hereby amended by inserting after section 21 the following section:-

Section 21A. Shares of stock previously issued which have been reacquired by the corporation, may, unless the articles of organization or by-laws otherwise require, be restored to the status of authorized but unissued shares by vote of the stockholders or by vote of the board of directors, without amendment of the articles of organization, provided that within sixty days after the meeting at which such vote is taken there shall have been submitted to the state secretary a certificate of restoration of reacquired shares. The certificate of restoration shall be signed under the penalties of perjury by the president or a vice

president and by the clerk or an assistant clerk and shall set forth (i) the number of reacquired shares so restored to the status of authorized but unissued shares, itemized by classes and series, and the par value, if any, (ii) after giving effect to such restoration, the aggregate number of authorized and of issued and outstanding shares, itemized by classes and series and the par value, if any, (iii) the date of adoption of such vote, and (iv) a certification that such vote was duly adopted by the directors or stockholders.

Approved June 13, 1977.

Chap. 293. AN ACT PROVIDING FOR ABATEMENT OF MOTOR VEHICLE
EXCISE TAX FOR REASON OF THEFT.

Be it enacted, etc., as follows:

Section 1 of chapter 60A of the General Laws is hereby amended by inserting after the eighth paragraph, as amended by section 1 of chapter 328 of the acts of 1956, the following three paragraphs:-

If a motor vehicle or trailer is stolen, the owner of such motor vehicle or trailer may apply for an abatement of excise, provided:

(1) The owner of the stolen vehicle or trailer has notified the local police authorities of the theft within forty-eight hours of discovery of the theft.

(2) The owner of the stolen motor vehicle or trailer has surrendered the certificate of registration of the stolen motor vehicle or trailer and has obtained a certificate, setting forth the facts, and signed by the registrar of motor vehicles or his authorized agent. Such surrender shall not be made sooner than thirty days subsequent to the date of the theft.

The excise may then be reduced by an abatement equal to that proportion of an excise under this section on such motor vehicle or trailer for the full calendar year which the number of months in said year remaining after the month in which such surrender of the certificate of registration occurs bears to twelve; provided, however, that should the motor vehicle or trailer be subsequently recovered and registered in the same calendar year by the same owner an additional excise which shall be that proportion of the excise for the full year which the number of months in said year following the month preceding that in which the motor vehicle or trailer is registered bears to twelve, shall be paid, notwithstanding any provisions of this section to the contrary. The commissioner or the assessors, as the case may be, may require that

the owner of the stolen motor vehicle or trailer exhibit the certificate of surrender of registration and provide them with a written statement from the local police authorities certifying that such authorities were notified of the theft and that the stolen motor vehicle or trailer has not been recovered.

Whoever falsely reports the theft of a motor vehicle or trailer for the purposes of securing an abatement of excise shall forfeit a sum not larger than three times the excise due on the vehicle for the entire year, such sum to be recovered in a civil action brought by the city or town to which the excise was payable.

Approved June 13, 1977.

Chap. 294. AN ACT REPEALING THE CAMPAIGN MEDIA SPENDING RESTRICTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to repeal the campaign media spending restrictions that have been imposed on candidates for office, therefore 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 20 of chapter 55 of the General Laws, as appearing in section 1 of chapter 151 of the acts of 1975, is hereby amended by striking out the second, third, fourth and fifth paragraphs and inserting in place thereof the following two paragraphs:-

For purposes of this section, the campaign media expenses incurred by a candidate, and which will be reported by him, shall include only such liabilities incurred, or expenditures made, on behalf of a candidate, by a candidate, a non-elected political committee organized on his behalf, or by any other person who acted with the prior knowledge and consent of said candidate.

Candidates who are required to designate a depository by section nineteen shall file an accounting of their campaign media expenses with the director in the year of the election, on or before: (1) the tenth day of March and June, the eighth day preceding a primary, the eighth day preceding a biennial state election, and the tenth day of January in the following year complete as to the thirty-first day of December of the prior year; (2) the thirtieth day and the eighth day preceding a special primary, including a convention or a caucus, the eighth day preceding a special election, and the tenth day of January of the following year complete as to the thirty-first day of December of the prior year.

SECTION 2. Section 32 of said chapter 55, as so appearing, is hereby amended by striking out the third clause.

Approved June 14, 1977.

Chap. 295. AN ACT ALLOWING THE MAINTENANCE OF EXISTING FILL AT THE SITES FOR THE KENNEDY LIBRARY AND THE UNIVERSITY OF MASSACHUSETTS IN THE AREA KNOWN AS COLUMBIA POINT IN THE CITY OF BOSTON.

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

Be it enacted, etc., as follows:

Chapter 298 of the acts of 1976 is hereby amended by inserting after section 3 the following section:-

Section 3A. Notwithstanding any provision of general or special law, the department of environmental quality engineering is hereby authorized to issue licenses to the board of trustees of the University of Massachusetts and to the United States of America, acting by and through the Administrator of General Services in connection with the library, to approve and permit maintenance of all fill and other structures now existing on land or flats at the Columbia Point Site described in section three of chapter eight hundred and ninety-eight of the acts of nineteen hundred and sixty-nine lying below the original high water mark and upland of the line described in section five of said chapter eight hundred and ninety-eight. Any such licenses shall be irrevocable and perpetual.

Approved June 14, 1977.

Chap. 296. AN ACT PROHIBITING THE CONSTRUCTION OF ADDITIONAL SEWERAGE FACILITIES OR ANY LANDFILL OPERATIONS AT NUT ISLAND IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, neither the metropolitan district commission nor any political subdivision of the commonwealth may construct an additional sewerage treatment plant or expand existing sewerage treatment facilities at the existing Nut Island facility in the city of Quincy in a man-

ner which involves any landfill operation or the filling in of Quincy bay.

Approved June 14, 1977.

Chap. 297. AN ACT FURTHER DEFINING POLITICAL ACTIVITY AT POLLING PLACES.

Be it enacted, etc., as follows:

Section 65 of chapter 54 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph:-

No person shall be allowed to collect signatures upon petitions, referendum petitions or nomination papers within one hundred and fifty feet from a polling place.

Approved June 14, 1977.

Chap. 298. AN ACT AUTHORIZING THE TRANSFER OF CERTAIN CONSERVATION LANDS IN THE TOWN OF DUXBURY TO THE WATER DEPARTMENT OF SAID TOWN FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

The town of Duxbury is hereby authorized to transfer from the conservation commission of said town to the water department of said town a certain parcel of land off Mayflower and East streets in said town, containing approximately 7.333 acres, more or less, shown on the Duxbury Assessor's map as a portion of Lot 140-502-013, acquired for conservation purposes to be used for municipal water supply purposes.

Approved June 14, 1977.

Chap. 299. AN ACT RELATIVE TO THE REGISTRATION TIME FOR CERTAIN SPECIAL PRELIMINARIES, PRIMARIES, ELECTIONS AND TOWN MEETINGS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 51 of the General Laws is hereby amended by striking out section 29, as most recently amended by section 2 of chapter 272 of the acts of 1976, and inserting in place thereof the following section:-

Section 29. They shall, in some suitable place, hold a continuous session from twelve o'clock noon until ten o'clock in the evening, on the twentieth day preceding a special state election; from twelve o'clock noon until eight o'clock in the evening on the twentieth day preceding a special city or town election; and from twelve o'clock noon until eight o'clock in the evening, on the tenth day preceding a special town meeting. Registration shall cease at ten o'clock in the evening of the day on which such session is held preceding a special state election and may cease at eight o'clock in the evening, of the day on which such session is held preceding a special town meeting or a special city or town election; provided, however, that no such registration session shall continue beyond ten o'clock in the evening.

SECTION 2. Section 29A of said chapter 51, as most recently amended by section 5 of chapter 34 of the acts of 1947, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Registration shall cease at ten o'clock in the evening of the day on which such a session is held preceding a special state primary and may cease at eight o'clock in the evening of the day on which such a session is held preceding a special city or town primary; provided, however, that no such registration session shall continue beyond ten o'clock in the evening.

Approved June 14, 1977.

Chap. 300. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-SEVEN TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two 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 two hundred and eighty-three of the acts of nineteen hundred and seventy-six, chapter four hundred and eighty of the acts of nineteen hundred and seventy-six and chapter of the acts of nineteen hundred and seventy-seven, for

the fiscal year ending June the thirtieth, nineteen hundred and seventy-seven or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Judiciary.

Supreme Judicial Court.

Item		
0301-0500	For the service of the executive secretary	\$12,638
0301-0601	For expenses of the Massachusetts defenders committee; provided, that one hundred and fifty thousand dollars shall be expended from this item for the purposes of the Roxbury defenders committee; including not more than thirty-nine permanent positions	31,355

Superior Court.

0302-0003	For court expenses	\$10,000
0302-0401	Item 0302-0401 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the words "one hundred and eight" and inserting in place thereof the words "one hundred and thirty-three"	22,137

Administration of District Courts.

0304-0001	For compensation and expenses in connection with the administration of district courts	\$12,000
-----------	--	----------

Probate and Insolvency Courts.

0305-6031	Item 0305-6031 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "twenty-four" and inserting in place thereof the word "twenty-eight".	
0305-6051	Item 0305-6051 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "thirty-five" and inserting in place thereof the word "forty-three".	
0305-6071	Item 0305-6071 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "thirty-four" and inserting in place thereof the word "thirty-seven".	
0305-6091	Item 0305-6091 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "eighty-six" and inserting in place thereof the word "ninety-one".	
0305-6111	Item 0305-6111 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "forty" and inserting in place thereof the word "forty-eight".	
0305-6121	Item 0305-6121 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "twenty-one" and inserting in place thereof the word "twenty-seven".	
0305-6131	Item 0305-6131 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "seventy-four" and inserting in place thereof the word "seventy-six".	

Item	<i>Land Court.</i>	
0306-0001	For the office of the land court, including not more than sixty-two permanent positions	\$10,000

District Attorneys.

0308-0001	Suffolk, including not more than thirty-five permanent positions	\$44,332
0308-0002	Northern, including not more than seventeen permanent positions	60,785
0308-0003	Eastern, including not more than ten permanent positions ...	37,163
0308-0012	Cape and Islands, including not more than five permanent positions	17,576

Committee on Probation.

0309-0001	For the office of the commissioner of probation, including not more than sixty-three permanent positions	\$23,000
-----------	--	----------

Treasurer and Receiver-General.

0610-0000	Item 0610-0000 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- provided, that there shall be allowed and paid from this item the sum of nine thousand one hundred fourteen dollars and twenty-one cents to be paid to a certain employee in accordance with a ruling of the Civil Service Commission dated June fourth, nineteen hundred and seventy-six.	
0611-5000	For compensation victims of violent crimes	\$475,000
0611-9001	For payment from the state treasury to the town of Harwich for certain mental health charges at the John T. Berry rehabilitation center	1,287

Debt Service.

0699-7801	For the payment of interest on general obligation public housing bonds; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the General Fund debt service reserve	\$3,003,500
-----------	---	-------------

*Executive Office for Administration and Finance.**Central Services Division.*

1102-3210	Item 1102-3210 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out said wording and inserting in place thereof the following:- For the administration of the bureau of building construction, including not more than one hundred and one permanent positions.	
1102-3301	For the administration of the bureau of state buildings and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of buildings, including not more than four hundred and twenty-one permanent positions	\$73,005

Comptroller's Division.

1103-1010	For the expenses of the computer service center, including not more than one hundred and nine permanent positions	\$35,000
-----------	---	----------

Group Insurance Commission.

1120-2000	Item 1120-2000 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the words "prior appropriation continued" and inserting in place thereof the following:- and further provided, that, effective January first, nineteen hundred and seventy-seven the said commonwealth's	
-----------	--	--

Item

share of the group insurance premium as provided in section eight of said chapter thirty-two D shall be eighty per cent of the total monthly premiums or rates as established by the commission effective July first, nineteen hundred and seventy-six; and in addition, any increase or decrease in the said total monthly premium or rates as determined by the commission shall be shared by the commonwealth in an amount not to exceed seventy-five per cent of said increase or decrease; prior appropriation continued.

- 1120-3000 Item 1120-3000 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- prior appropriation continued.

Department of Corporations and Taxation.

- 1201-0190 For the payment of a certain judgement entered in the Suffolk Superior Court, docket number 684342 \$18,000

Miscellaneous.

- 1599-0007 For the payment of a certain claim for an unpaid check \$57,873
- 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-seven 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 4,500,000
- 1599-2012 For the payment of wages to patients and residents in mental health facilities in accordance with a schedule approved by the house and senate committees on ways and means; provided, that the commissioner of administration in conjunction with the secretary of human services, is hereby directed to conduct a study of wages proposed to be paid and charges to be made in the institutions of the commonwealth from funds made available by this item, appropriation expires June thirtieth, nineteen hundred and seventy-eight 746,594
- 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 1,400,000
- 1599-2035 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 pay ments would have been chargeable if appropriations had been available therefor 350,000
- 1599-2040 For the payment of interest charges on certain prior years utility bills
1,295,302

Item	
1599-2093	For a reserve to meet the cost of salary adjustments, deficiencies and certain bonuses; 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-seven, which are available in whole or in part for personal services, such amounts as are necessary to meet the cost of said adjustments and bonuses for the fiscal year nineteen hundred and seventy-seven, 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 and bonuses to the several state or other funds to which such items of appropriation are charged; provided, that the provisions of this item shall not apply to any employee of the boards of trustees of the community colleges, state colleges, or state universities; and, provided further, that no transfers from this account for public higher education shall be made without proper authorization of the legislature.
1599-3100	For the payment of certain employment security benefits \$1,000,000

Executive Office of Environmental Affairs.

Division of Forests and Parks.

2120-0602	For the maintenance of Salisbury beach, including not more than three permanent positions \$14,250
	State Recreation Areas Fund 100.0%
2120-1200	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; and for the expenses of the forest fire patrol; including not more than seventy-eight permanent positions 37,023
2140-0100	Item 2140-0100 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by striking out the word "seven" and inserting in place thereof the word "ten".

Bureau of Environmental Sanitation.

2250-0100	For the administration of the bureau, including not more than fifty-five permanent positions \$2,500
-----------	--

Division of Fisheries and Wildlife.

2310-0400	For the administration of game farms and wildlife restoration projects, and for wildlife research and management, including not more than fifty-four permanent positions \$45,000
	Inland Fisheries and Game Fund 100.0%
2310-1201	For the payment of a claim authorized by chapter twenty-five of the resolves of nineteen hundred and seventy-six 9,050

Department of the Metropolitan District Commission.

Administration.

2410-1000	For general administration, including not more than sixty-two permanent positions \$50,000
	Highway Fund 25.0%
	MDC Parks District Fund 25.0%
	MDC Sewerage District Fund 25.0%
	MDC Water District Fund 25.0%

Item		
2410-9055	For the payment of a certain judgement entered in Middlesex Superior Court, docket number 322191	\$1,500

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; 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	\$635,000
-----------	--	-----------

Notwithstanding any provision of law to the contrary, sums in this item are appropriated from the following funds:

	Highway Fund	67.0%	
	MDC Parks District Fund	33.0%	
2440-0012	For the payment of certain career incentive pay due for the fiscal year nineteen hundred and seventy-six		135,792
	MDC Parks District Fund	100.0%	
2444-9055	For the payment of a certain judgement entered in the Suffolk Superior Court, docket number 621156		45,458
	MDC Parks District Fund	100.0%	

Execution Office of Communities and Development.

Department of Community Affairs.

Administration.

3700-0100	For the general administration of the department, including not more than seventy-eight permanent positions	\$20,350
3722-9201	Item 3722-9201 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- and further provided, that there shall be allowed and paid from this item three hundred eighty-two thousand nine hundred and forty-nine dollars for certain prior year deficiencies.	

Execution Office of Human Services.

Commissioner of Veterans' Services.

4170-0400	Item 4170-0400 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by inserting in line two after the word "benefits" the following:- and for payments to applicants as provided in the last paragraph of section two of chapter one hundred and fifteen of the General Laws, added by chapter six hundred and twenty-eight of the acts of nineteen hundred and sixty-nine.	
-----------	--	--

Soldiers' Home in Massachusetts.

4180-0100	For the maintenance of the home, including not more than six hundred and fifty-eight permanent positions	\$25,000
4180-8754	Item 4180-8754 of section two of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four as amended by item 4180-8754 of section two of chapter three hundred and twenty-seven is	

Item

hereby amended by striking out the wording and inserting in place thereof the following:- For furnishing and installing emergency diesel generator sets, appurtenances and related work; provided, that, other than expenditures for preliminary plans and specifications, expenditures from this item shall be contingent upon assurance by proper federal authorities that the federal allocation for the cost of the project will be not less than sixty-one thousand three hundred and eighty dollars.

Department of Youth Services.

- 4202-0021 Item 4202-0021 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by inserting at the end thereof the following:-
; and provided further, that, notwithstanding any laws to the contrary, a claim in an amount not to exceed twenty-nine thousand twenty-one dollars and eleven cents is to be paid to the Arlington Trust Company, Lawrence, Massachusetts, assignee of Liberty Street Associates, from funds reserved for that purpose.
- 4234-1010 For a multi-function program center for girls at Lancaster facility, including not more than twenty-eight permanent positions, provided that the comptroller shall write off on the books of the commonwealth the sum of one hundred eighty-four dollars and eighty-five cents for this account which has been deemed uncollectible by the Attorney General.
- 4237-1010 For supervision, counseling, and other services by the department incidental to certain residential or nonresidential care programs; and provided, further, 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 two hundred and ninety-five permanent positions \$192,549

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-three permanent positions . \$56,385
- 4311-0004 For a health service program, including not more than ninety-six permanent positions 45,000
- 4312-0001 Correctional institution at Bridgewater, including not more than five hundred and fifty-one permanent positions 311,000
- 4313-0001 Correctional institution at Walpole, including not more than three hundred and thirty-nine permanent positions 807,000
- 4314-0001 Correctional institution at Concord, including not more than two hundred and eighty-four permanent positions 581,000
- 4315-0001 Correctional institution at Framingham, including not more than one hundred and twenty permanent positions 39,400
- 4316-0001 Correctional institution at Norfolk, including not more than two hundred and eighty-five permanent positions 369,500
- 4317-0001 Correctional institution camps, including not more than forty-three permanent positions 58,850
- 4341-0001 For a receptions diagnostic center 34,500
- 4343-0001 For a pre-release center at Shirley, including not more than twenty-three permanent positions 28,200

Department of Public Welfare.

Item		
4400-1000	By striking out, in item 4400-1000 the words "March thirty-one" and inserting in place thereof the words "June thirtieth" and by inserting at the end thereof the words: ; provided, that there shall be allowed and paid from this item certain prior year expenses of thirty-two dollars and twenty-five cents, two hundred three dollars and seventy-five cents and sixteen hundred dollars; provided, further, that notwithstanding the provision of section twenty-nine A of chapter twenty-nine of the General Laws, as amended, certain contractual services rendered during the period July through February, amounting to forty-five thousand dollars for which prior approval had not been given, may be allowed and paid from this item.	
4400-1016	For the payment of a certain judgement by the Massachusetts Commission Against Discrimination	\$600
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, subject to the approval of the house and senate committees on ways and means; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children boarded by the department and attending public schools; and, provided further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation; provided that a certain item for thirteen thousand two hundred dollars and sixty five cents may be paid from this item	850,000
4401-1015	For expenses of prior fiscal year for a program for care and maintenance of children under the jurisdiction of the division of child and family services	425,000
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	2,500,000
4402-5000	For a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund; 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; and provided further, that all judgements, appeals and rate changes for services provided in a prior year but finally determined during the current fiscal year may be paid from this account, subject to the approval of the house and senate committees on ways and means; and provided further, that an amount not exceeding one hundred million dollars may be expended from this item for expenses incurred in the prior fiscal year	60,000,000
4403-2000	For a program of aid to families with dependent children, including a five per cent cost of living increase for recipients of the program, to be applied only to the monthly direct grant; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund; provided, further, that the sum of twelve thousand two hundred twenty-five dollars shall be allowed and paid from this item for a certain settlement	22,500,000
4403-2005	For certain donated funds programs; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of	

Item	
	chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon 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 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 \$600,000
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 shall be not less than seventy-five per cent of such expenditures; and provided further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation 500,000
4403-2102	For prior year expenses 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 this purpose shall not be less than seventy-five per cent of such expenditure; and provided that there may be allowed and paid from this item a certain prior years expense of seven hundred and four dollars 170,000
4403-2200	For a program of social services to families and children; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of expenditures; and provided further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation 300,000
4403-2202	For prior year expenses of a program of social services to families and children; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of the expenditures 100,000
4405-2000	Item 4405-2000 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- including the expenses of special grants to recipients residing in rest homes as provided in section seven A of chapter one hundred and eighteen A; and provided further, that five hundred thousand dollars of the current appropriation is hereby made available for prior year expenses.
4406-2000	Item 4406-2000 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- including the provision that eight hundred thousand dollars of this amount may be expended for prior fiscal years.
4408-1000	For a program to provide services to the disabled; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of such expenditures; and, provided, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation 300,000
4408-1002	For prior year expenses of a program to provide service for the disabled, provided that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of such expenditures 100,000
4408-1100	For a program to provide services to the elderly including certain social services to be provided by the department of elder affairs pursuant to con-

Item

tracts 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 such expenditures; and, provided, that effective August first, nineteen hundred and seventy-six all applicants for a program of homemakers and chore services shall become the responsibility of the department of elder affairs; provided, that home care services are available; and provided further, that notwithstanding any provision of law to the contrary, on or before July first, nineteen hundred and seventy-seven a program of homemaker and chore services to the elderly shall be the responsibility of the department of elder affairs \$350,000

Department of Public Health.

4510-0700 For the administration of the medical assistance unit \$10,303

Institute of Laboratories.

4516-0100 For the administration of the institute, including not more than one hundred and sixty-three permanent positions \$23,000

4518-0100 For the administration of the office of health statistics and analysis, including not more than twelve permanent positions 96,139

4531-0001 Item 4531-0001 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- provided, that a certain prior year advance unaccounted for in the amount of two hundred eighty-seven dollars and sixty-eight cents shall be charged to this item.

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 140,000

4534-0001 Pondville hospital, including not more than three hundred and fourteen permanent positions 291,000

4537-0001 Western Massachusetts hospital, including not more than two hundred and ninety-six permanent positions 25,500

Department of Mental Health.

5011-0000 For administration, except as otherwise provided, for the boarding out of children, as provided in chapter one hundred and twenty-three of the General Laws, with the consent of the parents or guardians, and for the transportation and medical examination of patients and certain mentally retarded persons, including not more than three hundred and twenty-seven permanent positions \$20,000

Region One.

5161-0000 Item 5161-0000 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- provided, that the comptroller is authorized to write off from the books of the commonwealth the sum of four dollars and thirty-two cents for a certain over payment deemed uncollectible by the Attorney General.

5191-0000 For the maintenance of the Northampton state hospital, including not more than eight hundred and ninety-five permanent positions . . . \$12,000

Item	<i>Region Two.</i>	
5293-0100	For the maintenance of the Worcester state hospital, including not more than one thousand and seventy-seven permanent positions	\$22,500
5294-0100	For the maintenance of the Monson state hospital, including not more than eight hundred and fifty-three permanent positions	49,600

Region Three.

5381-0000	For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred and fifty-five permanent positions	\$297,163
5391-0000	For the maintenance of the Metropolitan state hospital, including not more than eight hundred and six permanent positions	202,360
8072-30) 5471-8721)	Item 8072-30 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one as amended by item 8072-30 of section two of chapter eight hundred and sixty of the acts of nineteen hundred and seventy-five is hereby further amended by striking out the wording and inserting in place thereof the following:- For the construction of an auditorium-gymnasium building, including replacement of the exterior steam line, certain air conditioning, mechanical alterations, building modifications, structural examination and modifications and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069-31 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight total project cost not to exceed one million six hundred and fifty thousand dollars.	

Region Four.

5491-0000	For the maintenance of the Danvers state hospital, including not more than nine hundred and twenty-six permanent positions	\$17,000
-----------	--	----------

Region Five.

5581-0000	For the maintenance of the Wrentham state school, including not more than six hundred and seventy-six permanent positions	\$23,800
5591-0000	For the maintenance of the Medfield state hospital, including not more than seven hundred and ten permanent positions	43,540
5592-0100	For the maintenance of the Westborough state hospital, including not more than nine hundred and forty-one permanent positions	20,500

Region Six.

5661-0000	For the maintenance of the Massachusetts mental health center, including not more than four hundred and nine permanent positions	\$16,500
5664-0000	For the maintenance of the Tufts mental health center, including not more than one hundred and eighty-six permanent positions . . .	57,175
5691-0000	For the maintenance of the Boston state hospital, including not more than eight hundred and seventy permanent positions	61,000

Region Seven.

5792-0100	For the maintenance of the Taunton state hospital, including not more than eight hundred and sixty-two permanent positions	\$18,000
-----------	--	----------

Executive Office of Transportation and Construction.

6005-0100	For certain preliminary planning, engineering, and ridership studies; and for the removal of navigational obstruction in Hingham harbor	\$50,000
-----------	---	----------

Department of Public Works.

6010-0001	For personal services, provided, that the salaries of all officers and employees of the department engaged in projects or activities related to	
-----------	---	--

Item

transportation 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 four hundred permanent positions \$250,000
 Highway Fund 100.0%

Administrative and Engineering Expenses.

6020-1509 For telephone service in the public works building \$18,500
 Highway Fund 100.0%
 6020-2910 For payment of certain land damage agreement of prior fiscal years 2,012
 Highway Fund 100.0%

Maintenance and Operation of State Highways and Bridges.

6030-7201 For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals \$3,120,000
 Highway Fund 100.0%
 6032-5003 For the payment of interest on a certain judgement entered in the Suffolk Superior Court, civil action number 95806 35,000
 Highway Fund 100.0%
 6034-0010 To provide for the reimbursement to the cities and towns of Berkshire, Hampshire and Hampden counties for the repair of damage caused to public property by the thaw, flood and rains of March, nineteen hundred and seventy-seven 384,800
 Highway Fund 100.0%

Executive Office of Educational Affairs.

Division of Special Education.

7028-0302 Item 7028-0302 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- provided, that certain prior years' expenses not to exceed nine hundred fifty thousand dollars may be paid from this item.

Division of Curriculum and Instruction.

7035-0004 For the reimbursement of certain towns and regional school districts for the transportation of pupils \$1,130,836
 Mass Transportation Fund 100.0%

Division of State and Federal Assistance.

7061-0003 For the reimbursement of regional school districts of the amount of school aid due under the provisions of section sixteen D of chapter seventy-one of the General Laws \$6,098,836

Board of Higher Education.

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 \$5,000

Board of Trustees of State Colleges.

8071-32) Item 8071-32 of section two of chapter six hundred and thirty-three of the
) acts of nineteen hundred and seventy is hereby amended by adding at the
 7110-8714) end thereof the words:- including the cost of equipment.

Item	
7113-0100	Item 7113-0100 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by inserting after the word "positions" the following:- provided that a certain prior year advance unaccounted for in the amount of ten dollars and fifteen cents shall be charged to this item.
<i>University of Lowell.</i>	
7220-0001	For the maintenance and administration of the university, with the approval of the trustees; provided, that said university is hereby authorized to conduct a summer school at no expense to the commonwealth, for which purpose the university may receive and expend funds derived therefrom; and provided further, that the university is directed to charge each applicant for admission who is a resident of the commonwealth a fee of not less than ten dollars and every other applicant not less than twenty-five dollars, provided, that the university may grant a waiver of said charge in instances of financial hardship; and provided further, that said minimum fees be transferred to the General Fund; including not more than eight hundred and eighty-nine permanent positions \$28,231
<i>Southeastern Massachusetts University.</i>	
7310-8772	Item 7310-8772 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the words:- including the cost of furnishings and equipment.
<i>University of Massachusetts.</i>	
7411-1006	For the maintenance and operation of the medical school teaching hospital; provided, 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 to 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, including not more than six hundred and eighty permanent positions \$380,000
<i>Massachusetts Board of Regional Community Colleges.</i>	
7502-8771	Item 7502-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six is hereby amended by striking out the words "to the Koussevitski Arts Center building".
7502-9700	For certain repairs to the heating boilers, appropriation expires June thirtieth, nineteen hundred and seventy-eight \$36,900
7506-8771	Item 7506-8771 of section two of chapter four hundred and eighty-one of the acts of nine-teen hundred and seventy-six is hereby amended by adding after the word "center", in line 1, the words:- including the cost of furnishings and equipment.
7507-0100	Massachusetts Bay community college, including not more than one hundred and sixty-four permanent positions 81,365
7514-0100	Item 7514-0100 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by inserting after the word "positions" the following:- provided, that there shall be charged to this item the amount of one thousand one hundred sixty-five dollars and, twenty cents determined by the auditor to be the shortage as of September fifteenth, nineteen hundred and seventy-six.
7516-0100	Middlesex community college, including not more than one hundred and twenty-four permanent positions 28,500

Item *Council on the Arts and Humanities.*

- 7700-0001 Item 7700-0001 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- provided, that there shall be charged to this item a certain shortage in the amount of seventy-two dollars.

Executive Office of Public Safety.

- 8068-04 For the payment of a certain judgement entered in the Suffolk Superior Court, docket number 655966 \$23,340
- 8071-66 For the payment of a certain judgement entered in the Suffolk Superior Court, civil action number 274 7,000

Division of State Police.

- 8312-0100 Item 8312-0100 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by inserting after the word "positions" the following:-provided that a certain prior year advance unaccounted for in the amount of two hundred and ten dollars and eight cents shall be charged to this item; and, provided further, that certain prior years salaries in the amount of four thousand seven hundred and ninety-five dollars, earned but not paid, shall be paid from this item \$122,700
- General Fund 15.0%
- Highway Fund 85.0%

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 two hundred and seventy-three permanent positions \$120,000
- Highway Fund 100.0%

Executive Office of Manpower Affairs.

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 permanent positions \$11,354

Labor Relations Commission.

- 9030-1001 Item 9030-1001 of section two of chapter two hundred and eighty-three of the acts of nineteen hundred and seventy-six is hereby amended by adding at the end thereof the following:- provided, that a certain prior years advance unaccounted for in the amount of two hundred sixty-three dollars and six cents and twenty-five dollars and thirty-eight cents shall be charged to this item.

Division of Industrial Accidents.

- 9050-3000 For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years \$770,000
- Highway Fund 35.0%
- General Fund 65.0%

Executive Office of Elder Affairs.

- 9110-1630 For a home care 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 expenditures authorized for such home care services shall be incurred pursuant to Title XX of the Social Security Act; 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 \$234,059

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-eight certain balances of appropriations which otherwise would revert on June thirtieth, nine-teen hundred and seventy-seven, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and seventy-eight:

1100-2302
 1102-3901
 1102-3911
 1102-3915
 1599-2012
 2270-0990
 2310-0300
 2310-0310
 2410-9051
 2420-1200
 2425-9001
 2425-9002
 2425-9003
 2429-7090
 2429-7140
 2429-7150
 2429-7160
 2430-0115
 2430-9006
 2434-9012
 2439-7250
 2439-7270
 2442-9011
 2442-9032
 2442-9033
 2442-9034
 2444-9001

2444-9008
 2444-9013
 2444-9018
 2444-9020
 2444-9026
 2444-9028
 2444-9032
 2449-7020
 2449-7050
 2449-7120
 2449-7210
 2449-7240
 2449-7270
 2449-7280
 2449-7330
 2449-7350
 2449-7360
 2449-7370
 2449-7390
 2490-0001
 4312-0905
 6020-3004
 6020-3005
 6030-7403
 6030-7501
 6030-7603
 6030-7604
 6031-0131
 6032-7000
 6033-1007
 6033-1011
 6034-0001
 6034-0003
 7507-9001
 8312-9001
 8312-9007
 8312-9011
 8400-0029

SECTION 2B. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-eight certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and seventy-seven, the unexpended balances of the items shown below are hereby reap-

propriated for the fiscal year nineteen hundred and seventy-eight; provided, that unexpended balances in any other items of appropriation included by reference in the accounts listed below are not reappropriated:

1102-8632
1102-8722
2611-9022
2611-9023
2630-8701
2630-8711
2630-9060
2630-9100
2632-7200
2670-9016
2670-9020
2681-9011
2681-9012
2681-9013
2681-9029
4180-8721
4223-8721
4231-8711
4233-8711
4312-8713
4312-8721
4314-8721
4315-9011
4316-8721
4316-9011
4531-9011
5011-8721
5161-8721
5182-8691
5182-8721
5294-8711
5471-8721
5491-8721
5561-8721
5765-8721
6004-8694
6004-8726
6004-8727
6004-8728

6008-9011
 6008-9014
 6008-9018
 6032-4023
 6032-4030
 6032-4037
 6032-5003
 6032-8573
 6032-8671
 6032-8691
 6059-0000
 7108-8692
 7109-8691
 7109-8711
 7109-8721
 7110-8714
 7110-8723
 7110-8724
 7111-8722
 7112-8701
 7112-8721
 7113-8712
 7113-8713
 7114-8693
 7114-8712
 7114-8721
 7114-8725
 7115-8703
 7116-8711
 7117-0110
 7118-8703
 7118-8705
 7250-8671
 7250-8712
 7250-8713
 7250-8724
 7490-0048
 7490-8684
 7490-8702
 7490-8706
 7490-8716
 7490-8721
 7490-8722
 7504-8701

7506-8711
7506-8721
7506-8722
7508-8691
7508-8721
7509-8721
7510-8701
7510-8721
7511-8721
7511-8722
7514-8701
7514-8721
7514-8722
7515-8711
7517-8711
7616-8701

SECTION 3. Chapter 882 of the acts of 1975 is hereby amended by striking out section 2, as amended by section 13 of chapter 480 of the acts of 1976, and inserting in place thereof the following section:-

Section 2. Funds due to the Massachusetts aeronautics commission for air transportation services previously rendered shall be paid into the fund established under section one of this act, and the sum of not more than nineteen thousand five hundred dollars may be expended therefrom annually without further appropriation.

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

Approved June 16, 1977.

Chap. 301. AN ACT EXTENDING THE TIME WHICH THE TOWN OF AMESBURY MAY BORROW MONIES IN ANTICIPATION OF FEDERAL GRANTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of section three of chapter seventy-four of the acts of nineteen hundred and forty-five to the contrary, the treasurer of the town of Amesbury, with the approval of the board of selectmen of said town, is hereby authorized to renew federal aid anticipation notes of the town in the amount of one hundred and forty-eight thousand dollars payable in not more than one year from their dates, in order to pay the federal aid anticipation note of the town dated June twenty-eighth, nineteen hundred and seventy-four in the

amount of one hundred and thirteen thousand dollars and which was most recently renewed on December twenty-second, nineteen hundred and seventy-six and payable on June twenty-second, nineteen hundred and seventy-seven and federal aid anticipation note of the town dated August first, nineteen hundred and seventy-four in the amount of thirty-five thousand dollars and which was most recently renewed on December twenty-second, nineteen hundred and seventy-six and payable on June twenty-second, nineteen hundred and seventy-seven. 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 June 16, 1977.

Chap. 302. AN ACT EXTENDING THE TIME WHICH THE TOWN OF AMESBURY MAY BORROW MONIES IN ANTICIPATION OF STATE GRANTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of section six A of chapter forty-four of the General Laws to the contrary, the treasurer of the town of Amesbury, with the approval of the board of selectmen of said town, is hereby authorized to renew state aid anticipation notes of the town in the amount of twenty-five thousand dollars payable in not more than one year from their dates, in order to pay the state aid anticipation note of the town dated October fifteenth, nineteen hundred and seventy-five in the amount of fifteen thousand dollars and which was most recently renewed on December twenty-second, nineteen hundred and seventy-six and payable on June twenty-second, nineteen hundred and seventy-seven and state aid anticipation note of the town dated November twenty-fifth, nineteen hundred and seventy-five in the amount of ten thousand dollars and which was most recently renewed on December twenty-second, nineteen hundred and seventy-six and payable on June twenty-second, nineteen hundred and seventy-seven. 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 June 16, 1977.

Chap. 303. AN ACT AUTHORIZING THE TOWN OF HOPEDALE TO BORROW MONEY FOR THE PURPOSE OF PROVIDING CERTAIN HEATING SYSTEMS IN CERTAIN MUNICIPAL BUILDINGS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and equipping a central heating plant and system to serve one or more municipal buildings that may be connected thereto, to acquire land and easements therefor, and to provide for the purchase, installation, and equipping of independent heating systems in certain other municipal buildings, the town of Hopedale may borrow from time to time such sums as may be necessary, not exceeding in the aggregate one million dollars and may issue bonds and notes therefor which bonds shall bear on their face the words, Town of Hopedale Municipal Building Heating Facility Loan, Act of 1977. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates of issue. Indebtedness incurred under this act shall be within the statutory limits but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of any limitations contained in section seven thereof.

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

Approved June 16, 1977.

Chap. 304. AN ACT AUTHORIZING THE TOWN OF HOPEDALE TO APPROPRIATE MONEY ANNUALLY FOR THE CELEBRATION OF THE CENTENNIAL ANNIVERSARY OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Hopedale may appropriate money annually commencing in the fiscal year nineteen hundred and seventy-eight to and including the fiscal year nineteen hundred and eighty-seven for the celebration in the year nineteen hundred and eighty-six of the centennial anniversary of the incorporation of said town and may accept gifts and contributions for such purpose.

SECTION 2. Said town may establish in the town treasury a special fund in which shall be deposited such sums as may be ap-

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

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

Approved June 16, 1977.

Chap. 305. AN ACT AUTHORIZING THE TOWN OF HOLDEN TO APPROPRIATE AND TO PAY A CERTAIN SUM OF MONEY TO CERTAIN EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Holden is hereby authorized to raise and appropriate and to pay the sum of seven hundred and eighteen dollars and forty-four cents to certain employees of the department of public works of said town to satisfy an arbitrator's award for the fiscal years nineteen hundred and seventy-five and nineteen hundred and seventy-six relative to such employees.

SECTION 2. Any action taken pursuant to section one is hereby validated and confirmed and shall have the same force and effect as if said section one was in effect at the time of the posting of the warrant of the special town meeting of the town of Holden held on March twenty-eighth, nineteen hundred and seventy-seven.

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

Approved June 16, 1977.

Chap. 306. AN ACT PROVIDING THAT THE POSITION OF POLICE CHIEF IN THE TOWN OF AGAWAM BE EXEMPT FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the position of police chief in the town of Agawam 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 June 16, 1977.

Chap. 307. AN ACT FURTHER REGULATING THE PROMOTION OF CALL FIREFIGHTERS TO PERMANENT STATUS.

Be it enacted, etc., as follows:

Section 36 of chapter 48 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 10, the word "five" and inserting in place thereof the word:-three.

Approved June 16, 1977.

Chap. 308. AN ACT AMENDING THE CITY CHARTER OF THE CITY OF EVERETT TO ALLOW THE CITY OF EVERETT THE USE OF THE INITIATIVE PETITION.

Be it enacted, etc., as follows:

Chapter 355 of the acts of 1892 is hereby amended by inserting after section 6 the following eight sections:-

Section 6A. INITIATIVE PETITION

A petition conforming to the requirements hereinafter provided and requesting the city council to pass a measure, except an order passed under, the municipal finance provisions of the General Laws which requires compliance with said statutes, or requesting the school committee to pass a measure, therein set forth or designated, shall be termed an initiative petition, and shall be acted upon as hereinafter provided. In this and the seven following sections, "measure" shall mean an ordinance, resolution, order, or vote passed by a school committee, as the case may be.

Section 6B. SIGNATURE TO INITIATIVE PETITIONS: CERTIFICATION

Signature to initiative petitions need not be all on one paper. All such papers pertaining to any one measure shall be fastened together and shall be filed in the office of the city clerk as one instrument, with endorsement thereon of the names and addresses of three persons designated as filing the same. With each signature to the petition shall be stated the place of residence of the signer, giving the street and number if any.

Within five days after the filing of said petition the registrars of voters shall ascertain by what number of registered voters the petition is signed, and what percentage that number is of the

total number of registered voters, and shall attach thereto their certificate showing the result of such examination.

The city clerk shall forthwith transmit the said certificate with the said petition to the city council or to the school committee, according as the petition is addressed, and at the same time shall send a copy of said certificate to one or more of the persons designated on the petition as filing the same.

When such certificate has been so transmitted, said petition shall be deemed to be valid unless written objections are made thereto by a registered voter of the city within forty-eight hours after such certification by filing such objections with the city council or the school committee, and a copy thereof with the registrars of voters or the board or commission having similar duties. A copy of the objections so filed shall forthwith be transmitted to the state ballot law commission which shall hold a public hearing on said objections, shall render a decision on the matter referred to it within fourteen days after the objections were filed and transmit a copy of its decision to the city council or the school committee.

Section 6C. ACTION BY CITY COUNCIL OR SCHOOL COMMITTEE IF INITIATIVE PETITION IS FULLY SIGNED: REFERENDUM

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

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

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

Section 6D. PROCEEDINGS IF PETITION NOT FULLY SIGNED

If any initiative petition is signed by registered voters equal in number to at least eight per cent, but less than fifteen per cent of the total number of registered voters, and said measure per cent of the total number of registered voters, and said measure be not

passed without alteration within twenty days by the city council or the school committee, as provided in the preceding section, such proposed measure, without alteration, shall be submitted by the city council to a vote of the registered voters of the city at the next regular municipal election.

A measure proposed under this section or section thirty-nine shall become effective if it shall be approved by registered voters of the city equal in number to one third of the whole number thereof and also by a majority of the voters voting on such measure, but not otherwise.

Section 6E. BALLOTS TO STATE NATURE OF MEASURE

The ballots used when voting upon a proposed measure under section thirty-nine or forty, or a measure or part therefore protected against under the following section, shall state the nature of the measure in terms sufficient to show the substance thereof.

Section 6F. REFERENDUM PETITION

If within twenty days after the final passage of any measure, except a revenue loan order, by the city council or by the school committee, a petition signed by registered voters of the city, equal in number to at least twelve per cent of the total number of registered voters, and addressed to the city council or to the school committee, as the case may be, protesting against such measure, or any part thereof, taking effect, is filed with the city clerk, the same shall thereupon and thereby be suspended from taking effect; and the city council or the school committee, as the case may be, shall immediately reconsider such measure or part thereof; and if such measure or part thereof is not entirely rescinded, the city council shall submit the same, by the method therein provided, to a vote of the registered voters of the city, either at the next regular city election, or at a special election which may, in its discretion, be called for the purpose, and such measure or part thereof shall forthwith become null and void unless a majority of the registered voters voting on the same at such election vote in favor thereof.

The petition described in this section shall be termed a referendum petition and section thirty-eight shall apply to the procedure in respect thereto, except that the words "measure of part thereof protested against" shall for this purpose be understood to replace "measure" in said section wherever it may occur, and "referendum" shall be understood to replace the word "initiative" in said section.

Section 6G. CITY COUNCIL MAY SUBMIT QUESTIONS TO VOTERS

The city council may, of its own motion, and shall, upon request of the school committee if a measure originates with that committee and pertains to the affairs under its administration, submit to a vote of the registered voters of the city for adopting or rejection at a general or special city election any proposed measure, or a proposition for the repeal or amendment of any measure, in the same manner and with the same force and effect as are hereby provided for submission on petition.

Section 6H. MEASURES WITH CONFLICTING PROVISIONS

If two or more proposed measures passed at the same election contain conflicting provisions, only the one receiving the highest vote shall be considered law of the municipality.

Approved June 16, 1977.

Chap. 309. AN ACT AUTHORIZING THE TOWN OF OAK BLUFFS TO CONVEY CERTAIN LAND IN SAID TOWN TO EDWARD W. BROOKE IN CONSIDERATION OF THE CONVEYANCE BY SAID EDWARD W. BROOKE OF CERTAIN OTHER LAND TO SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the town of Oak Bluffs of certain land as provided in section two, said town is hereby authorized to convey to said Edward W. Brooke all the rights, titles, and interest in and to a certain parcel of land located in said town of Oak Bluffs, being part of that parcel shown as Naushon Park in Land Court Number 12926A, bounded and described as follows:

On the North by a fifteen (15) foot way, Two Hundred Ninety-Eight and 58/100 (298.58) feet;

On the East through Naushon Park Eighty-Five and 15/100 (85.15) feet;

On the South by Circuit Avenue, One Hundred Seventy-Nine and 38/100 (179.38) feet;

On the Southwest by Uncas Avenue, Oak Bluffs, One Hundred Forty-Nine and 67/100 (149.67) feet standing in the name of the town of Oak Bluffs.

SECTION 2. In consideration of the conveyance by the town of Oak Bluffs of certain land as provided in section one said town is hereby authorized to receive from said Edward W. Brooke all his right, title, and interest in and to a certain parcel of land located

in said town of Oak Bluffs, being a strip of land Forty-Nine (49) feet wide and being part of that land shown on Land Court Plan Number 12926A, bounded and described as follows:

On the Northwest by Circuit Avenue, about Four Hundred and Forty and 40/100 (440.40) feet;

On the North by Circuit Avenue, about Fifty-Four and 99/100 (54.99) feet;

On the Southeast through land of Edward W. Brooke, about Four Hundred Sixty-Three and 83/100 (463.83) feet;

On the Southwest by South Circuit Avenue, about Sixty-Four and 33/100 (64.33) feet, standing in the name of Edward W. Brooke.

Approved June 16, 1977.

Chap. 310. AN ACT PERMITTING ROBERT SCELZO TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER IN BURLINGTON.

Be it enacted, etc., as follows:

Notwithstanding any rule or law to the contrary regulating the maximum age of applicants for appointment as a police officer, Robert Scelzo shall be eligible to take the next open competitive examination for police officer in the town of Burlington and provided he meets all other requirements shall be eligible for certification and appointment as police officer in said town.

Approved June 16, 1977.

Chap. 311. AN ACT AUTHORIZING THE CLERK OF THE SPRINGFIELD JUVENILE COURT TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE AND AUTHORIZING THE COUNTY OF HAMPDEN TO REIMBURSE THE CHIEF PROBATION OFFICER FOR THE SPRINGFIELD JUVENILE COURT ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

SECTION 1. The clerk of the Springfield juvenile court is hereby authorized to adjust his accounts by deducting from his cashbook receipts of money due the county of Hampden the sum of ninety-three dollars, which was the sum stolen from said court and not recovered in a burglary during the night of April second, nineteen hundred and seventy-six.

SECTION 2. The county commissioners of Hampden county are hereby authorized and directed to reimburse the chief probation

officer for the Springfield juvenile court in the amount of eighty-four dollars and forty-four cents, which was the amount stolen and not recovered in a burglary of the office of said probation officer on April second, nineteen hundred and seventy-six, said sum representing restitution money belonging to various victims of delinquency acts. If after such payment such officer receives any sum in reduction of such losses, he shall forthwith pay over the same to the county of Hampden.

Approved June 16, 1977.

Chap. 312. AN ACT AUTHORIZING THE TREASURER OF PLYMOUTH COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

The treasurer of Plymouth county is hereby authorized, with the approval of the county commissioners, to pay from available funds to the town of East Bridgewater, the amount of eight thousand one hundred and thirty-two dollars and seventeen cents as the Plymouth county share of certain work completed prior to nineteen hundred and seventy-one as provided in contracts 24736, 25391 and 26206 under the provisions of chapter ninety of the General Laws.

Approved June 16, 1977.

Chap. 313. AN ACT RELATIVE TO THE INVESTMENTS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

Chapter 171 of the General Laws is hereby amended by striking out section 21, as most recently amended by chapter 351 of the acts of 1974, and inserting in place thereof the following section:-

Section 21. The capital, deposits, and surplus of a credit union shall be invested in loans to members, with approval of the credit committee, as provided in section twenty-two, and also when so required herein, of the board of directors.

The following investments may be made only with the approval of the board of directors:

(a) Deposits in savings banks incorporated in the commonwealth.

(b) In paid-up shares and accounts of and in cooperative banks incorporated in the commonwealth.

(c) In the shares of savings and loan associations incorporated in the commonwealth.

(d) 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.

(e) Deposits in trust companies incorporated in the commonwealth.

(f) Deposits in banking companies incorporated in the commonwealth which are members of the Federal Deposit Insurance Corporation.

(g) Deposits in national banks located in the commonwealth.

(h) In the shares of the Central Credit Union Fund, Incorporated, as authorized by section three of chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two.

(i) In a common trust unit plan organized for the purchase of bonds or notes of the United States or any subdivision thereof which are legal investments for savings banks and which plan has as its custodian a banking institution authorized to accept deposits from a credit union or from a savings bank as provided in section fifty-five of chapter one-hundred and sixty-eight.

(j) In bonds or notes of the United States or of any state or subdivision thereof.

(k) Bonds or notes of other federal agencies which are on legal list for savings banks.

(l) In repurchase agreements secured by government obligations up to one year maturity.

(m) In bonds of governments or countries friendly to the United States as defined by the United States Department of State.

(n) In any bonds, notes, certificates of deposit, bankers acceptances, bank stocks, bank holding company stocks, 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.

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 the such types of stocks; provided, that not more

than fifteen thousand dollars, or two 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. The amount invested by a credit union in bonds, notes or bankers' acceptances shall not be in excess of that permitted to savings banks.

(o) Participate in federal funds.

(p) A credit union whose shares and deposits aggregate one million dollars or more may during any period of twenty-four consecutive months expend a sum not exceeding in the aggregate five thousand dollars on any one parcel of real estate leased by it and ten thousand dollars on any one parcel of real estate owned by it for necessary alterations, improvements and additions for the convenient transaction of its business.

(q) Subject to the approval of the commissioner, a credit union may invest a sum not exceeding its guaranty fund and other surplus accounts for the purchase of a suitable site and the erection or preparation of a suitable building or for alterations, improvements, or additions thereto for the convenient transactions of its business or for the alterations, improvement and additions to any premises leased by it for the convenient transactions of its business.

(r) Subject to the approval of the commissioner, a credit union may invest a sum in excess of fifteen thousand dollars for the purchase of electronic data processing equipment.

At least five per cent of the total assets of a credit union shall be carried as cash on hand or in the following investments which shall be the absolute property and under the control of the credit union.

(a) Balances due from banks and trust companies or banking companies which are members of the Federal Deposit Insurance Corporation.

(b) Deposits in savings banks incorporated in the commonwealth.

(c) Paid-up shares and accounts of and in co-operative banks incorporated in the commonwealth.

(d) In shares of savings and loan associations incorporated in the commonwealth.

(e) In shares of federal savings and loan associations having a usual place of business within the commonwealth.

(f) In the shares in the Central Credit Union Fund, Incorporated.

(g) In a common trust unit plan organized for the purchase of bonds or notes of the United States or of any subdivision thereof

which are legal investments for savings banks as provided in section twenty-one above and which has as its custodian a banking institution authorized to accept deposits from a credit union or from a savings bank as provided in section fifty-five of chapter one hundred and sixty-eight.

(h) In bonds or notes of the United States or of any state or subdivision thereof with a maturity of up to five years.

(i) Bonds or notes of other federal agencies which are on the legal list for savings banks with a maturity of up to three years.

(j) Repurchase agreements secured by United States government obligations up to one year maturity.

(k) Certificates of deposits of up to one year maturity which are legal investments for savings bank.

(l) In bonds of public utility companies with maturity of up to one year.

(m) In federal funds.

Whenever the aforesaid ratio falls below five per cent of the total assets of a credit union, no further loans shall be made until the ratio as herein provided has been reestablished.

Approved June 16, 1977.

Chap. 314. AN ACT RELATIVE TO HAWKERS AND PEDLERS LICENSES.

Be it enacted, etc., as follows:

Section 27 of chapter 101 of the General Laws is hereby amended by striking out section 27, as amended by section 23 of chapter 490 of the acts of 1941, and inserting in place thereof the following section:-

Section 27. Every person licensed as a hawker or pedler shall endorse his usual signature upon his license. The director shall, at the expense of the licensee, provide a means for displaying such license which must be worn in a visible and conspicuous manner on his outer clothing with the license number, licensee's name and the date of expiration exposed to view. Each licensee shall produce his license for inspection whenever demanded by the director or by a mayor, alderman, selectman, inspector of standards, sealer or deputy sealer of weights and measures, city or town treasurer or clerk, constable, police officer or justice of the peace; and if he fails so to do, or fails to wear his license in a visible and conspicuous manner as heretofore prescribed, he shall be subject to the same penalty as if he had no license.

Approved June 16, 1977.

Chap. 315. AN ACT PROVIDING THAT GRAND JURORS IN THE WORCESTER COUNTY SHALL SERVE FOR A TERM OF SIX MONTHS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 1 of chapter 277 of the General Laws, as amended by section 1 of chapter 809 of the acts of 1975, is hereby further amended by striking out, in line 3, the words "Hampden and Plymouth" and inserting in place thereof the words:- , Plymouth and Worcester.

SECTION 2. Said chapter 277 is hereby further amended by inserting after section 2D, inserted by section 2 of said chapter 809, the following section:-

Section 2E. The clerk of the court for Worcester county shall, not less than twenty-eight days before the first Mondays of January and July, respectively, issue writs of venire facias for thirty-five veniremen from whom the court shall select twenty-three grand jurors to serve in said court, who shall serve for each sitting thereof for six months and until another grand jury has been impanelled in their stead.

SECTION 3. The first sentence of section 3A of said chapter 277, as amended by section 2A of said chapter 809, is hereby further amended by striking out, in line 3, the words "or section two D" and inserting in place thereof the words:- , section two D or section two E.

SECTION 4. This act shall be applicable to the impanelling of grand jurors in Worcester county for the year nineteen hundred and seventy-seven and subsequent years, and the grand jury impanelled in said county under section one of chapter two hundred and seventy-seven of the General Laws shall continue to serve until the grand jury provided for under section two E of said chapter two hundred and seventy-seven, inserted by section two of this act, has been impanelled in its stead.

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

Approved June 21, 1977.

Chap. 316. AN ACT AUTHORIZING THE BRYANT FREE LIBRARY IN THE TOWN OF CUMMINGTON TO GRANT EASEMENTS TO THE COUNTY OF HAMPSHIRE FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The Bryant Free Library in the town of Cummington is hereby authorized to grant to the county of Hampshire the following

two easements for the purpose of altering and relocating Bryant road in said town:

FIRST EASEMENT

A perpetual easement for the purposes of draining and maintaining the aforesaid highway and shall consist of the right to enter upon the following described land at any time to construct thereon and to use and maintain drainage structures, including all pipes, culverts, drains, connections, manholes, other appurtenance, and ditches over, under, across and through said land, together with the right to discharge surface water upon said land, together with the right to construct and maintain slopes of excavation and embankment on the said land more particularly described as follows:

A parcel of land on the northeasterly side of state highway route 112, also known as Bryant road, and described as "Drainage Easement No. 1 Bryant Free Library" consisting of 10,250 square feet, more or less, as described on a plan entitled "Alteration And Relocation Of Bryant Road, Cummington, Massachusetts Prepared For The Hampshire County Commissioners", dated June 9, 1976, by Almer Huntley, Jr. & Associates, Inc., Surveyors -Engineers -Planners, 125 Pleasant Street, Northampton, Massachusetts, and recorded in the registry of deeds in Hampshire county, Plan Book 101, Page 7.

SECOND EASEMENT

An easement for the purposes of constructing slopes of excavation and embankment and shall consist of the right to enter upon the land hereinafter described at any time during the effective period of this easement to construct thereon slopes of excavation and embankment. Said easement is temporary in nature and shall be in effect until three years from the date of the granting of the said land, more particularly bounded and described as follows:

A parcel of land situated on the northeasterly side of state highway route 112, also known as Bryant road in the town of Cummington and described as "Temporary Easement No. 1 Bryant Free Library" consisting of 8,825 square feet, more or less, as described on a plan entitled "Alteration And Relocation Of Bryant Road, Cummington, Massachusetts Prepared For The Hampshire County Commissioners", dated June 9, 1976, by Almer Huntley, Jr. & Associates, Inc., Surveyors-Engineers-Planners, 125 Pleasant Street, Northampton, Massachusetts, and

recorded in the registry of deeds in Hampshire county, Plan Book 101, Page 7.

Said county may construct slopes of excavation and embankment appurtenant to such improvements beyond the above described parcels of land.

For the purposes of this act the county of Hampshire is hereby authorized to divert to highway use, the two above described parcels of land or portions thereof presently in public use by the Bryant Free Library and being used by it for library purposes.

Approved June 21, 1977.

EMERGENCY LETTER — June 22, 1977 @ 12:02 P.M.

Chap. 317. AN ACT DIRECTING THE TOWN OF CUMMINGTON TO TRANSFER A CERTAIN PARCEL OF LAND IN SAID TOWN TO THE COUNTY OF HAMPSHIRE FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The selectmen of the town of Cummington are hereby authorized and directed to transfer to the county of Hampshire a certain parcel of land for the alteration and relocation of Bryant road in said town. Said parcel being located on the southwesterly side of state highway route 112, also known as Bryant road, in said town, and designated as "Taking No. 3 Town of Cummington" consisting of 26,200 square feet of land, more or less, as described on plan entitled "Alteration And Relocation Of Bryant Road, Cummington, Massachusetts Prepared For The Hampshire County Commissioners", dated June 9, 1976, by Almer Huntley, Jr. & Associates, Inc., Surveyors-Engineers-Planners, 125 Pleasant Street, Northampton, Massachusetts, and recorded in the registry of deeds in Hampshire county, Plan Book 101, Page 7.

Said county may construct slopes of excavation or embankment appurtenant to such improvements beyond the above parcel of land.

For the purposes of this act said county is hereby authorized to divert to highway use, the above described land or portions thereof presently in public use by the town of Cummington being used by it for library purposes.

Approved June 21, 1977.

EMERGENCY LETTER — June 22, 1977 @ 12:02 P. M.

Chap. 318. AN ACT EXEMPTING THE EMPLOYEES OF THE LYNN PORT AUTHORITY FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary or any rule or regulation of the civil service commission, all employees of the Lynn Port Authority, established by section one of chapter ninety of the acts of nineteen hundred and thirty-four, shall not be subject to the provisions of chapter thirty-one of the General Laws.

Approved June 21, 1977.

EMERGENCY LETTER — June 22, 1977 @ 4:52 P.M.

Chap. 319. AN ACT FURTHER REGULATING THE INVESTIGATIONS OF FIRES OR EXPLOSIONS BY LOCAL OFFICIALS.

Be it enacted, etc., as follows:

Section 2 of chapter 148 of the General Laws, as most recently amended by chapter 504 of the acts of 1948, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: - The head of a fire department in a city, town, or district wherein a fire or explosion has destroyed or damaged property shall investigate the cause and circumstances thereof in order to determine if such fire or explosion was caused by carelessness or design or shall cause such an investigation to be made by a member of the fire department of such city, town or district.

Approved June 21, 1977.

Chap. 320. AN ACT AUTHORIZING THE TOWN OF MEDFIELD TO ACQUIRE PERMANENT SEWER EASEMENTS ON LAND BEING HELD BY THE TRUSTEES OF RESERVATIONS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of any law or rule or regulation to the contrary, the town of Medfield, acting through its board of selectmen, is hereby authorized to acquire by eminent domain or otherwise permanent sewer easements and also to lay, construct, inspect, repair, remove, replace, operate and forever maintain a sanitary sewer or sewers with manholes, pipes, culverts and other appurtenances, and to do all other acts

incidental thereto, including the right for the aforesaid purposes, to pass along, over, in and through land being held by the Trustees of Reservations for open space and park purposes known as Medfield Rhododendrons Reservation in said town, said easements being bounded and described as follows:

(1) Beginning at a point 10.88 feet Northeasterly of, the Southwest property corner of Peter P. Vasaturo (shown on Plan 1171-1957, Book 3603 Page 130, Norfolk County Registry of Deeds), thence N 40° 57' 14" W a distance of 488.87 feet to an angle point, thence N 52° 58' 17" W a distance of 314 feet, more or less to land of Henry A. and Grace J. Ehnes, said point being approximately 196 feet Southwesterly of the Northerly corner of the Trustees of Reservations as shown on a Plan by E. Worthington dated Feb. 16, 1938.

(2) Beginning at an angle point in the stone wall on the Northeasterly property-line of the Trustees of Reservations, distant 20.01 feet Southeasterly from the Northwesterly end of said wall, thence 10° 26' 48" E a distance of 132.14 feet to an angle point, thence S46° 55' 44" E a distance of 159.67 feet to an angle point, thence N 89° 03' 55" E a distance of 63.05 feet to the wall at land of Blanche Kingsbury, said point being 114.09 feet Northwesterly of a wall corner.

The above described lines being the centerlines of the 20 foot wide permanent sewer easements as shown on a plan by Cheney Engineering Company, Inc., dated March 16, 1977 sheets 3 and 4.

In addition to the permanent easements aforementioned, the town of Medfield is hereby authorized to use said land under the jurisdiction of said Trustees for constructing the sewers to be installed in said permanent easements, provided that said authorization shall terminate within a reasonable time after the completion of the sewer construction.

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

Approved June 22, 1977.

Chap 321. AN ACT MAKING THE SECRETARY OF THE EXECUTIVE OFFICE OF PUBLIC SAFETY A MEMBER OF THE COMMITTEE ON CRIMINAL JUSTICE.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 156 of chapter 6 of the General Laws, as appearing in section 2 of chapter 1021 of the acts of 1973, is hereby amended by inserting

after the word “districts”, in line 3, the words:- , the secretary of the executive office of public safety.

Approved June 22, 1977.

Chap. 322. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW RELATIVE TO THE DETERMINATION OF THE SCHOOL TAX RATES.

Be it enacted, etc., as follows:

The second paragraph of section 23C of chapter 59 of the General Laws, as amended by section 9 of chapter 546 of the acts of 1969, is hereby further amended by striking out the definitions of “School appropriations”, “School income” and “General receipts” and inserting in place thereof the following three definitions:-

“School appropriations”, the total amount appropriated or expended since the last preceding annual assessment and not provided for therein for the support and maintenance of public schools, for the payment of principal and interest on any debt incurred for school purposes, and for all other school purposes as defined by chapters sixty-nine, seventy-one, seventy-one A, seventy-one B, seventy-four and seventy-six, including the transportation of pupils, and any penalty required to be raised under the provisions of section thirty-four of chapter seventy-one.

“School income”, the total of: (a) all estimated receipts of the school committee; (b) all estimated receipts of school aid under paragraphs (1) and (2) of subsection (b) of section eighteen A of chapter fifty-eight; (c) any other estimated receipts under any provisions of chapters sixty-nine, seventy-one, seventy-four and seventy-six; (d) amounts appropriated for school purposes to be taken from available funds; and (e) any other reimbursements, grants or gifts from any source whatsoever assigned or intended for school purposes, as hereinbefore defined, and applicable to the school appropriations of the year.

“General receipts”, the total of: (a) amounts voted to be taken from available funds for the reduction of taxes; (b) estimated receipts from the commonwealth in reimbursement for publicly owned land; (c) estimated receipts from the commonwealth under paragraph (3) of subsection (b) of section eighteen A of chapter fifty-eight; (d) estimated receipts from licenses, fines and the excise on motor vehicles and trailers, and from interest on taxes, assessments and deposits; and (e) any other estimated

receipts from the commonwealth or the federal government available without limitation to meet any expenditure of the town and not assigned or intended for any special purpose.

Approved June 22, 1977.

Chap. 323. AN ACT PROVIDING THAT PAUL R. SOTIR SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A CORRECTION OFFICER.

Be it enacted, etc., as follows:

Notwithstanding any rule or law to the contrary regulating the maximum age of applicants for appointment as a correction officer, Paul R. Sotir shall be eligible to take the next open competitive examination for correction officer, and provided he meets all other requirements shall be eligible for certification and appointment as a correction officer.

Approved June 22, 1977.

Chap. 324. AN ACT EXTENDING THE DATE OF REQUIRED FIRST AID TRAINING OF EMERGENCY PERSONNEL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide an extension from July first in the current year for certain required first aid training, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 201 of chapter 111 of the General Laws, added by section 1 of chapter 795 of the acts of 1974, is hereby amended by striking out, in line 9, the word "seventy-seven" and inserting in place thereof the word:- seventy-eight.

Approved June 23, 1977.

Chap. 325. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO GRANT A PENSION TO GEORGE N. CHESTER, JR., A FORMER MEMBER OF THE POLICE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

For the purpose of promoting the public good, the city of Leominster is hereby authorized to pay to George N. Chester,

Jr., a former member of the police department of said city, who has become totally disabled and physically incapable of performing any work or earning a livelihood as a result of an incurable and irreversible affliction, a pension of six thousand five hundred dollars per year.

Approved June 23, 1977.

Chap. 326. AN ACT PROHIBITING DISCRIMINATION AGAINST CIVIL SERVICE APPLICANTS WHO PREVIOUSLY HAD CANCER.

Be it enacted, etc., as follows:

Section 13A of chapter 31 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 105 of the acts of 1975, and inserting in place thereof the following sentence:- If, in the opinion of the administrator, physical qualifications are necessary or desirable for an original appointment to any office or position, he may order a physical examination; provided, however, that no applicant shall be discriminated against because he previously suffered from cancer if he is otherwise physically qualified and he signs a waiver of rights to disability benefits with respect to said cancer.

Approved June 23, 1977.

Chap. 327. AN ACT AUTHORIZING MUNICIPAL LIGHTING PLANTS TO INCUR CERTAIN DEBTS FOR THE EXTENSION, RECONSTRUCTION OR ENLARGEMENT OF SUCH PLANTS.

Be it enacted, etc., as follows:

Section 57 of chapter 164 of the General Laws is hereby amended by striking out the sixth sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:- The surplus, if any, of said annual allowances for depreciation after making the above payments shall be kept as a separate fund and used for renewals other than ordinary repairs, extensions, reconstructions, enlargements and additions in succeeding years.

Approved June 23, 1977.

Chap. 328. AN ACT PROHIBITING GAS AND ELECTRIC COMPANIES FROM IMPOSING CERTAIN CHARGES ON THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prohibit gas and electric companies from charging interest to the commonwealth and its political subdivisions, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 94D of chapter 164 of the General Laws, inserted by chapter 243 of the acts of 1936, is hereby amended by adding the following paragraph:-

No gas or electric company shall collect from the commonwealth or any city, town, county or political subdivision thereof, on account of its failure to pay any bill due for gas or electricity furnished to the commonwealth, or any city, town, county or political subdivision thereof, any charges as, or in the nature of, a penalty until the expiration of fifty-five days from the date of such bill; provided, that nothing herein shall prevent the collection of any amount allowable as a discount from such a bill in the event of its payment within a period specified therein, if the right to such a discount has been forfeited by failure so to pay such bill.

Approved June 27, 1977.

Chap. 329. AN ACT FURTHER REGULATING THE INSERTION OF CORRECT DESIGNATIONS OF DISTRICTS ON NOMINATION PAPERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide for an orderly election, therefore 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 8 of chapter 53 of the General Laws, as amended by section 1 of chapter 202 of the acts of 1971, is hereby further amended by inserting after the first sentence the following sentence:- This information, in addition to the district name or number, if any, shall be specified on the nomination paper before any signature of a purported

registered voter is obtained and the circulation of nomination papers without such information is prohibited.

SECTION 2. The first paragraph of section 45 of said chapter 53, as amended by section 1 of chapter 338 of the acts of 1941, is hereby further amended by adding after the first sentence the following sentence:- This information, in addition to the district name or number, if any, shall be stated on the nomination paper before any signature of a purported registered voter is obtained and the circulation of nomination papers without such information is prohibited.

SECTION 3. Section 46 of said chapter 53 is hereby amended by inserting after the second paragraph the following paragraph:-

The registrars shall inform the candidate submitting such papers if the designation of the district only in which he seeks office is incorrect, and shall give said candidate the opportunity to insert the correct designation on such papers before the signatures are certified. The registrars shall, if the candidate so desires, allow a change of district on the nomination papers in the presence of the candidate whose name appears on the nomination papers, and the registrar and the candidate shall both initial the change of district so made and further shall in writing explain the change of district causing three copies to be made, one of each for the registrar and candidate and one to be attached to the nomination papers. If the correct district designation is not so inserted, the nomination papers shall not be approved. In no case may a correction be made to change the office for which such candidate is nominated.

SECTION 4. Section 61 of said chapter 53 is hereby amended by adding the following paragraph:-

The registrars shall inform the candidate submitting such papers if the designation of the district only in which he seeks office is incorrect, and shall give said candidate the opportunity to insert the correct designation on such papers before the signatures are certified. The registrars shall, if the candidate so desires, allow a change of district on the nomination papers, and the registrar and the candidate shall both initial the change of district so made and further shall in writing explain the change of district causing three copies to be made, one each for the registrar and candidate and one to be attached to the nomination papers. If the correct district designation is not so inserted, the nomination papers shall not be approved. In no case may a correction be made to change the office for which such candidate is nominated.

SECTION 5. Chapter 56 of the General Laws is hereby amended by striking out section 11A, inserted by chapter 301 of the acts of 1971, and inserting in place thereof the following section:-

Section 11A. Whoever falsely or willfully alters the designation of the district on a nomination paper after the names of voters signed thereto have been certified shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Approved June 27, 1977.

Chap. 330. AN ACT AUTHORIZING THE TOWN OF MAYNARD TO EXTEND THE TIME FOR BORROWING A CERTAIN SUM OF MONEY IN ANTICIPATION OF FEDERAL GRANTS FOR THE CONSTRUCTION OF A SEWAGE TREATMENT PLANT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of section three of chapter seventy-four of the acts of nineteen hundred and forty-five to the contrary, the treasurer of the town of Maynard with the approval of the board of selectmen of said town, is hereby authorized to renew federal aid anticipation notes of said town in the amount of two hundred and fifty-five thousand seven hundred and twenty-nine dollars, payable in not more than one year from their dates, in order to pay the federal aid anticipation notes of said town dated July twenty-second, nineteen hundred and seventy-five, in the amount of five hundred thousand dollars and federal aid anticipation notes of said town dated October sixth, nineteen hundred and seventy-five, in the amount of two hundred thousand dollars which were renewed on January twenty-second, nineteen hundred and seventy-six in the amount of seven hundred thousand dollars, and payable on January twenty-second, nineteen hundred and seventy-seven which was renewed on January twenty-second, nineteen hundred and seventy-seven and payable on July twenty-first, nineteen hundred and seventy-seven which was most recently renewed on March thirty-first, nineteen hundred and seventy-seven in the amount of two hundred and fifty-five thousand seven hundred and twenty-nine dollars and payable on July twenty-first, nineteen hundred and seventy-seven. 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 June 27, 1977.

Chap. 331. AN ACT PERMITTING THE PURIFICATION OF CONTAMINATED SHELLFISH BY PLANTS OR BY METHODS APPROVED BY THE COMMISSIONER OF ENVIRONMENTAL QUALITY ENGINEERING.

Be it enacted, etc., as follows:

The first paragraph of section 75 of chapter 130 of the General Laws, as appearing in chapter 598 of the acts of 1941, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The director may grant, and may revoke, written permits for the digging or taking of shellfish from an area determined under section seventy-four or corresponding provisions of earlier laws to be contaminated while such determination is in force, every such permit to be upon the express condition, which shall be set forth therein, that all shellfish dug or taken from the area or areas covered by such permit by the holder thereof shall, before being used or disposed of for consumption as food, be purified at a plant, or by a method, approved in writing by the commissioner of the department of environmental quality engineering, after appropriate review and comment by the commissioner of the department of public health and upon such further conditions and regulations as will, in the opinion of the director, most effectively prevent the use of said shellfish as food until so purified.

Approved June 27, 1977.

Chap. 332. AN ACT PROVIDING THAT THE POSITION OF COMMUNITY SERVICES OFFICER OF THE CITY OF WALTHAM BE EXEMPT FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The position of community services officer of the city of Waltham shall be exempt from the provisions of chapter thirty-one of the General Laws.

Approved June 27, 1977.

Chap. 333. AN ACT REQUIRING RECITATION OF THE PLEDGE OF ALLEGIANCE TO THE FLAG IN ALL PUBLIC SCHOOLS AT THE COMMENCEMENT OF CLASS EACH DAY.

Be it enacted, etc., as follows:

Section 69 of chapter 71 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in chapter 258 of the acts of 1935, and inserting in place thereof the following sentence:- Each teacher at the commencement of the first class of each day in all grades in all public schools shall lead the class in a group recitation of the "Pledge of Allegiance to the Flag".

(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 14, 1977, and, in concurrence, by the Senate, June 15, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 334. AN ACT VALIDATING THE ACTS AND PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF ACTON.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the annual town meeting held in the town of Acton on April fourth, nineteen hundred and seventy-seven, and the adjournment thereof to April eleventh, nineteen hundred and seventy-seven, 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 fourteen days before April fourth, nineteen hundred and seventy-seven, as required by the by-laws of said town.

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

Approved June 28, 1977.

Chap. 335. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO APPROPRIATE AND PAY A SUM OF MONEY TO LOIS M. LEWIS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the county commissioners of Bristol county are hereby authorized

to appropriate, from any available funds, and after such appropriation the treasurer of said county, shall pay to Lois M. Lewis a sum not to exceed nine hundred and five dollars for services rendered to an indigent defendant in the superior court of said county which bill is legally unenforceable against said county.

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 services for which said bill was 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 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 28, 1977.

Chap. 336. AN ACT RELATIVE TO THE PROCEDURES FOR ISSUING BONDS AND NOTES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish procedures for issuing bonds and notes 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. Chapter 29 of the General Laws is hereby amended by striking out section 47, as most recently amended by sections 27 and 27A of chapter 4 of the acts of 1976, and inserting in place thereof the following section:-

Section 47. The state treasurer may borrow at any time during the fiscal year, in anticipation of the receipts for that year other than assessments for the metropolitan districts, such sums of money as may be necessary for the payment of ordinary demands on the treasury, and other legal obligations, including guaranties, of the commonwealth, and may issue notes therefor. Money so borrowed and notes so issued may be at such rates of

interest as shall be found necessary. He shall repay any sums borrowed under this section as soon after said receipts are paid as is expedient, but in any event before the close of the fiscal year in which the same were borrowed.

Notes issued under and pursuant to this section may bear on their face a statement that if principal and interest thereon are not paid when due said notes will be accepted thereafter at face value plus accrued interest to the date of such acceptance as payment to that extent of taxes owed by the bearer to the commonwealth under chapters sixty-two, sixty-two B, sixty-three, or sixty-three B. Notes bearing such legend shall be accepted in payment of such taxes, including penalty and interest thereon, at face value plus accrued interest by all persons responsible for collecting taxes but shall otherwise be payable in accordance with their terms as provided in the first paragraph of this section.

SECTION 2. Said chapter 29 is hereby further amended by striking out section 48, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 48. Bonds issued by the commonwealth shall be signed by the state treasurer or a deputy treasurer and approved by the governor. Notes issued by the commonwealth shall be signed by the state treasurer or a deputy treasurer, approved by the governor, and countersigned by the comptroller or a deputy comptroller or an assistant to the comptroller.

SECTION 3. Section 48A of said chapter 29, as amended by chapter 128 of the acts of 1946, is hereby further amended by adding the following two sentences:- Interest coupons, if any, attached to any bond or note of the commonwealth may bear the facsimile signature of the state treasurer. If any officer whose signature or a facsimile of whose signature appears 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 as if he had remained in office until such delivery.

SECTION 4. Section 49 of said chapter 29 is hereby amended by adding the following paragraph:-

Bonds issued pursuant to two or more bond authorization acts may be consolidated for the purpose of sale and issued, sold, printed, and delivered as a single bond issue despite the requirement of any bond authorization act requiring or designating a particular total for bonds issued pursuant to that act. Notwithstanding any requirement of any such act that bonds issued thereunder shall bear any particular designation, bonds consolidated pursuant to this section shall be designated on their face

“Consolidated Loan of” followed by the year of issue and the series thereof in such year. Notwithstanding the provisions of this section, the state treasurer shall separately account for the bonds issued under and the proceeds received from bond sales under the particular authorizing act.

SECTION 5. Section 53 of said chapter 29, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 6 and 7, the words “ten days before the time” and inserting in place thereof the words:- three days, exclusive of the day of publication of such advertisement, Saturdays, Sundays or legal holidays, before the day.

SECTION 6. Said chapter 29 is hereby further amended by inserting after section 60 the following section:-

Section 60A. Unless otherwise specifically provided, provisions contained in any act heretofore or hereafter enacted by a vote, taken by the yeas and nays of two-thirds of each house of the general court present and voting thereon, and approved by the governor, authorizing the state treasurer to issue and sell bonds or notes of the commonwealth or authorizing the commonwealth to borrow money requiring that the principal of and interest on such bonds or notes shall be (i) paid by or from a particular fund or funds of the commonwealth now existing or hereafter created, (ii) part of the debt and expenses of a particular district, or (iii) assessed by particular methods, or other provisions or words of similar import, shall not affect the status of such bonds and notes as general obligations of the commonwealth to which the full faith and credit of the commonwealth is pledged for the payment of principal and interest when due. All bonds and notes executed in accordance with the provisions of this chapter shall be deemed to be general obligations of the commonwealth to which its full faith and credit is pledged for the payment of principal and interest when due, unless specifically provided on the face of such bond or note to the contrary. All bonds or notes of the commonwealth executed in accordance with the provisions of this chapter shall have all of the qualities and incidents of negotiable instruments under the Uniform Commercial Code.

Approved June 28, 1977.

Chap. 337. AN ACT VALIDATING CERTAIN ACTIONS TAKEN BY THE TOWN OF GREAT BARRINGTON AND AUTHORIZING SAID TOWN TO ISSUE CERTAIN FEDERAL AND STATE GRANT ANTICIPATION NOTES.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the town of Great Barrington on December thirtieth, nineteen hundred and seventy-six, in paying from funds in the treasury of said town the sum of four hundred ninety-two thousand five hundred dollars, principal amount of temporary loans in anticipation of federal and state grants, being note nos. 662 and 663 issued under the provisions of chapter seventy-four of the acts of nineteen hundred and forty-five and section six A of chapter forty-four of the General Laws, is hereby validated.

SECTION 2. The town of Great Barrington is hereby authorized to restore said funds in the treasury of said town to the extent of four hundred ninety-two thousand five hundred dollars upon receipt of and from the proceeds of the grants payable to said town by the federal government and by the commonwealth as reimbursement for expenditures for the purposes for which the temporary loans as described in section one were originally issued; provided, however, that to any extent that said grants have not been received by said town and remain unpaid on the effective date of this act, the town treasurer of said town, with the approval of the board of selectmen of said town, are hereby authorized to issue a sum not exceeding four hundred ninety-two thousand five hundred dollars, principal amount of federal and state grant anticipation notes of said town, payable in not more than one year from their dates, in order to restore said funds in the treasury of said town. Notes issued under this section for a period 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 to the maturity of any note issued to renew or pay the same debt shall not exceed one year. Notes issued under this section shall be paid from the proceeds of the aforesaid grants in anticipation of which they were issued and such notes may be issued only to the extent that said grants remain unpaid.

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

Approved June 28, 1977.

Chap. 338. AN ACT INCREASING FEES FOR SEALING CERTAIN
WEIGHING AND MEASURING DEVICES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 98 of the General Laws is hereby amended by striking out section 56, as appearing in chapter 55 of the acts of 1965, and inserting in place thereof the following section:-

Section 56. Except as otherwise provided, sealers shall receive the following fees for sealing the following weighing or measuring devices:

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

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

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

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

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

(f) Scales and balances with a weighing capacity of ten pounds or less, two dollars.

(g) Each liquid capacity measure, except vehicle tanks, of the capacity of more than one gallon and measures on pumps, fifty cents.

(h) Each liquid measuring meter, except water meters, the diameter of the inlet pipe of which is one half inch or less, two dollars, more than one half inch but not more than one inch, four dollars; for each such type of liquid measuring meter, the diameter of the inlet pipe of which is more than one inch, the following shall apply, vehicle-tank pump eight dollars, vehicle-tank gravity ten dollars, bulk storage twenty dollars, bulk storage user furnishes certified prover ten dollars.

(i) Each taximeter or measuring device used upon vehicles to determine the cost of transportation, four dollars.

(j) Each machine or other mechanical device used for determining linear or area measurement, two dollars.

(k) Milk bottle or jars, four dollars per gross.

(l) Vehicle tanks used in the sale of commodities by liquid measure shall be charged for each hundred gallons or fraction thereof, one dollar. An additional fee of two dollars per sealed indicator shall be received.

(m) All weights and other measures, twenty cents each.

They shall also receive reasonable compensation for the use of special facilities, necessary repairs, alterations and adjustments made by them.

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

Approved June 28, 1977.

Chap. 339. AN ACT PROVIDING FOR THE RETURN AND REDISTRIBUTION OF CERTAIN UNUSED MEDICATION IN CERTAIN HEALTH CARE

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 25G the following section:-

Section 25H. The commissioner by rules and regulations may provide that either a resident or consultant pharmacist in a health care facility may return to the pharmacy from which it was purchased any unused medication provided that such medication is sealed in unopened, individually packaged units and within the recommended period of shelf life, and provided that such medication is not a controlled substance as defined in chapter ninety-four C. Such rules and regulations shall permit the pharmacy to which such medication is returned to restock and redistribute such medication, and shall be required to reimburse or credit the purchaser for any such returned medication.

Approved June 28, 1977.

Chap. 340. AN ACT CLARIFYING THE REQUIREMENTS OF A CORPORATE LICENSE FOR INSURANCE AGENTS AND BROKERS.

Be it enacted, etc., as follows:

The first paragraph of section 174 of chapter 175 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 licenses described in sections one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight and one hundred and seventy-two may, upon payment of the fees prescribed by section fourteen, be issued to any corporation which is incorporated exclusively for the purpose of acting as an insurance agent, broker or adjuster of fire losses, if the majority of whose officers and directors to be named in said license have

been so licensed as individuals for three years, except that no foreign corporation shall be licensed as an insurance agent of a foreign company under said section one hundred and sixty-three or as a special insurance broker under said section one hundred and sixty-eight.

Approved June 28, 1977.

Chap. 341. AN ACT AUTHORIZING NONPROFIT MEDICAL SERVICE CORPORATIONS TO PROVIDE HEALTH INSURANCE TO SUBSCRIBERS OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 10 of chapter 176B of the General Laws is hereby amended by adding the following paragraph:-

A medical service corporation may invest in, acquire and hold the capital stock of any corporation as a subsidiary which is an insurance company authorized to transact the business of providing health insurance to persons residing outside the commonwealth, and which is duly licensed by the commissioner of insurance, provided that the medical service corporation shall notify the commissioner at least thirty days prior to entering into any agreement or contract to make such investment or acquisition.

Approved June 28, 1977.

Chap. 342. AN ACT PROVIDING FOR CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE COVERAGE FOR TRAFFIC SUPERVISORS.

Be it enacted, etc., as follows:

Chapter 32B of the General Laws is hereby amended by inserting after section 2 the following section:-

Section 2A. In cities and towns which accept the provisions of this section, traffic supervisors shall be considered employees under this chapter, notwithstanding the definition of "Employee" in section two.

Approved June 28, 1977.

Chap. 343. AN ACT AUTHORIZING THE TOWN OF LUDLOW TO PURCHASE WATER FROM THE CITY OF SPRINGFIELD OR ANY OTHER MUNICIPALITY.

Be it enacted, etc., as follows:

The town of Ludlow, acting through its board of selectmen, is hereby authorized to contract with the city of Springfield, or any

other municipality, for the construction of water mains in said town for the purpose of conveying water to its inhabitants and to levy special assessments to meet the whole or part of the cost of any construction so contracted for in the same manner and to the same extent as if said town had its own water supply or water distribution system and had accepted the provisions of sections forty-two G, forty-two H and forty-two I of chapter forty of the General Laws.

Approved June 28, 1977.

Chap. 344. AN ACT AUTHORIZING THE BROCKTON POLICE RELIEF ASSOCIATION TO PAY CERTAIN SUMS OF MONEY TO ITS MEMBERS UPON RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. The Brockton Police Relief Association, a corporation duly established under chapter one hundred and seventy-six of the General Laws, is hereby authorized to pay to any member if he so elects by a writing filed with the secretary of said corporation within sixty days after his retirement from the police department of the city of Brockton a sum equal to one half of the death benefit provided by the by-laws of said corporation. Said corporation is hereby authorized to pay to any retired member of said corporation if he so elects by a writing filed with the secretary of said corporation within sixty days of the effective date of this act a sum equal to one half of the death benefit provided by said by-laws. Any amount so paid shall reduce the death benefit otherwise payable upon the death of such member.

SECTION 2. Chapter four hundred and fourteen of the acts of nineteen hundred and seventy-six is hereby repealed.

Approved June 28, 1977.

Chap. 345. AN ACT INCREASING THE AMOUNT OF RETIREMENT BENEFITS WHICH MAY BE PAID BY THE CHICOPEE PERMANENT FIREFIGHTERS BENEFIT ASSOCIATION, INC.

Be it enacted, etc., as follows:

Chapter 380 of the acts of 1971 is hereby amended by striking out, 5, the words "five hundred" and inserting in place thereof the words:- one thousand.

Approved June 28, 1977.

Chap. 346. AN ACT AMENDING CERTAIN PROVISIONS OF LAW REGARDING THE COMMONWEALTH'S FREIGHT RAIL TRANSPORTATION PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (e) of section 2 of chapter 859 of the acts of 1975 is hereby amended by striking out, in line 8, the word "seventy-seven" and inserting in place thereof the word:-seventy-nine.

SECTION 2. Notwithstanding the limitation in said paragraph (e) of said section two of said chapter 859, one hundred and fifty thousand dollars may be expended for financial assistance for continued operation of rail freight service on lines not owned by the commonwealth, provided however, that the financial assistance for continued rail freight service under this section shall only be for service on the following lines: Line 8 Palmer to South Barre; Line 13 South Sudbury to Chelmsford; Line 17 North Abington to West Hanover; Line 21/22 East Sandwich to Hyannis to South Dennis; Line 23 Buzzards Bay to Falmouth; Line 33 Forest Hills to Needham Junction.

SECTION 3. Notwithstanding the provision in section 4 of chapter 161C of the General Laws and the limitation to expenditures of appropriations from the Freight Rail Fund only for purposes of acquisition, as provided in paragraph (c) of section 2 of said chapter 859, there is hereby appropriated from the Freight Rail Fund the sum of three hundred thousand dollars which may be expended for rehabilitation and upgrading of rail branchlines, provided, however, that the funds may be expended only for the rehabilitation and upgrading of the following lines: Line 8 Palmer to South Barre; Line 13 South Sudbury to Chelmsford; Line 17 North Abington to West Hanover; Line 21/22 East Sandwich to Hyannis and South Dennis; Line 23 Buzzards Bay to Falmouth.

Approved June 28, 1977.

EMERGENCY LETTER — June 29, 1977 @ 11:54 P. M.

Chap. 347. AN ACT FURTHER REGULATING COLLECTIVE BARGAINING IMPASSES INVOLVING FIREFIGHTERS AND POLICE OFFICERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide an impasse procedure in collective bargaining for municipal police officers and

firefighters, therefore 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 150E of the General Laws is hereby amended by striking out section 9, as appearing in section 2 of chapter 1078 of the acts of 1973, and inserting in place thereof the following section:-

Section 9. After a reasonable period of negotiation over the terms of a collective bargaining agreement, either party or the parties acting jointly may petition the board for a determination of the existence of an impasse. Upon receipt of such petition, the board shall commence an investigation forthwith to determine if the parties have negotiated for a reasonable period of time and if an impasse exists, within ten days of the receipt of such petition, the board shall notify the parties of the results of its investigation. Failure to notify the parties within ten days shall be taken to mean that an impasse exists.

Within five days after such determination, the board shall appoint a mediator to assist the parties in the resolution of the impasse. In the alternative, the parties may agree upon a person to serve as a mediator and shall notify the board of such agreement and choice of mediator.

After a reasonable period of mediation, not to exceed twenty days from the date of appointment, said mediator shall issue to the board a report indicating the results of his services in resolving the impasse.

If the impasse continues after the conclusion of mediation, either party or the parties acting jointly may petition the board to initiate fact-finding proceedings. Upon receipt of such petition, the board shall appoint a fact-finder, representative of the public, from a list of qualified persons maintained by the board. In the alternative, the parties may agree upon a person to serve as fact-finder and shall notify the board of such agreement and choice of fact-finder. No person shall be named as a fact-finder who has represented an employer or employee organization within the preceding twelve months. The fact-finder shall be subject to the rules of the board and shall, in addition to powers delegated to him by the board, have the power to mediate and to make recommendations for the resolution of the impasse. The fact-finder shall transmit his findings and any recommendations for the resolution of the impasse to the board and to both parties within thirty days after the date of his appointment. If the im-

passee remains unresolved ten days after the transmittal of such findings and recommendations, the board shall make them public.

The parties by their own agreement may mutually waive the fact-finding provisions contained herein and may petition the board for arbitration pursuant to section four of chapter one thousand and seventy-eight of the acts of nineteen hundred and seventy-three. Said waiver shall not constitute a bar to any arbitration award.

Any arbitration award in a proceeding voluntarily agreed to by the parties to resolve an impasse shall be binding on the parties and on the appropriate legislative body and made effective and enforceable pursuant to the provisions of chapter one hundred and fifty C, provided that said arbitration proceeding has been authorized by the appropriate legislative body or in the case of school employees, by the appropriate school committee.

If the impasse continues after the publication of the fact-finder's report, the issues in dispute shall be returned to the parties for further bargaining.

Any time limitations prescribed in this section may be extended by mutual agreement of the parties and the board.

SECTION 2. Chapter 1078 of the acts of 1973 is hereby amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. If an employee organization duly recognized as representing the firefighters or police officers of a city, town, or district is engaged in an impasse with said city, town or district which has continued for thirty days after the publication of the fact-finders report pursuant to section nine of chapter one hundred and fifty E of the General Laws, or, if the parties have mutually waived the fact-finding provisions contained in said section nine of said chapter one hundred and fifty E, said employee organization shall petition the board to make an investigation. If, after an investigation, the board determines that:

1. the requirements of section nine of said chapter one hundred and fifty E have been complied with in good faith by the employee organization;

2. thirty days have passed since the date of publication of the fact-finding report pursuant to said section nine;

3. the proceedings for the prevention of any prohibited practices have been exhausted, provided that any such complaints have been filed with the commission prior to the date of the fact-finder's report; and

4. an impasse exists, the board shall notify the employer and the employee organization that the issues in dispute shall be resolved by a three-member arbitration panel, or when the parties mutually agree, the board shall select a single arbitrator in lieu of the arbitration panel.

Said panel shall be comprised of three arbitrators, one selected by the employer, one selected by the employee organization, and a third impartial arbitrator, who shall act as chairman of the panel, who shall be selected by the two previously selected arbitrators. In the event that either party fails to select an arbitrator or for any reason there is a delay in the naming of an arbitrator, or if the arbitrators fail to select a third arbitrator within the time prescribed by the board, the board shall appoint the arbitrator or arbitrators necessary to complete the panel, which shall act with the same force and effect as if the panel had been selected without intervention of the board.

In the event that the parties mutually elect to use a single arbitrator, selected by the board, the parties shall immediately request the board to appoint said arbitrator, who shall act with the same force and effect as if a three member panel had been selected by the parties.

The single arbitrator or the arbitration panel acting through its chairman, shall conduct a hearing within ten days after the date of appointment of its chairman, at a place within the locality of the municipality involved, where feasible. The chairman shall give at least seven days notice in writing to each of the other arbitrators. The chairman or single arbitrator shall give like notice to the representatives of the municipal employer and employee organizations of the time and place of such hearing.

The single arbitrator or chairman shall preside over the hearing and shall take testimony. Upon application and for good cause shown, a person, labor organization, or governmental unit having substantial interest therein may be granted leave to intervene by the arbitration panel. The proceedings shall be informal. Any oral or documentary evidence and other data deemed relevant by the arbitration panel or single arbitrator may be received into evidence. The arbitrators shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the production of books, records, and other evidence relative to or pertinent to the issues presented to them for determination. If any person refuses to obey a subpoena, or refuses to be sworn or to testify, or if any witness, party, or attorney is guilty of any contempt while in attendance at any hearing, the arbitration panel or single arbitrator may, or

the district attorney if requested, shall invoke the aid of the superior court within the jurisdiction in which the hearing is being held, which the court shall issue an appropriate order.

A record of the proceedings shall be kept, and the chairman or single arbitrator shall arrange for the necessary recording service. Transcripts may be ordered at the expense of the party ordering them, but the transcripts shall not be necessary for an award by the panel or single arbitrator. The hearing may be continued at the discretion of the panel or single arbitrator and shall be concluded within forty days from the time of commencement. At the conclusion of the hearing, each party shall submit a written statement containing its last and best offer for each of the issues in dispute to the panel or single arbitrator, who shall take said statements under advisement. Within ten days after the conclusion of the hearing, a majority of the panel, or the single arbitrator, shall select as the last and best arbitration award either the employer's written statement of its last and best offer, the employee organization's written statement of its last and best offer, or the recommendations of the fact-finder, if a fact-finding report and recommendations have been issued, and immediately shall give written notice of the selection to the parties. The selection shall be final and binding upon the parties and upon the appropriate legislative body. Within thirty calendar days of the last and best offer selection and award, the impartial chairperson of the arbitration panel or, the single arbitrator, shall issue a written opinion inclusive of an analysis of all statutory factors applicable to the proceedings.

At any time before the rendering of an award, the chairman of the arbitration panel or single arbitrator, if he is of the opinion that it would be useful or beneficial to do so, may remand the dispute to the parties for further collective bargaining for a period not to exceed three weeks and notify the board of the remand. If the dispute is remanded for further collective bargaining the time provisions of this act shall be extended for a time period equal to that of the remand.

In the event that the representatives of the parties mutually resolve each of the issues in dispute and agree to be bound accordingly, said representatives may, at any time prior to the final decisions by the panel, or single arbitrator, request that the arbitration proceedings be terminated, the panel, acting through its chairman or single arbitrator, shall terminate the proceedings.

The factors among others, to be given weight by the arbitration panel or single arbitrator in arriving at the decision shall include:

(1.) The financial ability of the municipality to meet costs. Such factors which shall be taken into consideration shall include but not be limited to, (a) the city, town, or district's state reimbursements and assessments; (b) the city, town, or district's long and short term bonded indebtedness; (c) the city, town, or district's estimated share in the metropolitan district commission deficit; (d) the city, town or district's estimated share in the Massachusetts Bay Transportation Authority's deficit; and (e) consideration of the average per capita property tax burden, average annual income of members of the community, the effect any accord by the panel or single arbitrator might have on the respective property tax rates on the city or town.

(2.) The interests and welfare of the public.

(3.) The hazards of employment, physical, educational and mental qualifications, job training and skills involved.

(4.) A comparison of wages, hours and conditions of employment of the employees involved in the arbitration proceedings with the wages, hours and conditions of employment of other employees performing similar services and with other employees generally in public and private employment in comparable communities.

(5.) The decisions and recommendations of the fact-finder, if any.

(6.) The average consumer prices for goods and services, commonly known as the cost of living.

(7.) The overall compensation presently received by the employees, including direct wages and fringe benefits.

(8.) Changes in any of the foregoing circumstances during the pendency of the arbitration proceedings.

(9.) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of wages, hours and conditions of employment through voluntary collective bargaining, mediation, fact-finding, arbitration or otherwise between parties, in the public service or in private employment.

(10.) The stipulation of the parties.

Any determination or decision of the arbitration panel or single arbitrator if supported by material and substantive evidence on the whole record shall be binding upon the parties and may be enforced at the instance of either party, the single arbitrator or the arbitration panel in the superior court in equity, provided however, that the scope of arbitration in police matters shall be limited to wages, hours, and conditions of employment and shall not include the following matters of inherent

managerial policy: the right to appoint, promote, assign, and transfer employees; and provided, further, that the scope of arbitration in firefighter matters shall not include the right to appoint and promote employees. Assignments shall not be within the scope; provided, however, that the subject matters of initial station assignment upon appointment or promotion shall be within the scope of arbitration. The subject matter of transfer shall not be within the scope of arbitration, provided however, that the subject matters of relationship of seniority to transfers and disciplinary and punitive transfers shall be within the scope of arbitration. Notwithstanding any other provisions of this chapter to the contrary, no municipal employer shall be required to negotiate over subjects of minimum manning of shift coverage, with an employee organization representing municipal police officers and firefighters.

The commencement of a new municipal finance year prior to the final awards by the arbitration panel shall not be deemed to render a dispute moot, or to otherwise impair the jurisdiction or authority of the arbitration panel or its award. Any award of the arbitration panel may be retroactive to the expiration date of the last contract.

If a municipal employer, or an employee organization willfully disobeys a lawful order of enforcement pursuant to this section, or willfully encourages or offers resistance to such order, whether by strike or otherwise, the punishment for each day that such contempt continues may be a fine for each day to be determined at the discretion of said court.

Each of the parties shall provide compensation for the arbitrator which he has selected pursuant to this section. The remaining costs of arbitration proceedings under this section shall be divided equally between the parties. Compensation for the arbitrators shall be in accordance with a schedule of payment established by the American Arbitration Association.

No member of a unit of municipal police officers or firefighters who is employed on a less than full-time basis shall be subject to the provisions of this section.

SECTION 3. Said chapter 1078 is hereby further amended by striking out section 8 and inserting in place thereof the following section:-

Section 8. The provisions of section four of this act shall terminate on June thirtieth, nineteen hundred and seventy-nine. Any arbitration proceeding pending on June thirtieth, nineteen

hundred and seventy-nine shall be completed under the provisions of section four.

(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 27, 1977, and, in concurrence, by the House of Representatives, June 27, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 348. AN ACT AUTHORIZING SCHOOL COMMITTEES TO PREPAY TUITION TO EDUCATIONAL COLLABORATIVES AND TO CERTAIN SCHOOLS AND INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 56 of chapter 41 of the General Laws is hereby amended by striking out the sentence inserted by chapter 168 of the acts of 1975.

SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after section 71C the following section:-

Section 71D. A school committee of any city, town or region may authorize the prepayment of tuition for a period not exceeding three months to the treasurer of any collaborative formed under the provisions of section four E of chapter forty or to any school or approved program source which a student is attending under the provisions of chapter seventy-one B.

Approved June 29, 1977.

EMERGENCY LETTER — July 12, 1977 @ 10:47 A.M.

Chap. 349. AN ACT RELATIVE TO THE COMPUTATION OF INTEREST ON PROPERTY TAXES.

Be it enacted, etc., as follows:

Section 57 of chapter 59 of the General Laws is hereby amended by striking out the sentence, inserted by section 1 of chapter 101 of the acts of 1976, and inserting in place thereof the following sentence:- If the whole or any part of such tax remains unpaid after May first of such fiscal year, in addition to the interest as aforesaid, interest at such rate shall be paid on so much of the

balance of such tax not so paid as does not exceed one half of such tax as reduced by any abatement and computed from April first of such fiscal year.

Approved June 29, 1977.

Chap. 350. AN ACT EXEMPTING AGRICULTURAL LANDS FROM TAKING BY EMINENT DOMAIN FOR OPEN SPACE OR CONSERVATION PURPOSES BY COUNTIES.

Be it enacted, etc., as follows:

Section 25 of chapter 34 of the General Laws, added by chapter 698 of the acts of 1967, is hereby amended by adding the following sentence:- Land used for farming or agriculture, as defined in section one A of chapter one hundred and twenty-eight, shall not be taken by eminent domain under the authority of this section.

Approved June 29, 1977.

Chap. 351. AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE TOWN OF BROOKLINE TO APPOINT A DIRECTOR OF SCHOOL PLANT AND A DIRECTOR OF SCHOOL FOOD SERVICES.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the school committee of the town of Brookline is hereby authorized to appoint a director of school plant and a director of school food services. Such positions shall not be subject to chapter thirty-one of the General Laws.

Approved June 29, 1977.

EMERGENCY LETTER — July 12, 1977 @ 10:47 A.M.

Chap. 352. AN ACT PROVIDING THAT THE POSITION OF POLICE RECORDS CLERK MATRON FOR THE TOWN OF WEST SPRINGFIELD BE EXEMPT FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law or rule or regulation to the contrary, the position of police records clerk

matron of the town of West Springfield shall not be subject to 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 person holding the position of police records clerk matron of said town holding such status on the effective date of this act.

SECTION 3. This act shall be submitted to the voters of the town of West Springfield at its next annual or special town meeting in the form of the following question: "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act providing that the position of Police Records Clerk Matron for the town of West Springfield 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 then this act shall thereupon take effect, but not otherwise.

Approved June 29, 1977.

Chap. 353. AN ACT CHANGING THE DATE BY WHICH AUTOMOBILE CLUBS MUST FILE STATEMENTS OF FINANCIAL CONDITION WITH THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

Section 7 of chapter 174B of the General Laws, added by section 3 of chapter 850 of the acts of 1974, is hereby amended by striking out, in line 2, the word "March" and inserting in place thereof the word:- April.

Approved June 29, 1977.

Chap. 354. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE TOWN OF AYER AS THE BURR M. WILLEY BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway route 2A over the Nashua river, at the Ayer-Shirley town line, shall be designated and known as the Burr M. Willey bridge, in memory of Lieutenant Colonel Burr M. Willey, who was killed in action while a member of the armed forces of the United States in the Vietnam conflict. Suitable markings bearing such designation shall be attached thereto by the department of public works, in accordance with the standards of said department.

Approved June 29, 1977.

Chap. 355. AN ACT PROVIDING THAT A PETITION FOR A REFERENDUM ON THE AUTHORIZATION OF CERTAIN BONDS OR LOANS IN THE CITY OF MELROSE SHALL BE FILED WITH THE BOARD OF ELECTION COMMISSIONERS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section 48 of chapter 162 of the acts of 1899, as amended by section 3 of chapter 294 of the acts of 1929, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- If within said period of thirty days a petition of ten per cent of the legal voters of the city shall be filed with the board of election commissioners, using forms which shall be supplied or approved by said board, asking that the question of the authorization of such issue or loan be submitted to the voters of the city at large, the board of election commissioners shall transmit such petition to the board of aldermen, and said question shall be submitted to the qualified voters of the city voting at large in their respective voting places at the next municipal election.

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

Approved June 29, 1977.

Chap. 356. AN ACT PROVIDING FOR A COMPREHENSIVE RAIL TRANSIT, ACCELERATED HIGHWAY AND RAILROAD IMPROVEMENT BONDING AUTHORIZATION FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith funds for a comprehensive rail transit, accelerated highway and railroad construction and improvement program, therefore 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 expend a sum not to exceed four hundred sixty-eight million dollars and the metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to expend a sum not to exceed eighteen million nine hundred thousand dollars for the following purposes:

Projects for the laying out, construction, reconstruction, resurfacing, relocation or improvement of highways, parkways, bridges, bicycle paths or facilities, parking facilities, auto-restricted zones, scenic easements, grade crossing eliminations

and alterations of other crossings, traffic safety devices on state highways and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws, highway or mass transportation studies, including without limitation, traffic, environmental or parking studies, establishment of school zones in accordance with section seventeen of said chapter ninety, improvements on routes not designated as state highways without assumption of maintenance responsibilities, and, notwithstanding any law to the contrary, for the relocation of persons or businesses, or replacement of dwellings or structures, including, without limitation, the provision of last resort housing under federal law and such functional replacement of structures in public ownership, as may be necessary for the foregoing purposes and for relocation benefits equal to those provided for by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and to sell, at public or private sale, any structure the title to which has been acquired for highway purposes. When dwellings or other structures are removed in furtherance of any of the foregoing projects, the excavations or cellar holes remaining shall be filled in and brought to grade within one month.

Funds authorized by this section shall except as otherwise specifically provided in this act, be subject to the provisions of the first paragraph of section six and sections seven and nine of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six and, notwithstanding any law to the contrary, may be used for the purposes stated in this act in conjunction with funds of cities, towns, and any political subdivisions or public agencies and commissions of the commonwealth.

In addition to the foregoing the department is further authorized:

(1) to expend funds made available by this section to lease from any person, land or interests in land for parking facilities adjacent to any public way, to be operated by the department or under contract with any person; and

(2) to exercise all powers and do all things necessary and convenient to carry out the purposes of this act.

SECTION 1A. Funds authorized by section one of this act shall be allocated on the accounting records of the comptroller to the department as follows:

(a) a sum of two hundred million dollars for projects, pursuant to the provisions of section one, on the interstate federal aid highway system; and

(b) a sum of two hundred ten million dollars for projects, pursuant to the provisions of section one, on the federal aid highway system, other than interstate.

SECTION 2. In addition to the funds authorized in section one the department is hereby authorized and directed to expend the following:

(a) a sum not to exceed three million dollars for the acquisition and improvement of maintenance sites, including the construction of sanitary facilities, the erection of protection fences, and the construction of salt storage sheds; provided, that the department may make available to cities and towns a sum not to exceed one million dollars of said three million dollars for the construction of salt storage sheds;

(b) a sum not less than twenty-seven million dollars for projects for construction of town and county ways under subdivision (a) of clause (2) of section thirty-four of chapter ninety of the General Laws;

(c) a sum not to exceed two million dollars for the laying out, construction, reconstruction or other improvement of bicycle paths and facilities;

(d) a sum not to exceed twenty million dollars for the design and improvements to and reconstruction of state highway bridges and other bridges; provided, that, notwithstanding the provisions of any other law to the contrary, the provisions of section forty of chapter one hundred and thirty-one of the General Laws and sections sixty-one and sixty-two of chapter thirty of the General Laws shall not apply to the repair of existing state highway bridges and other bridges nor to the reconstruction or replacement of said bridges in which the design is substantially the functional equivalent of, and in similar alignment to, the structure to be reconstructed or replaced; and provided further, that the provisions of sections eleven, twelve, twelve A and fourteen of chapter ninety-one of the General Laws shall not apply to bridge projects of the department;

(e) a sum not to exceed one million dollars for the design of the reconstruction of a portion of United States highway route 1, in the cities of Chelsea and Revere;

(f) a sum not to exceed forty million dollars for the design and construction, repair or improvements to non-federally reimbursable projects except for projects falling within the provisions of clause (b);

(g) a sum not to exceed ten million dollars for extra work orders; claims, and other payments authorized by the department in connection with federal aid interstate projects including

such payments incurred in connection with accelerated highway program authorizations of prior years but for which insufficient funds remain in said prior authorizations, and including court judgments and settlements entered into by the attorney general whether or not federally aided.

(h) a sum not to exceed one million dollars, subject to the approval of the secretary of the executive office of transportation and construction, for the provision of boat services for commuter operations to and from the city of Boston from the north and south shores, or other public transportation purposes, including, without limitation, the planning, design, construction or acquisition of docking, dredging and other landside facilities, such as parking or shelter facilities, and the purchase of boats and other equipment in connection with such services. In carrying out the provisions of this clause, the department may enter into such contracts or agreements as are appropriate with other public agencies, authorities, or political subdivisions of the commonwealth, including, without limitation, the Massachusetts Port Authority and the Massachusetts Bay Transportation Authority, the division of environmental management in the executive office of environmental affairs or with private parties, and such other public parties are hereby granted the power and authority to enter into any such contracts or agreements with the department.

The secretary of the executive office of transportation and construction is hereby directed to take all necessary actions to secure any federal assistance which is or may become available for the purpose of this clause.

(i) an amount not to exceed forty per cent in excess of the amounts determined as the fair market value of the Church of the Nativity in the city of Chicopee as determined by the real estate review board, to be applied toward the functional replacement of said church.

SECTION 3. Pursuant to the provisions of section one the department is hereby authorized and directed to expend a sum not less than sixty million dollars for projects in the following four areas:- not less than fifteen million dollars of said sum shall be expended in the area west of the Connecticut river, including therein any bridges across said river with their approaches and connections; not less than fifteen million dollars in the area lying between the Connecticut river and the easterly boundary line of Worcester county; not less than fifteen million dollars in Essex, Middlesex and Norfolk counties; and not less than fifteen million

dollars in Bristol, Plymouth, Barnstable, Dukes and Nantucket counties.

SECTION 4. No payment in excess of fifty thousand dollars by way of purchase of real estate or any interest therein shall be made, by the department and no settlement in excess of fifty thousand dollars shall be made out of court for damage recoverable under chapter seventy-nine of the General Laws, in excess of the amount recommended by the real estate review board established by section six of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six by reason of a purchase or taking under this act or under chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five, or chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven, or chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine, chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two or chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five. Each recommendation of the real estate review board shall be in writing and shall be accompanied by a written statement of the reasons for such recommendation.

No settlement, by reason of a taking under this act or under said chapters six hundred and seventy-nine, six hundred and sixteen, seven hundred and sixty-eight, seven hundred and sixty-five and chapter eight hundred and fifty-nine in excess of fifty thousand dollars and in excess of the recommendation of the real estate review board, shall be made by agreement of the parties during or after trial except with the written approval of the court; provided that settlements in excess of the recommendation of the board may be made without such approval if the settlement does not exceed the amount of any verdict or finding which may have been rendered, together with interest and costs.

The department is hereby directed to file reports on all payments in excess of twenty-five thousand dollars for damages resulting from a taking or for a purchase under this act with the joint legislative committee on transportation not later than ninety days after payment. Such reports shall contain the amount of the payment, an affidavit that the amount was not in excess of the amount recommended by said board if payment in excess of said amount is prohibited hereunder, by whom and what manner settled, the name of the owner or owners of the land involved, and a description of said land sufficient to identify it.

SECTION 5. The department may provide functional replacement of real property in public ownership whenever the department has acquired such property under the provisions of this act

as a result of a highway or highway related project and whenever the department determines such functional replacement is made necessary by such projects and is in the public interest. Functional replacement is defined as the replacement of real property, either land or facilities, or both, acquired as a result of a highway or highway related project with lands or facilities, or both, which will provide equivalent utility.

Whenever the department determines it is necessary that any utility, as defined in section one hundred twenty-three of Title 23 of the United States Code, is required to be relocated because of construction of a project authorized under the provisions of this act which is to be reimbursed federally in whole or in part, then such facilities shall be relocated by the owner thereof in accordance with the order of the department; provided, however, that the commonwealth may reimburse the owner of such utility facility for the "cost of relocation" as such cost is defined in said section one hundred twenty-three of Title 23 of the United States Code.

SECTION 6. The secretary of administration may from time to time establish in the bureau of building construction such units as may be necessary to assist the department in the planning, development and supervision of construction of buildings or facilities which the department is providing as replacement facilities on projects authorized under the provisions of this act. The director of the bureau of building construction may, with the approval of the public works commission, temporarily assign any permanent or temporary employee of said bureau as may be required for the supervision of the project provided that the salaries and expenses of all such employees during the period of such assignment shall be paid from funds made available to the department for said project. No increase in the number of permanent positions in said bureau shall be allowed on account of this section, nor shall it cause a decrease in the number of positions in said bureau's budget.

SECTION 7. Any amounts made available by sections one and two of this act or heretofore made available by section one of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section one of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven and section one of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine and sections one and four of chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two and sections six and eight of chapter eight hundred and fifty-nine of the acts of nineteen hundred and

seventy-five shall be available for expenditure until June thirtieth, nineteen hundred and eighty-two.

SECTION 8. The department is hereby authorized and directed to take all necessary actions to secure any federal highway or mass transportation assistance which is or may become available to said department, including, without limitation, actions authorized under or in compliance with the provisions of Title 23 of the United States Code, and actions such as filing applications for federal assistance, supervising the expenditure of funds under federal grants or other assistance agreements, and making any determinations and certifications necessary or appropriate to the foregoing. If any federal law, administrative regulation or practice requires any action relating to such federal assistance to be taken by any department, agency or other instrumentality of the commonwealth other than said department, such other department, agency or instrumentality is authorized and directed to take such action.

In furtherance of the foregoing purposes, said department shall accept any federal funds available for projects authorized in section one of this act and such federal funds when received shall be credited to the Federal Highway Construction Program Fund. To meet a portion of the expenditures authorized by section one of this act there is hereby appropriated from the Federal Highway Construction Program Fund the sum of three hundred and sixty-three million dollars which shall be expended, subject to the limitations contained in Article LXXVIII of the Amendments to the Constitution, and which shall be in addition to the amounts appropriated in section six of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five, section seven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven, section six of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine, and section six of chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two, and section eleven of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five.

SECTION 9. To meet a portion of the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of two hundred and twenty-six million nine hundred thousand dollars to be in addition to bonds

authorized to be issued and sold in section ten of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section eleven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven and section nine of chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two and section fourteen of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five.

All bonds issued by the commonwealth as aforesaid shall be designated on their face, Highway Improvement Loan, Act of 1977, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section three of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and three. All interest payments and payments on account of principal on such bonds shall, subject to the limitations contained in Article LXXVIII of the Amendments to the Constitution, be payable from the Highway Fund; provided, that notwithstanding the foregoing, such bonds shall be general obligations of the commonwealth.

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 authorized by this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section three of Article LXII of the Amendments to the Constitution of the Commonwealth, provided, that the total amount of such notes outstanding at any one time shall not exceed fifty million dollars, and the final maturity of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and eighty-two.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth. All payments on account of principal on the said notes allocable to the Federal Highway Construction Program Fund shall be repaid from the said Federal Highway Construction Program Fund.

SECTION 11. Section 13 of chapter 64A of the General Laws is hereby amended by striking out clause (d) and inserting in place thereof the following two clause

(d) Six and sixty-six hundredths per cent of the excise imposed by this chapter and all sums received as penalties, forfeitures, interest, costs of suits and fines less all amounts allowed for reimbursement under the provisions of sections seven and seven A shall be credited to the Highway Fund and used solely for projects for construction of town and county ways under subdivision (a) of clause (2) of section thirty-four of chapter ninety, said funds to be in addition to any matching funds as may be provided by cities and towns; and provided that said funds shall not be subject to assessment under the provisions of section twenty of chapter fifty-nine.

(e) The balance of the excise imposed by this chapter and all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the Highway Fund and used for highway maintenance.

SECTION 12. The provisions of section eleven shall take effect on June thirtieth, nineteen hundred and seventy-nine.

SECTION 13. The General Laws are hereby amended by inserting after chapter 90D the following chapter:-

CHAPTER 90E.

BIKEWAYS

Section 1. Wherever used in this chapter, unless the context otherwise requires, the following words or terms shall have the following meanings:-

“Bicycle”, a two-wheel nonmotor-powered vehicle.

“Bike path”, a route for the exclusive use of bicycles separated by grade or other physical barrier from motor traffic.

“Bike lane”, a lane on a street restricted to bicycles and so designated by means of painted lines, pavement coloring or other appropriate markings.

“Bike route”, a roadway shared by both bicycles and other forms of transportation designated by the means of signs or pavement markings.

“Bikeway”, bike paths, bike lanes and bike routes.

“Bicycle parking facility”, any facility for the temporary storage of bicycles which allows the frame and both wheels of the bicycle to be locked so as to minimize the risk of theft and vandalism.

“Department”, the department of public works.

“Commissioner”, the commissioner of public works.

Section 2. The commissioner shall promulgate such rules, regulations, plans, proposals, and procedures as are necessary and appropriate to the construction and maintenance of bikeways and bicycle parking facilities.

Such rules, regulations, plans, proposals and procedures shall take into consideration potential users in high density employment areas, bicycle accident locations, connections to other modes of transportation, special signs, markings necessary for the benefit of cyclists and motorists, bicycle parking facilities at points of public interest and provisions to insure safe, smooth, direct continuous bikeways.

The commissioner shall designate the bureau of transportation planning and development in the department as the principal source for the planning of bikeways in the commonwealth.

For purposes of this act, “bikeways program” shall include, but not be limited to: surveys, safety measures, demonstration projects, research, education, utilization of existing streets and walkways, provision of bikeways to and from schools affording a minimum of hazard from automobiles, provision of comfort stations and weather shelters, provision of facilities in connection with commuter railroads to facilitate the use of bicycles by commuters in traveling to and from the railroad stations, and promulgation of standards, security measures and regulations for the registration and use of bicycles.

The commissioner shall promulgate such rules, regulations and procedures, including public hearings, as are necessary and appropriate to provide the following parties the timely opportunity to participate in the development of bikeway proposals, plans, programs and projects of the department, as defined by the commissioner, and to review and comment thereon:

(a) state, regional and local agencies and authorities, including without limitation, regional planning agencies, affected by said proposals, plans, programs and projects;

(b) elected officials from cities and towns affected by said proposals, plans, programs and projects;

(c) other public and private organizations, groups and persons who are affected by, and who have provided the commissioner

with reasonable notice in writing of their desire to participate in the development of said proposals, plans, programs and projects.

In this section, the words “timely opportunity” shall mean sufficiently early in the planning process to permit comments to be considered prior to the final development of or commitment to any such proposal, plan, program or project, at each stage of development.

Section 3. The commissioner shall expend for the purpose of assisting counties, cities and towns to construct bikeways for commuter or recreational use, such funds as are appropriated or authorized by the general court for such purpose, and payment shall be made to the county or city or town upon application to said commissioner on the basis of criteria established by him.

Funds made available for the construction of bikeways shall be expended as follows:

(a) Seventy-five per cent of the costs for bikeways, the balance of the costs to be borne by the city or town in which said bikeways are located.

(b) Fifty per cent for the cost of constructing a bicycle parking facility at or adjacent to a mass transit facility, the balance of the costs to be borne by the city or town where said bicycle parking facility is to be constructed.

The department is hereby authorized and directed to take all steps necessary to obtain federal funds that may be available for the construction of bikeways and said funds shall be credited to the Federal Highway Construction Program Fund.

SECTION 14. To meet expenditures necessary to carry out the provisions of section four of chapter one hundred and sixty-one C of the General Laws, and in addition to such other sums as may have been made available for such purpose, the state treasurer shall, upon request of the governor, issue and sell at public or private sale, bonds of the commonwealth, registered or with coupons attached, in an amount specified by the governor from time to time, but not exceeding in the aggregate eighteen million dollars provided, that the proceeds of such bonds shall be expended only for fencing, right-of-way, station development or other improvements in conjunction with the so-called Northeast Corridor Project for the development of high speed rail passenger service between Boston, Massachusetts, New York, New York and Washington D.C., as such Project is authorized under applicable federal law, including, without limitation, the Regional Rail Reorganization Act of 1973 on property publicly owned or managed; and provided, further, that the proviso in section four

of said chapter one hundred and sixty-one C shall not apply to the issuance of such bonds or the expenditure of their proceeds.

SECTION 15. The proceeds of the eighteen million dollars of bonds authorized in section fourteen of this act for the so-called Northeast Corridor Project shall be paid into the Passenger Rail Transportation Fund, as established by paragraph (d) of section two of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five and shall be expended, subject to appropriation.

SECTION 16. Section 23 of chapter 161A of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 14 of chapter 1140 of the acts of 1973, and inserting in place thereof the following paragraph:-

Not more than three hundred and eighty-nine million dollars of bonds of the authority under clauses (1), (2), (3) and (4) above shall be outstanding at any time; provided that any bonds which are redeemed on or after January first, nineteen hundred and eighty-three shall not be reissued.

SECTION 16A. Said section 23 of said chapter 161A is hereby further amended by inserting after the paragraph inserted by section 3 of chapter 859 of the acts of 1975 the following two paragraphs:-

In addition to the bonding authorization provided in the third and fifth paragraphs the authority may issue not more than forty-five million dollars of bonds for the purposes described above; provided that said bonds shall not be reissued upon their redemption.

Each application or reapplication of the authority for grants from the federal government, whether directly or through an intermediary, shall be filed with the joint legislative committee on transportation at the same time as such application is filed with the federal government. Upon the filing of each such application with said committee, the authority shall certify to said committee such information regarding the proposed grant, including without limitation itemization of proposed expenditures and of financing sources, as shall be prescribed from time to time by said committee.

SECTION 16B. The secretary of the executive office of transportation and construction is hereby authorized and directed to investigate the feasibility of extending the Fitchburg division of the commuter rail system to a terminus at or near Interstate Route 495.

Said report shall be filed with the clerk of the senate not later than the last day of January, nineteen hundred and seventy-eight.

SECTION 17. The second sentence of the first paragraph of section 28 of said chapter 161A is hereby amended by striking out the words "three hundred and thirty-two", inserted by section 4A of chapter 859 of the acts of 1975, and inserting in place thereof the words:- three hundred and seventy-seven.

SECTION 18. The proceeds of eight hundred thousand dollars and of twenty million, seven hundred thousand dollars of the forty-five million dollars of additional bonding authorization provided by section twenty-three of chapter one hundred and sixty-one A of the General Laws, as amended by section sixteen of this act, shall be expended only for, respectively, the so-called Malden Center Garage, and the extension of the so-called Blue Line to Lynn; provided that the so-called Blue Line to Lynn shall include reconstruction of the so-called Suffolk Downs station in the city of Revere.

The proceeds of twenty-three million five hundred thousand dollars of such bonding authorization shall be expended only for system improvements, rehabilitation and replacement; provided that such system improvements, rehabilitation and replacement shall include, without limitation, acquisition and renovation of rolling stock for existing service, upgrading of existing right-of-way, and construction and reconstruction of existing stations and maintenance facilities; provided, that such system improvements shall include installation of protective fencing to separate that part of the right-of-way of the authority's so-called Boston and Maine Railroad in the city of Revere which is adjacent to the Paul Revere School in that city; the authority shall expend for such fencing an amount of proceeds of such additional bond authorization not to exceed thirty-four thousand dollars.

The proceeds of thirty-five million dollars of such additional bonding authorization shall be expended only for projects for which the authority has agreements with the federal government providing for grants averaging four-fifths of the estimated eligible costs of such projects.

SECTION 19. The schedule in the first paragraph of section 8 of chapter 1075 of the acts of 1971 is hereby amended by striking out the second item and inserting in place thereof the following item:-

Pines River Transit Extension and Blue Line Extension.

SECTION 19A. Said schedule in said first paragraph of said section 8 of said chapter 1075 is hereby further amended by striking

out the sixth item and inserting in place thereof the following item:-

Private Bus Carrier Improvements and Authority Bus Improvements.

SECTION 19B. Said schedule in said first paragraph of said section 8 of said chapter 1075 is hereby further amended by striking out the ninth item and inserting in place thereof the following item:-

Commuter Rail Improvements on the so-called Needham Line and relocation of the Orange Line so-called.

SECTION 20. Section 4 of chapter 859 of the acts of 1975 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The proceeds of the seventy-five million dollars of additional bonding authorization provided under section twenty-three of chapter one hundred sixty-one A of the General Laws, as amended by section three of this act, shall be expended only for projects on the so-called Red Line, Blue Line, on the so-called Orange Line as far as Forest Hills, and on commuter rail improvements on the so-called Needham Line beyond Forest Hills; provided that none of the proceeds of said additional bonding authorization shall be expended for extension of the so-called Orange Line rapid transit beyond Forest Hills.

SECTION 21. Chapter 29 of the General Laws is hereby amended by inserting after section 2D the following section:-

Section 2E. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Federal Highway Construction Program Fund. Money received from the federal government on account of projects financed in whole or in part by appropriations authorized to be charged to said fund shall be credited to said fund, except that amounts so received which represent reimbursement for expenditures from Highway Fund personal services appropriations shall be credited to the Highway Fund.

SECTION 22. The comptroller is hereby authorized and directed to transfer from the Highway Fund to the Federal Highway Construction Program Fund the unexpended balances remaining in accelerated highway program appropriations authorized by the following acts:- chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five, chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven, chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine, chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two,

and to hold, lease, otherwise deal with, sell, transfer or otherwise dispose of such lands, including buildings thereon, easements, estates or any other rights or interest in land, as may be found necessary by said commissioner, in accordance with the provision of this section, to accomplish the purposes of this section; and in furtherance of such purposes and without limitation, said department may exercise such powers as may be necessary under chapters sixteen or eighty-one of the General Laws; provided, however, that prior to the disposition, by lease, sale, transfer or otherwise, of any lands or buildings acquired under the provisions of this section the commissioner of public works shall report to the general court his reasons for said disposition.

Approved June 29, 1977.

Chap. 357. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR THOMAS C. SMITH, INCUMBENT OF THE OFFICE OF HARBORMASTER IN THE TOWN OF WEYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. Thomas C. Smith, incumbent of the office of harbormaster in the town of Weymouth, shall hold said office during good behavior until he reaches age sixty-five, unless incapacitated by physical or mental disability from performing the duties thereof. Said incumbent shall not be removed from office except for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

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

Approved June 29, 1977.

Chap. 358. AN ACT AUTHORIZING THE BOARD OF POLICE COMMISSIONERS IN THE CITY OF SPRINGFIELD TO APPOINT POLICE CADETS TO THE POLICE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter thirty-one of the General Laws, any person possessing an associate degree in law enforcement who has completed not less than three years of service as a police cadet in the police department of the city of Springfield under the provisions of section twenty-one A of chapter one hundred and forty-seven of the General Laws may, subject to a program established by the board of police

commissioners of said city and approved by the personnel administrator of the state division of personnel administration, and the Massachusetts criminal justice training council, be appointed to fill a vacancy in a position in the lowest grade in the police force of said city without certification from an eligible list prepared under the provisions of chapter thirty-one of the General Laws; provided, however, that such person either is on a police entrance eligible list prepared under said chapter or passes a qualifying examination to be given by said personnel administrator. Such program shall include provisions for recruitment of applicants for appointment as police cadets in said city and for appointment from an eligible list prepared after a competitive examination administered under the supervision of the board of police commissioners of said city. Appointments from such list may, in the discretion of the board of police commissioners, be made on a selective basis for the purposes of affirmative action in the employment of females and minorities as police cadets.

SECTION 2. If any federal or state, administrative or court order, requires the listing of candidates in separate groups, each group to be listed according to the law of the commonwealth, then this act shall be subject to such listing.

SECTION 3. Not more than five or thirty-three and one-third per cent, whichever is the greater, of the total number of appointments to the regular police force of the city of Springfield in any calendar year, shall be made under the provisions of this act. The board of police commissioners shall report in writing forthwith to the personnel administrator in said division of personnel administration of any appointment made under the provisions of this act.

SECTION 4. The provisions of section twenty D of chapter thirty-one of the General Laws shall apply to appointments made under this act.

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

Approved June 29, 1977.

Chap. 359. AN ACT REQUIRING HOSPITALS TO OFFER AND PERFORM "PAP TESTS", SO-CALLED.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 53 the following section:-

Section 53A. Every hospital and in-patient clinic licensed by the department or financially supported in whole or in part by the commonwealth or any political subdivision thereof shall offer to administer to any female, eighteen years of age and older, admitted as a patient to said hospital or clinic a Papanicolaou's Stain or Pap test, so-called, provided said female shall pay the cost of such test.

Approved June 29, 1977.

Chap. 360. AN ACT RELATIVE TO BORROWING BY THE TOWN OF
WAREHAM FOR ECONOMIC DEVELOPMENT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of clause nineteen of section eight of chapter forty-four or of clause (d) of section five of chapter one hundred twenty-one C of the General Laws to the contrary, the town of Wareham is authorized to incur indebtedness under section eleven of said chapter one hundred and twenty-one C subject to the debt limit and the approval provided for in said section eleven.

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

Approved June 30, 1977.

Chap. 361. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR
NINETEEN HUNDRED AND SEVENTY-EIGHT, 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 PERMA-
NENT 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-eight, in

this act referred to as the year nineteen hundred and seventy-eight, or for such period as may be specified.

SECTION 2.

Department of Public Welfare.

Item	
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 \$8,000,000
4406-2000	For a program of general relief; provided, that notwithstanding the provisions of any law to the contrary, no increase in the budgetary standard allowance, so called, shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for 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; provided further that, notwithstanding the provisions of any law to the contrary, limited medical services shall be provided to General Relief recipients, including, physician office visits, basic dental care, drugs, laboratories, durable goods, eye care, and home health care; provided, that not more than ninety thousand dollars may be expended for said medical services 1,000,000

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

Approved June 30, 1977.

Chap. 362. AN ACT PROVIDING FOR THE GRANTING OF CERTAIN EASEMENTS BY THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The department of environmental management is hereby authorized to grant to the Massachusetts Turnpike Authority, upon such terms and conditions as said department determines and said Authority, acting by and through its members approves, permanent easements in certain parcels of land being a portion of the Cochituate State Park in the towns of Natick and Wayland presently devoted to park uses and shown and described on a plan of land entitled "Massachusetts Turnpike Authority Maintenance Vehicle Ramps - Route 30 - General Plan", Howard Needles Tammen & Bergendoff, Consulting Engineers, Boston, which plan shall be recorded by said Authority, together with said easements in the registry of deeds for Middlesex county, southern district. Said easements shall authorize said Authority to use and construct roadway, drainage and fencing upon the

land of said Cochituate State Park for the purposes of providing an ingress and egress ramp for maintenance vehicles of said Authority.

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

Approved July 1, 1977.

Chap. 363. AN ACT REDUCING THE TERM OF OFFICE OF MEMBERS OF THE SCHOOL COMMITTEE OF THE CITY OF MELROSE FROM FOUR YEARS TO TWO YEARS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary beginning with the biennial city election to be held in the year nineteen hundred and seventy-nine all members of the school committee in the city of Melrose shall be elected for a term of two years.

SECTION 2. This act shall be submitted to the voters of the city of Melrose at the city election to be held on November eighth, nineteen hundred and seventy-seven in the form of the following question which shall be placed on the official ballot to be used for the election of city officers at said election:- "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven entitled, 'An Act reducing the term of office of members of the school committee of the city of Melrose from four years to two years', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall take full effect, but not otherwise.

Approved July 1, 1977.

Chap. 363A. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT, 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-eight, in this act referred to as the year nineteen hundred and seventy-eight, or for such period as may be specified.

SECTION 1A. To provide for the continued viability of the cities and towns of the commonwealth and to reduce the burden of local property taxes, revenues derived from state taxes creditable by law to the general fund in excess of the amount of said revenues estimated by the general court at the time of enactment of this general appropriation bill shall be returned to the cities and towns. To that end, any revenues derived from state taxes, during the nineteen hundred and seventy-eight fiscal year period in excess of three billion twenty-six million one hundred thousand dollars shall be appropriated as follows:

(1) Eighty per cent of said revenues shall be credited to the Local Aid Fund as established under the provisions of section two D of chapter twenty-nine of the General Laws and shall be distributed to the cities and towns in accordance with the provisions of section eighteen C of chapter fifty-eight of the General Laws as of June thirtieth, nineteen hundred and seventy-eight. Said revenues shall be used by the cities and towns for the purpose of reducing the property tax in each city and town.

(2) Twenty per cent of said revenues shall be credited to the General Fund of the commonwealth.

SECTION 2.

Legislature.

Senate.

Item		
0111-0000	For the compensation of senators, prior appropriation continued	\$788,099
0111-8000	For expenses of senators, including travel, prior appropriation continued	100,000
0112-0000	For the office of the senate clerk, prior appropriation continued, including not more than ten permanent positions	257,000
0112-0100	For in-house printing and duplicating for the senate, to be administered by the clerk of the senate	10,000
0113-0000	For the salary of the chaplain of the senate	8,882
0114-0000	For the office of the senate counsel, prior appropriation continued, including not more than five permanent positions	268,000
0115-0000	For administrative and legislative aides to the senators, prior appropriation continued	1,675,000
0116-0000	For secretarial and clerical assistance to the senators, prior appropriation continued	440,000

Item	
0116-0030	For a legislative intern program for the senate, appropriation expires June thirtieth, nineteen hundred and seventy-eight \$40,300
0117-0000	For the office of the senate committee on ways and means, prior appropriation continued, including not more than four permanent positions 480,000
0118-0000	For the office supplies and other expenses of the senators, prior appropriation continued 260,000

House of Representatives

0121-0000	For compensation of representatives, prior appropriation continued \$3,992,767
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 ten 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 413,345
0125-0000	For the office of the house committee on rules, prior appropriation continued, including not more than fourteen permanent positions 700,000
0125-0010	For expenses of standing and special committees of the house of representatives, authorized by order of the house of representatives to sit and travel during the session and recess of the general court, said funds to be allocated to committees only upon written approval of the speaker 7,000
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 686,000
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 700,000
0127-0020	For legislative aides to the members of the house of representatives, prior appropriation continued 480,000
0127-0030	For a legislative intern program 100,000
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, prior appropriation continued \$207,247
0132-0000	For the salaries of the chief general court officers, assistant chief general court officers, 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, prior appropriation continued 1,913,195
0132-1000	For the salaries of clerks employed in the legislative document room, including not more than thirteen permanent positions 172,989
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 190,000

Item	
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
<i>Other Expenses</i>	
0141-0000	For the expenses of the legislative research council \$6,000
0142-0000	For the legislative research bureau 287,976
0143-0000	For the legislative service bureau, prior appropriation continued 1,200,000
0143-0001	For the administration of the office of legislative data processing, prior appropriation continued 57,000
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, prior appropriation continued 200,000
0147-0000	For the administration of the legislative engrossing division, including not more than four permanent positions, prior appropriation continued 95,000
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 1,350,000
0161-1000	For telephone and telegraph service, prior appropriation continued 777,000
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; prior appropriation continued 12,000
0163-0000	For the expenses of the joint committee on rules and for clerical and other assistance to the joint committees, prior appropriation continued 85,000
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 40,000
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 legislators, the northeast legislative energy staff project, and the program for legislative improvement of the state legislative leaders foundation 43,710
0169-7102	For the office of legislative post audit and oversight bureau, prior appropriation continued 365,000
0181-5000	For the expenses of the revolutionary bi-centennial commission, including the preparation of a documentary history of the revolutionary government in Massachusetts; to be in addition to any federal funds available for the purpose; prior appropriation continued 30,700
0181-5002	For providing matching funds for a grant by the National Science Foundation establishing a science and technology capability for the general

Item		
	court; provided, that these funds may be expended upon written approval of the president of the senate and the speaker of the house of representatives, appropriation expires June thirtieth, nineteen hundred and seventy-eight; prior appropriation continued	\$95,000
0185-0000	For an investigation and study relative to compulsory motor vehicle liability insurance as authorized by chapter ninety-seven of the resolves of nineteen hundred and sixty-eight; provided, that the amount authorized herein shall be borne by liability insurance companies in accordance with the provisions of section eight B of chapter twenty-six of the General Laws, prior appropriation continued	50,000
0185-7509	For an investigation and study relative to medical malpractice and liability insurance as authorized by section twelve of chapter three hundred and sixty-two of the acts of nineteen hundred and seventy-five; provided, that the amount authorized herein shall be borne by all insurance companies licensed by the commonwealth to provide liability, multiple peril or accident and health insurance coverage and by hospital and medical service corporations licensed under the provisions of chapters one hundred and seventy-six A and one hundred and seventy-six B of the General Laws; prior appropriation continued	80,000

Judiciary.

Supreme Judicial Court.

0301-0001	For the salaries, travelling allowances and expenses of the chief justice and of the six associate justices	\$304,914
0301-0002	For law clerks and clerical assistance for the justices	405,500
0301-0006	For office supplies, services and equipment	44,000
0301-0101	For the salary of the clerk and the assistant clerk for the commonwealth	60,620
0301-0102	For clerical assistance to the clerk	42,271
0301-0200	For the salaries of the officers and messengers	16,720
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	90,000
0301-0500	For the service of the executive secretary	210,000
0301-0505	For administration of collective bargaining for the Massachusetts courts	50,000
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; provided, that three hundred thousand dollars shall be expended from this item for the purposes of the Roxbury defenders committee; including not more than thirty-nine permanent positions	2,360,000
0301-0602	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; and, provided further, that these funds shall be used solely for providing attorneys for the Massachusetts defenders committee	260,000
0301-0700	For the office of the reporter of decisions, including not more than six permanent positions	283,173
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; pro-	

Item

vided, that no expenditure or commitment made pursuant thereto shall be incurred in excess of funds appropriated herein \$93,000

Appeals Court.

0301-3001	For the salaries, travelling allowances and expenses of the chief justice and of the five associate justices	\$243,260
0301-3003	For clerical assistance for the justices	298,427
0301-3005	For court expenses	50,000
0301-3101	For the salary of the clerk and assistant clerks	110,596
0301-3102	For clerical assistance to the clerk	40,554
0301-3201	For the salaries of court officers and messengers	135,800

Superior Court.

0302-0001	For the salaries, travelling allowances and expenses of the chief justice and of the forty-five justices	\$1,889,250
0302-0003	For court expenses	548,050
0302-0004	For clerical assistance to the justices	110,000
0302-0100	For the commonwealth's share of the salaries and expenses of the clerk and assistant clerks for the county of Suffolk	7,687
0302-0301	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	230,000
0302-0302	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued	40,000
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	15,000
0302-0401	For the compensation of probation officers, including not more than one hundred and thirty-three permanent positions	2,214,000
0302-0402	For personal services and expenses of the office of the supervisor of probation	45,000

Judicial Council.

0303-0001	For the service of the council	\$44,020
-----------	--------------------------------------	----------

Administration of District Courts.

0304-0001	For compensation and expenses in connection with the administration of district courts there shall be allowed and paid from this item certain prior year expenses	\$217,000
0304-0002	For compensation and expenses of the justices while sitting in the appeals court	44,290
0304-0004	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	40,000

Administration of Probate and Insolvency Courts.

0305-1001	For the compensation of the special judge of probate when acting for other judges of probate	\$31,738
0305-2001	For expenses of the special judge of probate when acting for other judges of probate	3,300
0305-3001	For reimbursing officials for premiums paid for procuring sureties on their bonds	1,160
0305-4001	For the expenses of the administrative committee of probate courts	1,100
0305-5001	For office expenses of the chief judge	131,176

Probate and Insolvency Courts.

Item

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	\$192,317
0305-6021	Berkshire, including not more than twelve permanent positions	150,235
0305-6031	Bristol, including not more than twenty-eight permanent positions	372,282
0305-6041	Dukes, including not more than three permanent positions	31,900
0305-6051	Essex, including not more than forty-three permanent positions	500,265
0305-6061	Franklin, including not more than seven permanent positions	103,092
0305-6071	Hampden, including not more than thirty-eight permanent positions	453,600
0305-6081	Hampshire, including not more than nine permanent positions	128,409
0305-6091	Middlesex, including not more than ninety-one permanent positions	1,028,281
0305-6101	Nantucket, including not more than three permanent positions	52,690
0305-6111	Norfolk, including not more than forty-eight permanent positions	603,677
0305-6121	Plymouth, including not more than twenty-seven permanent positions	376,817
0305-6131	Suffolk, including not more than seventy-six permanent positions	868,700
0305-6141	Worcester, including not more than forty-three permanent positions	629,411

Land Court.

0306-0001	For the office of the land court, including not more than sixty-two permanent positions	\$1,155,235
-----------	---	-------------

Pensions for Certain Retired Justices.

0307-0001	For pensions of retired judges or their widows	\$1,250,000
-----------	--	-------------

District Attorneys.

For the salaries of district attorneys and assistants for the ten districts:

0308-0001	Suffolk, including not more than forty permanent positions	\$1,295,000
0308-0002	Northern, including not more than twenty permanent positions	650,000
0308-0003	Eastern, including not more than twelve permanent positions	379,000
0308-0005	Middle, including not more than seventeen permanent positions	564,000
0308-0006	Western, including not more than eleven permanent positions	370,000
0308-0007	Northwestern, including not more than seven permanent positions	239,500
0308-0008	Norfolk, including not more than eight permanent positions	323,500
0308-0009	Plymouth, including not more than ten permanent positions	334,000
0308-0010	For the travelling expenses necessarily incurred by the district attorneys except in the Suffolk district, including expenses incurred in previous years	19,950
0308-0011	Bristol, including not more than ten permanent positions	312,000
0308-0012	Cape and Islands, including not more than six permanent positions	203,000

Committee on Probation.

0309-0001	For the office of the commissioner of probation, including not more than sixty-three permanent positions	\$1,221,660
0309-0002	For compensation and expenses of the members of the committee on probation	2,800

Item		
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	\$63,879

Board of Bar Examiners.

0310-0001	For the service of the board, including not more than six permanent positions	\$252,851
-----------	---	-----------

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	\$906,000
0315-0001	For a reserve to meet the commonwealth's share of the net costs of county courts as determined by the commissioner of administration, and verified by the house and senate committees on ways and means; provided, that funds authorized therein shall be distributed to the counties in proportion to each county's share of court expenditures for fiscal year nineteen hundred and seventy-six	8,000,000

Executive.

Governor.

0411-1000	For the salaries of the governor and officers and employees in the governor's office	\$845,669
0411-1901	For postage, printing, office and other contingent expense	176,000
0411-3000	For the commonwealth's share of the expenses of the New England regional commission to coordinate interstate development and planning projects under the federal Economic Development Act of nineteen hundred and sixty-five	65,800
0411-4000	For the administration of the public safety committee	340,000
0411-4011	For local government matching funds under the federal Crime Control Act	510,000
0411-6000	For the office of intergroup affairs	78,024
0411-7000	For the commission on the status of women	28,800

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	\$80,000
-----------	---	----------

Lieutenant Governor.

0412-1000	For the salary of the lieutenant governor and for personal services for the lieutenant governor's office, including not more than seven permanent positions	\$152,485
0412-2000	For federal-state relations	75,600

Governor's Council.

Item	
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 \$159,100

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-six permanent positions \$470,127
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 five permanent positions 109,768
0431-0300	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general 150,000
0431-0400	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property 13,600
0431-0500	For the operation of the war records project, so called, including not more than nine permanent positions 80,361

State Quartermaster.

0431-1010	For the office of the state quartermaster \$9,050
0431-1110	For the operation of armories of the first class, including not more than one hundred permanent positions 1,704,868
0431-1300	For the Camp Curtis Guild rifle range, including not more than seven permanent positions 75,299
0431-1410	For certain storage and maintenance facilities, including not more than thirty-three permanent positions 260,544
0431-1510	For certain national guard aviation facilities, including not more than ten permanent positions 92,267

Other Military.

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 \$1,350
-----------	--

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 forty-five permanent positions \$331,108
0432-0002	For the service of the civil defense agency nonmatching fund program 10,000
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 6,000
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 au-

Item

thorities and shall be expended with at least an equivalent amount of federal grants for the purposes of this item \$5,000

Secretary of the Commonwealth.

- 0511-0000 For the office of the secretary; 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; including not more than one hundred and twenty permanent positions \$2,263,000
- 0517-0000 For the expense of printing various public documents, prior appropriation continued 249,000
- 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 seven permanent positions .. 407,000
- 0524-0000 For expenses of compiling and publishing information to voters 436,000

Massachusetts Historical Commission.

- 0526-0100 For the administration of the commission, including not more than one permanent position \$90,514

Ballot Law Commission.

- 0527-0100 For the compensation and expenses of the commissioners, including not more than three permanent positions \$4,750

Records Conservation Board.

- 0528-0100 For the expenses of the board \$14,163

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; and provided further, that expenditures in excess of thirty thousand five hundred and thirty-two dollars shall be approved by the house and senate committees on ways and means; including not more than three permanent positions \$75,097

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 nine permanent positions \$187,049

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 \$2,840,000
- Highway Fund 30.0%
- General Fund 70.0%
- 0611-1000 For the administration and expenses of bonus payments to war veterans 157,086
- 0611-5000 For compensation to victims of violent crimes 650,000
- 0611-5100 For compensation to medical examiners who perform autopsies pursuant to section six C of chapter thirty-eight of the General Laws, prior appropriation continued 1,000
- 0611-5500 For additional assistance to the cities and towns there is hereby appropriated the sum of thirty million dollars from the General Fund to be credited to the Local Aid Fund as established under the provisions of Section 2D of Chapter 29 of the General Laws and to be distributed to said cities and

Item		
	towns in accordance with the provisions of Section 18C of Chapter 58 of the General Laws	\$30,000,000
	<i>State Board of Retirement.</i>	
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	\$605,000
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	88,917,000
	Highway Fund	15.0%
	General Fund	84.3%
	Inland Fisheries and Game Fund	0.2%
	State Recreation Areas Fund	0.5%
0612-1500	For a reserve to begin to meet the full cost of the commonwealth's share in financing the state employees' and teachers' retirement systems; provided, that the governor upon recommendation of the commissioner of administration is hereby authorized to make transfers from the sum appropriated herein to the respective annuity funds; and provided further, that said transfer to either fund shall not exceed sixty per cent of said amount appropriated	10,000,000
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	10,762,000
	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	4,438
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	43,512
	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	927,525
	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	234,025
	MDC Sewerage District Fund	100.0%
0612-8000	For retirement of certain veterans formerly in the service of the metropolitan water system	418,750
	MDC Water District Fund	100.0%
0612-9000	For annuities for widows of certain former members of the uniformed branch of the state police	95,200

Item		
	Highway Fund	66.0%
	General Fund	34.0%
	<i>Commissioners on Firemen's Relief.</i>	
0620-0000	For the expenses of administration and for relief disbursed by the commissioners	\$15,100
	<i>Emergency Finance Board.</i>	
0630-0000	For administration of the board, including not more than one permanent position	\$40,065
	<i>State Lottery Commission.</i>	
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 director shall, so far as practicable in making appointments to such positions, promote employees of the commonwealth serving in positions which are classified under said chapter thirty-one and that 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 of the General Laws 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 said chapter thirty-one; including not more than two hundred and eleven permanent positions	\$20,443,019
	<i>Debt Service.</i>	
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 .	\$1,704,273
	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	6,045,000
	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	77,845
	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	315,000
	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	4,876,969

Item		
	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	\$6,791,000
	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	3,314,726
	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	4,394,000
	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	2,582,291
	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	5,207,000
	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 service reserve	28,300,310
	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	42,383,000
	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	62,150,865
0699-7810	For the payment of interest on general obligation public housing bonds; 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	50,404,050
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	87,951,000
0699-7920	For the payment of maturities on general obligation public housing bonds; 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	8,685,000
0699-9800	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 Obligation Fund	18,585,000
	General Obligation Fund	100.0%
0699-9900	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 Obligation Fund	90,000,000
	General Obligation Fund	100.0%
	Auditor of the Commonwealth.	
0710-0000	For the office of the auditor, including not more than one hundred and thirty-three permanent positions, prior appropriation continued	\$3,850,000

Item

Highway Fund	30.0%
General Fund	70.0%

Department of the Attorney General.

0810-0000	For the office of the attorney general, including not more than fifty-three permanent positions, prior appropriation continued	\$4,610,000
0810-0014	For expenses incurred by the department pursuant to section eleven E of chapter twelve of the General Laws	250,000
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	30,000
0810-0201	For expenses incurred in administrative or judicial proceedings as authorized by sections eleven E and eleven F of chapter twelve of the General Laws	200,000
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	250,000

Commission on Uniform State Laws.

0830-0100	For the expenses of the commission	\$15,050
-----------	--	----------

Executive Office of Administration and Finance.

Office of the Commissioner.

1100-1100	For the office of the commissioner, including not more than twenty-one permanent positions	\$431,925
	Highway Fund	30.0%
	General Fund	70.0%
1100-1402	For the office of comprehensive state planning, including not more than five permanent positions	198,335
1100-1700	For the administration of a program of matching scholarship grants and for payments of such grants to participating Massachusetts independent, regionally accredited colleges and universities with funds to be apportioned according to amounts appropriated for each fiscal year; provided, that the commissioner of administration may establish policies and regulations relating to the program, including an audit procedure to insure that institutions are in compliance with such policies and regulations; provided further, that a participating institution shall be eligible to receive an amount equal to the institution's expenditure for scholarship aid to needy Massachusetts undergraduate students enrolled in said institution as full-time matriculating students in a course of study leading to an associate or bachelors degree; and provided further, that, each participating institution shall agree to expend an amount equal to at least fifty per cent of the grant awarded hereunder in direct financial assistance to needy Massachusetts students; and provided further, that, students receiving such aid shall be ineligible for additional scholarship assistance provided by the commonwealth	1,750,000

Fiscal Affairs Division.

1101-2100	For the administration of the division, including not more than forty-six permanent positions	\$900,198
	Highway Fund	30.0%
	General Fund	70.0%

Item		
1101-2201	For the office of federal-state resources, including not more than five permanent positions	\$244,379
<i>Central Services Division.</i>		
1102-3110	For the administration of the division, including not more than four permanent positions	\$151,385
1102-3210	For the administration of the bureau of building construction, including not more than ninety-five permanent positions	1,514,000
1102-3301	For the administration of the bureau of state buildings and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of buildings, including not more than four hundred and nineteen permanent positions	10,120,000
1102-4010	For the operation of certain central services and the telephone system, including not more than forty-eight permanent positions ...	683,063
1102-5201	For the expenses and administration of a motor vehicles management bureau; including not more than nine permanent positions	98,990
1102-5211	For fuel and repairs of certain motor vehicles	306,300
<i>Comptroller's Division.</i>		
1103-1000	For the administration of the division, including not more than one hundred and forty-one permanent positions	\$1,476,632
	Highway Fund	30.0%
	General Fund	70.0%
1103-1010	For the expenses of the computer service center, including not more than one hundred and nine permanent positions	2,379,381
1103-5010	For administration of the fraudulent claims commission, including not more than sixty-five permanent positions	840,000
<i>Purchasing Agent's Division.</i>		
1104-1000	For the administration of the division, including not more than fifty-four permanent positions	\$528,920
	Highway Fund	30.0%
	General Fund	70.0%
1104-4000	For the administration of the collective purchasing bureau, including not more than two permanent positions	37,440
<i>Other Administration and Finance.</i>		
1105-1000	For the administration of the division of employee relations, including not more than seventeen permanent positions	\$422,605
<i>Division of Personnel Administration.</i>		
1107-1000	For the administration of the division, including the compensation of the members of the civil service commission and expenses of hearings, including not more than four hundred and twenty-three permanent positions	\$4,489,284
	General Fund	80.0%
	Highway Fund	20.0%
1107-2300	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	75,000
1110-1000	For the administration of the division of hearing officers established by section four H of chapter seven of the General Laws; provided, that notwithstanding any provision of law to the contrary the cost of services rendered to any office or agency for an appeal shall be charged to such office or agency, such charges to include an allowance for overhead as determined by the commissioner of administration; provided further, that the payments for such services shall be paid to the General Fund; and provided further, that no such service shall be provided without a	

Item		
	written contract filed with the comptroller; including not more than eight permanent positions	\$257,173
1111-0010	For the administration of the bureau of teachers' retirement, including not more than twenty-eight permanent positions	325,000
1111-1001	For the payment of retirement assessments of teachers formerly in military or naval service	1,000
1111-1002	For reimbursement of certain cities and towns for pensions to retired teachers	16,695,000
1111-1003	For the payments of the commonwealth's share in financing the teachers' retirement system	110,508,000

Group Insurance Commission.

1120-1000	For administration of the group insurance program, including not more than forty-two permanent positions	\$951,275
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 ...	64,817,416
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, prior appropriation continued	450,000
1120-4000	For the group insurance premium for certain retired municipal teachers and their dependents, prior appropriation continued	1,556,944

Massachusetts Commission Against Discrimination.

1150-5100	For the office of the commission; provided, that all positions except clerical are exempted from the provisions of chapter thirty-one of the General Laws; including not more than fifty-four permanent positions	\$795,464
-----------	---	-----------

Contributory Retirement Appeal Board.

1160-1000	For the expenses of the board	\$3,000
-----------	-------------------------------------	---------

Retirement Law Commission.

1180-1000	For the administration of the commission, including not more than two permanent positions	\$90,500
-----------	---	----------

Department of Corporations and Taxation.

1201-0100	For the administration of the department, including audits, of certain foreign corporations, and for the rental, maintenance and operation of an office in Hyannis to assist in the administration of the department; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and sixty thousand dollars from the receipts of the	
-----------	--	--

Item

cigarette tax in accordance with the provisions of paragraph (b) of section fourteen of chapter two hundred and ninety-one of the acts of nineteen hundred and seventy-five; including not more than one thousand two hundred and fourteen permanent positions	\$16,918,322
Highway Fund	10.0%
General Fund	90.0%

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 thirty-six permanent positions	\$1,329,000
1231-1000	For the administration of the county personnel board, including not more than six permanent positions	47,433

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	\$14,500,000
1233-1500	For reimbursing cities and towns for loss of taxes on land taken for flood control purposes	230,000
1233-2000	For reimbursing cities and towns for abatements granted	4,560,000
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 fifty per cent of career incentive salary increases for police officers	2,047,703
1233-3200	For the purpose of reimbursing the town of Millville for expenses incurred and taxes abated or lost as a result of a fire on June eighth and ninth, nineteen hundred and seventy-seven	16,823

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	\$527,625
-----------	---	-----------

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	10,000
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 contained 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

Item		
1599-0004	For the payment of claims for unpaid checks, with the approval of the state treasurer and certification by him to the comptroller of the amount due, where payment has otherwise been prevented as a result of the application of section thirty-two of chapter twenty-nine of the General Laws	\$2,500
1599-0020	For the payment, with the approval of the comptroller, of expenses of prior fiscal years for which no funds are available in the current fiscal year; provided, that no payments shall be made unless the subsidiary account item to which the deficiency is to be charged contained a balance sufficient to meet the required payments	5,000
	Highway Fund	100.0%
<i>Unforeseen Emergencies.</i>		
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	\$1,000,000
1599-3100	For the payment of certain employment security benefits, prior appropriation continued	3,000,000
1599-3500	For providing matching funds for a federal grant under the provisions of the Economic Development Administration's "304" grant program; provided, that the sum appropriated herein shall be administered by the commissioner of administration; and, provided further, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities of projects to be funded under this program and shall be expended with at least one million two hundred thousand dollars of federal funds for the purposes of this item; and provided further, that the state contribution for any one project under this program shall not exceed twenty-five per cent of the amount of federal funds available for any one project	300,000

Executive Office of Environmental Affairs.*Office of the Secretary.*

2000-0100	For the office of the secretary, including not more than five permanent positions	\$200,000
	General Fund	21.0%
	MDC Water District Fund	13.0%
	MDC Sewerage District Fund	14.0%
	MDC Parks District Fund	14.0%
	State Recreation Areas Fund	13.0%
	Inland Fisheries and Game Fund	3.0%
	Highway Fund	22.0%
2000-0140	For the coastal zone management program	79,000
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 eight permanent positions	174,639

Item	
2010-0100	For the administration and maintenance of the Massachusetts World War II Memorial, prior appropriation continued.
<i>Division of Law Enforcement.</i>	
2020-0100	For the administration of the division of law enforcement, including not more than seventy-eight permanent positions \$1,191,556
	Inland Fisheries and Game Fund 30.0%
	State Recreation Areas Fund 15.0%
	General Fund 55.0%
2020-0300	For the hunter safety training program 68,220
	Inland Fisheries and Game Fund 100.0%
2030-0100	For the administration of the division of conservation services, including the expenses for the committee for conservation, and for the administration of a land and water conservation program, including not more than eleven permanent positions 216,439
	State Recreation Areas Fund 50.0%
	General Fund 50.0%
<i>Department of Environmental Management.</i>	
2100-0100	For the administration of the department, including the expenses of the natural resources board, including not more than thirty-nine permanent positions; provided, that the position of deputy commissioner of natural resources shall not be subject to the provisions of chapter thirty-one of the General Laws; and for the office of planning and data processing \$796,000
	General Fund 25.0%
	State Recreation Areas Fund 75.0%
<i>Division of Forests and Parks.</i>	
2120-0100	For the administration of the division, including not more than ten permanent positions \$166,807
	General Fund 50.0%
	State Recreation Areas Fund 50.0%
2120-0200	For the administration and supervision of land acquisition and construction programs, including not more than sixteen permanent positions 358,673
	State Recreation Areas Fund 100.0%
2120-0300	For the administration of the bureau of recreation, including the administration of public beaches, the administration of swimming pools and skating rinks, including not more than fourteen permanent positions; provided, that the position of supervisor of rinks and pools and the district supervisor of rinks and pools shall not be subject to the provisions of chapter thirty-one of the General Laws 418,117
	State Recreation Areas Fund 100.0%
2120-0400	For the operation of forests and parks facilities under the management of the bureau of recreation, including not more than one hundred and forty-seven permanent positions 3,866,094
	State Recreation Areas Fund 100.0%
2120-0500	For the maintenance of swimming pools and skating rinks; provided, that the provisions of chapter thirty-one of the General Laws shall not apply to this item 3,873,738
	State Recreation Areas Fund 100.0%
2120-0601	For the maintenance of Horseneck beach, including not more than one permanent position 279,794
	State Recreation Areas Fund 100.0%
2120-0602	For the maintenance of Salisbury beach, including not more than three permanent positions 313,171
	State Recreation Areas Fund 100.0%

Item	
2120-0603	For the maintenance of Scusset beach, including not more than one permanent position \$136,332 State Recreation Areas Fund 100.0%
2120-0604	For the maintenance of Fort Phoenix beach 58,926 State Recreation Areas Fund 100.0%
2120-0700	For the maintenance and operation of certain state reservations, including not more than six permanent positions 224,344 State Recreation Areas Fund 100.0%
2120-1100	For the development of forests, and 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 environmental management; including not more than twenty-four permanent positions 388,031
2120-1200	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; and for the expenses of the forest fire patrol; including not more than seventy-eight permanent positions 1,050,000
2120-1300	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-two permanent positions 360,842
120-1400	For a program of survey and detection of forest insect diseases in cooperation with the United States Forest Service; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities for eighty-five per cent reimbursement of the amounts so expended. 20,815
2120-1600	For providing public transportation assistance service to the recreation areas and facilities of the Boston Harbor islands 50,000 State Recreation Areas Fund 25.0% MDC Parks District Fund 75.0%

Division of Water Resources.

2130-0100	For the administration of the division, including the wetlands restriction program, and for the commonwealth's share of the cost of certain federal-state cooperative studies, including not more than seventeen permanent positions \$379,152
2130-0200	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 three permanent positions 51,917
2130-0300	For certain watershed protection and flood control activities and for expenses of certain flood control commissions, including not more than five permanent positions 198,472
2130-0400	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 35,000

Item		
2130-0500	For the commonwealth's share of the New England river basin commission	\$44,483
<i>Bureau of Solid Waste Disposal.</i>		
2140-0100	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 seventeen permanent positions	\$377,000
Department of Environmental Quality Engineering.		
<i>Office of the Commissioner.</i>		
2200-0100	For the office of the commissioner, including not more than five permanent positions	\$86,000
<i>Outdoor Advertising Division.</i>		
2210-0100	For the administration of the division, including not more than ten permanent positions	\$112,000
<i>Wetlands Regulation Division.</i>		
2230-0200	For a program of wetland regulation, including not more than eleven permanent positions	\$180,762
<i>Division of Water Pollution Control.</i>		
2240-0200	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 fifty-three permanent positions	\$1,696,616
2240-0400	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	26,335
2240-0600	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	1,090,155
<i>Bureau of Environmental Sanitation.</i>		
2250-0100	For the administration of the bureau, including not more than fifty-five permanent position	\$1,468,887
2250-0200	For the administration of the Lawrence experimental station; including not more than thirty-one permanent positions	468,655
2250-0300	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 five permanent positions	224,775
2250-0400	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	76,969
2250-0500	For the administration of the Berkshire 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	11,159

Item		
2250-0600	For the administration of the central Massachusetts 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	\$57,593
2250-0700	For the administration of the Merrimack 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	41,950
2250-0800	For the administration of the southeastern Massachusetts 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	53,506
2250-0900	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, prior appropriation continued	100,000
	<i>Pesticide Board.</i>	
2260-0100	For the administration of the pesticide board	\$37,750
	<i>Division of Waterways.</i>	
	<i>The salaries of all officers and employees of the division engaged in projects or activities authorized by bond issue or otherwise shall be charged in full to Appropriations authorized hereunder.</i>	
2270-0100	For the administration of the division, including not more than fifty-one permanent positions	\$732,828
2270-0500	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; 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; provided further, that an additional amount not exceeding three hundred thousand dollars shall be used for the dredging of the Neponset river at the Milton Town landing; provided further, that the sum of one hundred thousand dollars shall be for dredging of mooring basin area at Port Norfolk on the Neponset river; provided further, that an additional amount not exceeding three hundred thousand dollars shall be used for the dredging of Lynn Harbor; provided further, that not less than three hundred thousand dollars shall be used for other dredging and cleaning of inland waters and great ponds and for establishing within the division a program of marking and removing submerged obstructions in certain great ponds having public access ramps constructed by the commonwealth and for repairs and modernization to state piers; provided further, that an amount not exceeding forty thousand dollars shall be used for the removal of marine vegetation and dredging to improve tidal circulation in Cape Cod bay in the vicinity of Pilgrim beach in the town of Truro; prior appropriation continued	734,000
2270-0700	For the maintenance of property in the town of Plymouth, including not more than two permanent positions	30,889
2270-0900	For the operation and maintenance of the New Bedford state pier, including not more than two permanent positions	47,689
2270-1000	For the repair and/or reconstruction of riprap revetment at the Beachmont section of Revere at a location approximately opposite the extension of	

Item		
	Dielow Road on the westerly limit to a point at the stone jetty easterly of the extension of Pier View Avenue at the easterly limit comprising a length of approximately four hundred and fifty linear feet	\$40,000
2270-1100	For surveying the Plum Island river	5,000

DEPARTMENT OF FISHERIES, WILDLIFE AND RECREATIONAL VEHICLES.

Office of the Commissioner.

2300-0100	For the office of the commissioner, including not more than three permanent positions	\$68,649
	Inland Fisheries and Game Fund	50.0%
	General Fund	50.0%

Division of Fisheries and Wildlife.

Federal funds received as reimbursement for expenditures from the following items shall be credited as income to the Inland Fisheries and Game Fund:

310-0200	For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board; including not more than thirty-two permanent positions	\$527,942
	Inland Fisheries and Game Fund	100.0%
2310-0300	To develop and improve facilities for public use and division operation at fish hatcheries, wildlife, management areas, and field head-quarters	100,000
	Inland Fisheries and Game Fund	100.0%
2310-0310	For acquisition of upland areas and inholdings on existing wildlife management areas	300,000
	Inland Fisheries and Game Fund	100.0%
2310-0400	For the administration of game farms and wildlife restoration projects, and for wildlife research and management, including not more than fifty-four permanent positions	36,547
	Inland Fisheries and Game Fund	100.0%
2310-0600	For the administration of fish hatcheries, for the improvement and management of lakes, ponds and rivers, for fish restoration projects, for the commonwealth's share of certain cooperative fishery programs, and for certain programs reimbursable under the federal aid to fish restoration act; provided, that expenditures for such programs shall be contingent upon prior approval of proper federal authorities for reimbursement of at least seventy-five per cent of the amount so expended; including not more than sixty-one permanent positions	1,136,941
	Inland Fisheries and Game Fund	100.0%
2310-0800	For the payment of damages caused by wild deer; including not more than one permanent position	13,988
	Inland Fisheries and Game Fund	100.0%

Public Access Board.

2320-0100	For the maintenance, operation, acquisition and improvement of public access land and water areas, as authorized by section seventeen A of chapter twenty-one of the General Laws, prior appropriation continued	\$250,000
-----------	--	-----------

Division of Marine Fisheries.

2330-0100	For the administration of division programs, including expenses of the Cat Cove marine research station, and estuarine research program, and the coordination of commercial fisheries research; including not more than twenty-six permanent positions	\$478,853
2330-0200	For marine research programs, including programs relative to estuarine research and coastal alteration, coastal flounder resources, paralytic	

	shellfish poisoning, and coastal lobsters, including not more than four permanent positions	\$271,115
2330-0300	For marine recreational fisheries including the study of alewife run parameters, the use of coho salmon and anadromous fish, and for fishway projects; including not more than three permanent positions	115,582
2330-0400	For certain commercial fisheries programs including the collection, compilation, evaluation and dissemination of commercial fisheries statistics, for consumer education in and development of Massachusetts fishery products, for commercial fisheries extension service, and for the improvement of the program for the protection of shellfish; provided, that expenditures 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	210,000
2330-0500	For the operation of the shellfish treatment plant at Newburyport	81,816
2330-0600	For a program of self-help to said cities and towns for the cultivation, propagation and protection of shellfish	250,000

Division of Marine and Recreational Vehicles.

2340-0100	For the administration of the division; including not more than fifty-eight permanent positions	\$836,666
-----------	---	-----------

Department of the 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	\$900,000
	Highway Fund	25.0%
	MDC Parks District Fund	25.0%
	MDC Sewerage District Fund	25.0%
	MDC Water District Fund	25.0%
2410-9061	For the Massachusetts summer youth program, to be allocated, with the approval of the commissioner of the department of the metropolitan district commission and the commissioner of the department of public works, to those agencies selected as participants in the program; provided, that not less than one million two hundred thousand dollars shall be allocated to participants in the city of Boston, one million two hundred thousand dollars shall be allocated to participants within those cities and towns which comprise the metropolitan parks, sewerage and water districts and two million one hundred thousand dollars shall be allocated to participants in cities and towns other than those which comprise said districts; provided, that the provisions of section twenty-nine A of chapter twenty-nine of the General Laws shall not apply to expenditures made from this item; and provided further, that allocations made in accordance with this item may be expended by the selected participants without further appropriation, prior appropriation continued.	

Metropolitan Water System.

2420-0100	For the maintenance and operation of the metropolitan water system, including payments to the state retirement system, including not more than six hundred and thirteen permanent positions	\$8,800,000
	MDC Water District Fund	100.0%
2425-9001	For emergency repairs to water mains, prior appropriation continued	22,500

Item		
	MDC Water District Fund	100.0%
2425-9003	For the purchase of certain pipe and valve stock, prior appropriation continued	\$25,000
	MDC Water District Fund	100.0%
<i>Metropolitan Sewerage District.</i>		
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, including not more than five hundred and fifty-three permanent positions	\$9,300,000
	MDC Sewerage District Fund	100.0%
<i>Metropolitan Parks District.</i>		
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; 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	\$27,000,000
	Notwithstanding any provision of law to the contrary, sums in this item are appropriated from the following funds:	
	Highway Fund	67.0%
	MDC Parks District Fund	33.0%
2443-3901	For the operation and management of the Franklin park and Walter D. Stone zoological parks	250,000
	MDC Parks District Fund	100.0%
2444-5511	For a sailing program at Pleasure bay	10,000
	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 Jamaica way and the Riverway and that a traffic signal be installed at the intersection of Bynner street and Willow Pond road on the Jamaica way, prior appropriation continued	950,000
	Highway Fund	100.0%
2444-9002	For the purchase of certain highway maintenance equipment	175,000
	Highway Fund	100.0%
2444-9004	For certain payments for the maintenance and use of the Trailside museum and the Chickatawbut Hill center	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%
2450-1000	For the personal services and expenses related to employees previously paid from highway bond funds	500,000
	Highway Fund	100.0%
<i>Construction Division.</i>		
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	

Item		
	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	\$4,300,000
	MDC Sewerage District Fund	50.0%
	MDC Water District Fund	50.0%

DEPARTMENT OF FOOD AND AGRICULTURE.

511-0100	For the office of the commissioner, including the expenses of the board of agriculture, and including not more than twenty-three permanent positions	\$268,065
2511-2002	For the administration of the division, including not more than two permanent positions, prior appropriation continued	25,000
2512-1000	For apary inspection and for reimbursemenof owners of diseased bees, including not more than one permanent position	12,724

Division of Poultry and Poultry Products.

2513-1000	For the administration of the division, including not more than four permanent positions	\$81,227
-----------	--	----------

Division of Dairying and Animal Husbandry.

2514-1000	For the office of the division, including not more than sixteen permanent positions	\$217,584
2514-2000	For a program of quality improvement of dairy products	14,149

Division of Animal Health.

2515-1000	For the administration of the division, including not more than twenty-four permanent positions	\$286,414
2515-3000	For the reimbursement of owners of diseased cattle slaughtered, prior appropriation continued	1,000
2515-350	For the reimbursement for hogs killed	5,000

Division of Markets.

2516-1000	For the administration of the division, including not more than fourteen permanent positions	\$198,165
2516-1500	For promoting agriculture in the commonwealth	75,000
2516-2000	For a program of preparing crop survey reports	4,400
2516-7000	For a program of improving roadside markets	11,850

Division of Plant Pest Control.

2517-1000	For the administration of the division, including not more than four permanent positions	\$65,617
-----------	--	----------

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	\$373,089
2518-1010	For the display of exhibits at certain fairs, prior appropriation continued	150,000
2518-1020	For the administration of the thoroughbred breeders fund	17,469
2518-1021	For certain prizes, prior appropriation continued	100,000
2518-1030	For the administration of the Massachusetts standardbred agricultural fair and breeding fund committees	4,300
2518-1031	For certain prizes, prior appropriation continued	100,000

Division of Milk Control.

Item		
2519-1000	For the administration of the division, including not more than twenty permanent positions	\$218,000

State Reclamation Board.

2520-0100	For the administration of the board, including not more than three permanent positions	\$27,120
-----------	--	----------

For the expenses of the following mosquito control projects:

2520-0300	Cape Cod	\$412,500
	Mosquito and Greenhead Fly Control Fund .. 100.0%	
2520-0900	Suffolk county	109,500
	Mosquito and Greenhead Fly Control Fund .. 100.0%	
2520-1000	Central Massachusetts	263,870
	Mosquito and Greenhead Fly Control Fund .. 100.0%	
2520-1100	Berkshire county	233,772
	Mosquito and Greenhead Fly Control Fund .. 100.0%	
2520-1200	Norfolk county	272,456
	Mosquito and Greenhead Fly Control Fund .. 100.0%	
2520-1300	Bristol county	237,727
	Mosquito and Greenhead Fly Control Fund .. 100.0%	
2520-1400	Plymouth county	257,380
	Mosquito and Greenhead Fly Control Fund .. 100.0%	
2520-1500	Essex county, city of Revere and town of Winthrop	283,456
	Mosquito and Greenhead Fly Control Fund .. 100.0%	

*Executive Office of Communities and Development.**Office of the Secretary.*

3000-0100	For the office of the secretary, including not more than two permanent positions	\$101,000
-----------	--	-----------

American and Canadian French Cultural Exchange Commission.

3300-1000	For the expenses of the American and Canadian French cultural exchange commission	\$8,325
-----------	---	---------

DEPARTMENT OF COMMUNITY AFFAIRS.

Administration.

3700-0100	For the general administration of the department, including not more than seventy-eight permanent positions	\$1,900,000
-----------	---	-------------

Division of Community Development.

3722-9001	For certain financial assistance for housing projects for the elderly	\$73,100
3722-9002	For certain financial assistance for housing projects for veterans	
		4,150,000
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 eight per cent of the amount appropriated herein may be used for administration of said program, prior appropriation continued	10,794,639
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; and pro-	

Item		
	vided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budget of the housing authorities	\$4,108,500
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; and provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budget of the housing authorities, prior appropriation continued . . .	9,869,000
3722-9007	For a reserve to meet the cost of extra-ordinary 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 commission 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	985,000
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; and provided further, that, notwithstanding any other provisions of law to the contrary, no projects shall be approved on or after the effective date of this act which would cause the commonwealth's obligation for the purposes of this item to exceed the amount of this item . . .	9,825,000
3722-9211	For a Massachusetts Home Mortgage Finance Agency Insurance Fund	100,000
3722-9212	For the Massachusetts Home Mortgage Finance Agency, prior appropriation continued.	
	<i>Division of Community Services.</i>	
3731-2003	For expenses of community development and housing program services	\$454,700
3735-9011	For the administration of the state building code commission .	188,000
	<i>Division of Social and Economic Opportunity.</i>	
3744-4010	For payment of stipends to corpsmen of the commonwealth service corps	\$305,000
3747-0001	For the administration and commission on Indian affairs; provided, that prior-year salaries in the amount of two thousand seven hundred dollars shall be paid from this item; and provided further, that notwithstanding the last sentence of paragraph five A of section forty-six of chapter thirty of the General Laws or any law to the contrary, the incumbent executive director of the commission shall be eligible for a recruitment rate above the minimum, effective July first, nineteen hundred and seventy-six	24,700

EXECUTIVE OFFICE OF HUMAN SERVICES.

Office of the Secretary.

4000-0100	For the office of the secretary, including not more than five permanent positions	\$414,000
-----------	---	-----------

Item	
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 \$396,000
4000-1505	For the administration of the health facilities appeals board .. 18,000
<i>Rate Setting Commission.</i>	
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 fifty-one permanent positions \$1,005,207
<i>Massachusetts Commission for the Blind.</i>	
4110-0001	For the office of the commissioner, including not more than fifteen permanent positions \$213,755
4110-1010	For aiding the adult blind, including a five per cent increase in the optional supplementary level for such blind, prior appropriation continued 5,920,000
4110-1020	For support of a medical assistance program for the blind, including previous fiscal years, and including not more than five permanent positions 7,352,000
<i>Bureau of Individual Services.</i>	
4110-2010	For administration of a talking book program, including not more than three permanent positions \$196,868
4110-2020	For administration of a home teaching program, including not more than nineteen permanent positions 209,520
4110-2030	For administration of a children's services program, including not more than seven permanent positions 83,062
4110-2040	For certain social services programs, including not more than fifty-six permanent positions 896,078
<i>Bureau of Rehabilitation.</i>	
4110-3010	For a program of vocational rehabilitation of the blind in cooperation with the federal government, including not more than two permanent positions, prior appropriation continued \$327,000
<i>Bureau of Industrial Aid and Workshops.</i>	
4110-4000	For the administration of the bureau, including not more than three permanent positions \$38,686
4110-4010	For operation of local shops, including not more than fourteen permanent positions 448,607
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 no more than eleven permanent positions 885,000
4110-4050	For certain payments to blind persons 123,865
<i>Bureau of Research.</i>	
4110-5000	For the administration of the bureau, including not more than four permanent positions \$40,810
<i>Massachusetts Rehabilitation Commission.</i>	
4120-0010	For the administration of the commission, including not more than one permanent position, prior appropriation continued \$2,640,000
4120-0031	For a program of extended employment for the handicapped under Title XX program 660,000
4120-0041	For the administration of the office of deafness, including not more than one permanent positions 59,780

Office for Children.

Item		
4130-0001	For the office of the director, including not more than thirty-six permanent positions	\$694,000

Region One.

4131-1000	For the administration of the regional office, including services to children, including not more than eight permanent positions	\$332,482
4131-2020	For providing services to children with special needs in the Berkshire council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4131-2030	For providing services to children with special needs in the Franklin-Hampshire council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4131-2040	For providing services to children with special needs in the Westfield council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4131-2050	For providing services to children with special needs in the Holyoke-Chicopee council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4131-2060	For providing services to children with special needs in the Springfield council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Region Two.

4132-1000	For the administration of the regional office, including services to children, including not more than eight permanent positions	\$323,000
4132-2020	For providing services to children with special needs in the Fitchburg council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4132-2030	For providing services to children with special needs in the Gardner-Athol council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4132-2040	For providing services to children with special needs in the Grafton council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4132-2050	For providing services to children with special needs in the Southbridge council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4132-2060	For providing services to children with special needs in the Worcester council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Region Three.

4133-1000	For the administration of the regional office, including services to children, including not more than eight permanent positions	\$312,400
-----------	--	-----------

Item		
4133-2020	For providing services to children with special needs in the Cambridge-Somerville council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	\$43,500
4133-2030	For providing services to children with special needs in the Concord council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4133-2040	For providing services to children with special needs in the Metropolitan Beaver Brook council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4133-2050	For providing services to children with special needs in the Mystic Valley council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4133-2060	For providing services to children with special needs in the Lowell council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Region Four.

4134-1000	For the administration of the regional office, including services to children, including not more than eight permanent positions	\$365,227
4134-2020	For providing services to children with special needs in the Haverhill council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4134-2030	For providing services to children with special needs in the Danvers-Salem council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4134-2040	For providing services to children with special needs in the Cape Ann council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4134-2050	For providing services to children with special needs in the Lynn council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4134-2060	For providing services to children with special needs in the Tri-City council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4134-2070	For providing services to children with special needs in the Eastern Middlesex council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4134-2080	For providing services to children with special needs in the Lawrence council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Region Five.

4135-1000	For the administration of the regional office, including services to children, including not more than eight permanent positions	\$344,700
4135-2020	For providing services to children with special needs in the Medfield-Norwood council area; provided, that the federal allocation for the pur-	

Item		
	pose of such expenditure shall be not less than seventy-five per cent of such expenditure	\$43,500
4135-2030	For providing services to children with special needs in the Newton-Wellesley council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4135-2040	For providing services to children with special needs in the Quincy council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4135-2050	For providing services to children with special needs in the Framingham council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4135-2060	For providing services to children with special needs in the Marlborough council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4135-2070	For providing services to children with special needs in the South Shore council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Region Six.

4136-1000	For the administration of the regional office, including services to children, including not more than eight permanent positions	\$272,849
4136-2020	For providing services to children with special needs in the Boston State College council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4136-2030	For providing services to children with special needs in the Boston University council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4136-2040	For providing services to children with special needs in the Harbor University council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4136-2050	For providing services to children with special needs in the Massachusetts Mental Health council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4136-2060	For providing services to children with special needs in the Tufts council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Region Seven.

4137-1000	For the administration of the regional office, including services to children, including not more than eight permanent positions	\$390,000
4137-2020	For providing services to children with special needs in the Barnstable council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4137-2030	For providing services to children with special needs in the Brockton council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Item		
4137-2040	For providing services to children with special needs in the Fall River council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	\$43,500
4137-2050	For providing services to children with special needs in the Foxborough council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4137-2060	For providing services to children with special needs in the New Bedford council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4137-2070	For providing services to children with special needs in the Plymouth council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500
4137-2080	For providing services to children with special needs in the Taunton council area; provided, that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure	43,500

Commissioner of Veterans' Services.

4170-0010	For the office of the commissioner, including not more than seventy-three permanent position	\$821,000
4170-0300	For the payment of annuities to certain disabled veterans	190,000
4170-0400	For reimbursing cities and towns for money paid for veterans benefits, prior appropriation continued	4,200,000

Soldiers' Home in Massachusetts.

4180-0100	For the maintenance of the home, including not more than six hundred and fifty-eight permanent positions	\$8,255,667
-----------	--	-------------

Soldiers' Home in Holyoke.

4190-0100	For the maintenance of the home, including not more than three hundred and thirty-seven permanent positions	\$4,376,138
-----------	---	-------------

Department of Youth Services.

4200-0010	For the administration of the department, including not more than eighty-two permanent positions	\$1,418,745
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-two of chapter six A 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; provided, further, that all rate charges for services provided in a prior year but finally determined during the current fiscal year may be paid from this account, subject to the approval of 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 without prior approval of the comptroller	9,200,000
4202-0022	For the establishment and operation of a secure facilities program for youths	1,200,000

Item

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	\$160,000
-----------	--	-----------

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 eighty-five permanent positions	\$1,100,000
4223-1010	Detention center in Hampden county, including not more than thirty-two permanent positions	419,000
4224-1010	Secure treatment unit in Worcester county, including not more than thirty-three permanent positions	397,000

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 twenty-eight positions	\$416,000
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 two hundred and eighty-one permanent positions	4,095,000

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-three permanent positions ..	\$3,092,000
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	250,000
4311-0003	For a community reintegration program, including not more than ten permanent positions	1,175,000
4311-0004	For a health service program, including not more than ninety-six permanent positions	3,000,000

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

4311-0006	Correctional institution at Norfolk farm dormitory	\$944,000
4311-0008	For a pre-release residential facility at Boston	430,000
4312-0001	Correctional institution at Bridgewater, including not more than five hundred and fifty-one permanent positions	10,550,000
4313-0001	Correctional institution at Walpole, including not more than three hundred and thirty-nine permanent positions	6,676,000

Item		
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 . . .	\$1,316,571
4314-0001	Correctional institution at Concord, including not more than two hundred and eighty-five permanent positions	6,150,000
4314-2001	Correctional institution at Concord, industries, including not more than fifteen permanent positions	413,295
4315-0001	Correctional institution at Framingham, including not more than one hundred and twenty permanent positions	2,200,000
4315-2001	Correctional institution at Framingham, industries, including not more than ten permanent positions	176,845
4316-0001	Correctional institution at Norfolk, including not more than two hundred and eighty-five permanent positions	6,443,000
4316-2001	Correctional institution at Norfolk, industries, including not more than thirty-one permanent positions	792,074
4317-0001	Correctional institution camps, including not more than forty-three permanent positions	1,300,000
4341-0001	For a receptions diagnostic center	600,000
4342-0001	For a pre-release guidance center	331,300
4343-0001	For a pre-release center at Shirley, including not more than twenty-three permanent positions	1,350,000

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 four permanent positions	\$2,079,000
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	85,000

Department of Public Welfare.

4400-1000	For the office of the commissioner; provided, 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 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 four thousand six hundred permanent positions	\$65,000,000
4400-1003	For the administration of a central automated vendor payment system and for the development of a medicaid management information system; provided, that any federal funds received for this purpose shall be credited to the General Fund	7,125,000
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 sixty-seven permanent positions	2,294,000
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 purposes of such expenditures shall be not less than seventy-five per	

Item		
	cent of such expenditures; including not more than one hundred and fifteen permanent positions	\$1,200,000
4400-1020	For the administration of certain donated funds 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 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	400,000
4400-1025	For certain donated funds programs of training and retraining under Title XX of the Social Security Act in accordance with the State Plan for training and retraining relative to the delivery of Title XX 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 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 shall be not less than seventy-five per cent of such expenditure and shall not be charged against the commonwealth's Title XX federal reimbursement ceiling; 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	1,500,000
4400-1030	For certain in-kind matching programs of training and retraining under Title XX of the Social Security Act in accordance with the State Plan for training and retraining relative to the delivery of Title XX 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 certification by the department of public in-kind resources, equal to twenty-five per cent of such expenditures, and shall be further contingent upon prior approval and assurance by proper federal authorities that the federal allocation for the purpose of such expenditure shall be not less than seventy-five per cent of such expenditure and shall not be charged against the commonwealth's Title XX federal reimbursement ceiling; 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	3,000,000

Item	
4400-1061	For the administration of the social services administrative unit; including not more than fifty-eight permanent positions \$701,105
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 ten permanent positions 6,800,000
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, subject to the approval of the house and senate committees on ways and means; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children boarded by the department and attending public schools; and provided, further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation 35,800,000
4401-2000	For the tuition in public schools of school age children boarded by the department of public welfare, under the supervision of the group care unit, in a place elsewhere than in his home town, provided that the reimbursement shall be based on the average annual per pupil cost of education as determined by the department of education 800,000
4402-5000	For a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund; 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; and provided, further, that all judgments, appeals and rate changes for services provided in a prior year but finally determined during the current fiscal year may be paid from this account, subject to the approval of the house and senate committees on ways and means; and provided, further, that an amount not exceeding one hundred ten million dollars may be expended from this item for expenses incurred in the prior fiscal year 615,000,000
4402-5101	For utilization review of the medical assistance program; provided, that any federal funds received for this program shall be credited to the General Fund 600,000
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 464,300,000
4403-2005	For certain donated funds programs; 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 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 shall be not less than seventy-five per cent of such expenditure; and, provided further, that acceptance of such

Item		
	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; provided, however, that, notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, contractual services for residential and day camping rendered during July, August, and September, amounting to five hundred thirty-five thousand dollars, may be allowed and paid from this item	\$11,155,000
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 shall be not less than seventy-five per cent of such expenditures; and provided further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation	26,000,000
4403-2115	For certain rate increases for day care centers provided that the amount appropriated herein shall be available for expenditure under PL94-401; and provided that these rate increases will be effective February 1, 1977; and provided further, that the prior year rate increase may be expended from this item	1,070,000
4403-2130	For a program of renovation and repair to improve the health and safety conditions of day care centers provided that the amount appropriated shall be available for expenditure under PL94-401	500,000
4403-2200	For a program of social services to families and children; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of expenditures; and provided, further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation	2,200,000
4403-2300	For a program of social services to children in crisis; provided, that the federal allocation for the purpose of this item shall be not less than fifty per cent of expenditures; and provided, further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation	2,600,000
4403-2400	For a program of family planning and unwed mothers' services; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of expenditures; and provided, further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation	1,000,000
4403-2500	For a program for protective services for children in the care of the department; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of expenditures; and provided, further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation	1,000,000
4403-2600	For certain social services programs; provided, that said services shall be in addition to funds authorized for social services programs receiving federal reimbursement under Title XX of the Social Security Act; and provided that not more and not less than one million dollars be expended on a program of social services to children in crisis; and provided that from this item there will be transferred and made available for expenditure in item 4401-1000 the sum of one million dollars, in item 4403-2100 the sum of one million dollars, in item 4403-2200 the sum of seven hundred thousand dollars, in item 4403-2300 the sum of one million dollars, in item 4403-2400 the sum of three hundred and fifty thousand dollars,	

Item		
	in item 4403-2500 the sum of five hundred thousand dollars and in item 4408-1000 the sum of three hundred thousand dollars	\$4,850,000
4405-2000	For the state supplement to the supplemental security income program for the aged and disabled, including a five per cent increase in the optional supplementary level for such aged and disabled	118,000,000
4406-2000	For a program of general relief; provided, that notwithstanding the provisions of any law to the contrary, no increase in the budgetary standard allowance, so called, shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for 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; provided further, that notwithstanding the provisions of any law to the contrary, limited medical services shall be provided to general relief recipients, including, physician office visits, basic dental care, drugs, laboratories, durable goods, eye care, and home health care and inpatient care in municipal hospitals; provided, that not more than four million dollars may be expended for said medical services	44,200,000
4408-1000	For a program to provide services to the disabled; provided, that the federal allocation for the purpose of this item shall be not less than seventy-five per cent of such expenditures; and provided, further, that purchased social services shall not be authorized at a monthly level that will cause expenditures to exceed the appropriation	2,700,000
4408-2000	For a program to provide emergency needs such as those resulting from fire, flood or other disaster, and burials	450,000
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 fifty-two permanent positions	\$890,860
4510-0600	Control of radiation and nuclear hazards	55,126
4510-0700	For the administration of the medical assistance unit	626,390
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	139,620
4510-0780	For inspection of ambulance services, as authorized by section two of chapter one hundred and eleven C of the General Laws	150,556
4510-1502	For the comprehensive health planning project	122,844

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, including not more than eleven permanent positions	\$745,000
4512-0100	For the administration of the division of communicable and venereal diseases, including not more than twenty-five permanent positions	1,378,067
4512-0180	For a vaccine program	800,000

Item		
4512-0200	For the administration of the division of alcoholism, including not more than ten permanent positions	\$8,472,670
4512-0400	For the administration of the division of nursing home facilities, including not more than twenty permanent positions	1,310,011
4512-0500	For the administration of the division of dental health, including not more than three permanent positions	59,283
4512-0600	For a study of equine encephalitis	83,220
4512-0700	For epilepsy control program, including not more than two permanent positions	139,116
4512-0900	For a program of prevention of early and preventable death ..	200,000

Bureau of Health Services.

4513-1000	For the administration of the bureau, including not more than forty-eight permanent positions	\$5,109,839
4513-1500	For the administration of local health services, including not more than twenty-seven permanent positions	321,210
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	100,000
4513-2200	For a certain program for the care of infants prematurely born	25,000
4513-2400	For the high risk for deafness program	25,000
4513-3500	For a preschool nursery program for crippled children, to be in addition to any federal funds available for the purpose	670,000

Bureau of Hospital Facilities.

4514-0100	For the administration of the bureau, including not more than fifteen permanent positions	\$406,841
-----------	---	-----------

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; and for use in prevention of respiratory diseases; including such items as no smoking programs, screening for early signs of respiratory diseases, and for education programs related to respiratory diseases; including not more than thirty-eight permanent positions	\$3,321,605
-----------	---	-------------

Institute of Laboratories.

4516-0100	For the administration of the institute, including not more than one hundred and sixty-eight permanent positions	\$3,000,000
4516-0201	For a program of prevention of lead poisoning, including not more than three permanent positions	311,857

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 one hundred and three permanent positions	\$1,591,206
4518-0100	For the administration of the office of health statistics and analysis, including not more than twenty-nine permanent positions ..	498,536

Item

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

In order to promote a public health hospital revenue incentive program for the state public health hospitals, if the net revenue collected by said hospitals from all sources and deposited with the state treasurer in this fiscal year is in excess of the total amount of net revenues collected from all sources and deposited with the state treasurer for the prior fiscal year, such excess shall be considered by the general court in determining the level of appropriation in the ensuing fiscal year. For the purposes of this paragraph, "net revenue" shall mean total revenue collected from all sources and deposited with the state treasurer less that portion of such total revenue paid out of the state treasury as the commonwealth's share of reimbursements under the program of medical assistance granted pursuant to chapter one hundred and eighteen E of the General Laws.

4531-0001	Lakeville hospital, including not more than three hundred and thirty-eight permanent positions	\$5,457,140
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 nine hundred and thirteen permanent positions	11,969,300
4533-0001	Massachusetts hospital school, including not more than three hundred and thirty-three permanent positions	4,461,600
4534-0001	Pondville hospital, including not more than three hundred and ten permanent positions	5,115,000
4535-0001	Rutland Heights hospital, including not more than four hundred and fifty-nine permanent positions	5,156,200
4536-0001	Tewksbury hospital, including not more than one thousand and four permanent positions	11,861,900
4537-0001	Western Massachusetts hospital, including not more than two hundred and ninety-six permanent positions	3,694,100

Department of Mental Health.

5011-0000	For administration, except as otherwise provided, for the boarding out of children, as provided in chapter one hundred and twenty-three of the General Laws, with the consent of the parents or guardians, and for the transportation and medical examination of patients and certain mentally retarded persons, including not more than three hundred and twenty permanent positions	\$6,370,000
5011-0011	For a consolidated laundry program, including not more than three hundred and five permanent positions	3,000,000
5011-9001	For a research project and rehabilitation program for chronic mental patients, prior appropriation continued	250,000
5013-0100	For the office of the division of drug rehabilitation, including not more than seventeen permanent positions	2,842,925
5014-0100	For certain community programs for the mentally retarded ..	5,781,000
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; and provided, further, that the sum shall be expended at facilities for the mentally retarded	32,980,441
5016-1001	For the expansion and upgrading of services to the retarded at the Fernald and Wrentham state schools, and the Dever school in accordance with	

Item		
	the provisions of a certain court consent decree; provided, that any expenditures 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 said expenditures are eligible for federal reimbursement	\$5,000,000
5021-0000	To provide mental health community children's services, including matching funds not to exceed fifty-six thousand dollars for a federal law enforcement assistance program approved by the proper federal authorities	1,247,000
5022-0100	For the upgrading of services to the chronically mentally ill; provided, that funds for monitoring and evaluation shall be made available for expenditure from this item; and provided, further, that savings in state hospitals to result from this program shall be reflected in future budget requests; and provided, further, that plans for said upgrading and said savings shall be submitted to the house and senate committees on ways and means on or before the first of January of each fiscal year	1,000,000
5036-0100	For furnishings and equipment at the state schools for 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	1,900,000

Region One.

5111-0000	For administration, including not more than eleven permanent positions	\$204,460
5121-0000	For mental health and retardation services, including not more than one hundred and twenty-one permanent positions	5,250,000
5161-0000	For the administration of the Northampton center for children and families, including not more than twenty-seven permanent positions	419,000
5181-0000	For the maintenance of the Belchertown state school, including not more than seven hundred and sixty-three permanent positions ..	10,170,000
5191-0000	For the maintenance of the Northampton state hospital, including not more than eight hundred and eighty-five permanent positions ..	10,260,000

Region Two.

5211-0000	For administration, including not more than eleven permanent positions	\$185,000
5221-0000	For mental health and retardation services, including not more than two hundred and fifty-four permanent positions	5,281,000
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 eleven permanent positions	212,038
5262-0100	For the maintenance of the Blackstone Valley mental health center, including not more than forty-seven permanent positions ...	871,000
5263-0100	For the maintenance of the Rutland Heights psychiatric unit, including not more than one hundred and forty-nine permanent positions	1,500,000
5276-0100	For an intensive care unit for emotionally disturbed women; provided, that an advisory board shall monitor and evaluate the program and shall report their findings to the commissioner of mental health and the house and senate committees on ways and means on or before the first of January of each fiscal year	310,000
5281-0000	For the maintenance of the Irving A. Glavin regional center at Shrewsbury, including not more than one hundred and ninety-two permanent positions	2,267,000

Item	
5293-0100	For the maintenance of the Worcester state hospital, including not more than one thousand and seventy-two permanent positions . . . \$10,606,000
5294-0100	For the maintenance of the Monson state hospital, including not more than eight hundred and fifty-three permanent positions 10,970,000

Region Three.

5311-0000	For administration, including not more than ten permanent positions \$176,000
5321-0000	For mental health and retardation services, including not more than one hundred and twenty-three permanent positions 3,200,000
5361-0000	For the maintenance of the Dr. Harry C. Solomon mental health center, including not more than one hundred and twenty-eight permanent positions 2,171,000
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 one hundred nineteen thousand four hundred and fifty 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 1,643,000
5363-0100	For the purchase of psychiatric services at the Waltham hospital, prior appropriation continued 426,080
5364-0100	For the maintenance of the Mystic Valley mental health center; provided, that federal funds not exceeding eight hundred forty-eight thousand two hundred and sixty-four dollars may be expended for the purposes of this item; said federal funds to be in addition to the amount appropriated; including not more than thirty permanent positions 564,000
5381-0000	For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred and fifty-five permanent positions 15,291,597
5391-0000	For the maintenance of the Metropolitan state hospital, including not more than eight hundred and five permanent positions 9,160,000

Region Four.

5411-0000	For administration, including not more than thirteen permanent positions \$249,389
5421-0000	For mental health and retardation services, including not more than one hundred and eighty-one permanent positions 5,340,000
5471-0000	For the maintenance of the John T. Berry Rehabilitation Center, including not more than seventy-seven permanent positions 1,162,230
5481-0000	For the maintenance of the Charles V. Hogan Regional Center, including not more than four hundred and forty-four permanent positions 4,500,000
5491-0000	For the maintenance of the Danvers state hospital, including not more than nine hundred and twenty-six permanent positions 10,746,000

Region Five.

5511-0000	For administration, including not more than eleven permanent positions \$198,612
5521-0000	For mental health and retardation services, including not more than one hundred and thirty-four permanent positions 3,700,000
5581-0000	For the maintenance of the Wrentham state school, including not more than six hundred and seventy-six permanent positions 11,258,000
5591-0000	For the maintenance of the Medfield state hospital, including not more than seven hundred and eleven permanent positions 7,775,000
5592-0100	For the maintenance of the Westborough state hospital, including not more than nine hundred and forty-one permanent positions 9,870,000

Item		
5593-0100	For the maintenance of the Cushing hospital, including not more than seven hundred and twenty-one permanent positions	\$7,450,000

Region Six.

5611-0000	For administration, including not more than eleven permanent positions	\$191,138
5621-0000	For mental health and retardation services, including not more than thirty-two permanent positions	1,600,000
5661-0000	For the maintenance of the Massachusetts mental health center, including not more than four hundred and ten permanent positions	5,190,000
5662-0100	For certain expenses of the Dr. Solomon Carter Fuller mental health 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 one hundred and seventy-two permanent positions	4,312,280
5663-0100	For the maintenance of the Erich Lindemann mental health center, including not more than two hundred and eighty-six permanent positions	3,220,000
5664-0000	For the maintenance of the Tufts mental health center, including not more than one hundred and permanent positions	2,054,337
5691-0000	For the maintenance of the Boston state hospital, including not more than seven hundred and eighty-six permanent positions	8,986,000

Region Seven.

5711-0000	For administration, including not more than thirteen permanent positions	\$224,069
5721-0000	For mental health and retardation services, including not more than eighty-two permanent positions	2,066,556
5740-0010	For the maintenance of the Brockton multi-service center, including not more than two hundred and eleven permanent positions	2,700,000
5761-0000	For the maintenance of the Dr. John C. Corrigan mental health center, including not more than one hundred and twelve permanent positions	1,516,000
5762-0100	For a treatment center at Massachusetts correctional institute at Bridgewater, including not more than thirty-six permanent positions	591,000
5763-0100	For the maintenance of the Pocasset mental health center, including not more than sixty-four permanent positions	1,070,000
5781-0000	For the maintenance of the Paul A. Dever school, including not more than nine hundred and twenty-four permanent positions	11,254,000
5791-0000	For the maintenance of the Foxborough state hospital, including not more than thirty permanent positions	482,621
5792-0100	For the maintenance of the Taunton state hospital, including not more than eight hundred and sixty-two permanent positions	10,700,000

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 three permanent positions	\$237,358
	Highway Fund	100.0 %

Massachusetts Bay Transportation Authority.

6005-0011	For additional assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of sections six and nine of chapter eight hundred and twenty-five of the acts of nineteen hundred and seventy-four, as amended by section four of chapter two hundred and ninety-one of the acts of nineteen hundred and seventy-five	\$56,950,000
-----------	---	--------------

Item	
6005-0012	For certain debt service contract assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of section twenty-eight of chapter one hundred and sixty-one A of the General Laws \$20,500,000
6005-0013	For reimbursement to the Massachusetts Bay Transportation Authority for certain motor vehicle and fuel excise taxes in accordance with the provisions of paragraph (c) of section twenty-five B of chapter fifty-eight of the General Laws 425,000
6005-0014	For reimbursement to common carriers of passengers for certain motor vehicle and fuel excise taxes in accordance with the provisions of paragraph (c) of section twenty-five B of chapter fifty-eight of the General Laws 775,000
6005-0015	For certain contract assistance to regional transit authorities in accordance with section twenty-three of chapter one hundred and sixty-one B of the General Laws 2,868,640
6005-0017	For certain payments to cities and towns as authorized by clause (c) of section thirteen of chapter sixty-four A, clause (b) of section thirteen of chapter sixty-four E and clause (b) of section fourteen of chapter sixty-four F of the General Laws, prior appropriation continued Highway Fund 100.0% 25,043,000
6005-0100	For certain preliminary planning, engineering, and ridership studies; and for the removal of navigational obstruction in Hingham harbor, prior appropriation continued.
<i>Massachusetts Aeronautics Commission.</i>	
6006-0001	For the personal services and expenses of the commissioners, including not more than five permanent positions \$1,500
6006-0003	For the administration of the commission, including not more than ten permanent positions 185,754
6006-0051	For the expenses of air navigation facilities 33,000

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 transportation 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 six 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 four hundred permanent positions \$55,716,000 Highway Fund 100.0%
<i>Administrative and Engineering Expenses.</i>	
6020-1900	For the operation and maintenance of the public works building, including not more than fifty-nine permanent positions \$859,000 Highway Fund 100.0%
6020-2401	For the purchase of all administrative and engineering equipment 160,000 Highway Fund 100.0%

Item	
6020-2501	For certain administrative and engineering expenses of the commission, the office of the public works commissioner and the divisions of administrative services, telephone service in the public works building, highway engineering, highway maintenance, highway construction and the district and other highway activity offices \$2,753,500 Highway Fund 100.0%
<i>Maintenance and Operation of State Highways and Bridges.</i>	
<i>Appropriation under this heading may be expended for traffic safety and control on certain city or town ways:</i>	
6030-7201	For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals \$9,000,000 Highway Fund 100.0%
6030-7301	For expenses in connection with traffic line painting, including the cost of materials 850,000 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 1,550,000 Highway Fund 100.0%
6030-7403	For expenses of fleet management and maintenance equipment 2,187,000 Highway Fund 100.0%
6030-7601	For the maintenance and operation of state highways and bridges 2,893,000 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, prior appropriation continued. Highway Fund 100.0%
6031-0131	For a property management program, prior appropriation continued 150,000 Highway Fund 100.0%
6034-0008	For reimbursements to cities and towns listed in section four of chapter eight hundred and twenty-five in the amount specified in said section four to be used for the purposes of reconstruction, maintenance and repair of public highways and bridges, the enforcement of traffic laws, and mass transportation services; provided, that such amount reimbursed shall be based upon that amount which is expended for said purposes on or before June thirtieth, nineteen hundred and seventy-eight and shall not exceed the amount specified for each city or town in said section four of said chapter eight hundred and twenty-five 2,500,000 General Fund 100.0%
6034-0009	For payment to cities and towns; provided, that each city and town shall receive the same amount in this fiscal year as was received in the prior fiscal year under the provisions of item 6034-0008 of section two of chapter six hundred and eighty-four of the acts of nineteen hundred and seventy-five 18,469,803 General Fund 100.0%

Executive Office of Educational Affairs.

Office of the Secretary.

7000-0100	For the office of the secretary, including not more than three permanent positions \$217,000
7000-0111	For the administration of the intern program 33,200
7000-0112	For intern program stipends and payments 75,000

George Fingold Library.

Item		
7000-0601	For the administration of the library, including not more than thirty-four permanent positions	\$519,000

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	\$20,000
7000-0752	For the expenses of the education compact council of Massachusetts	700

New England Board of Higher Education.

7000-0801	For expenses of the board, and for compensation and expenses of the members	\$170,000
7000-0811	For payments to certain universities, including, but not limited to, the University of Vermont, on acceptance of certain Massachusetts students into medical, dental, veterinary medical and related health programs; provided, that new contracts relative thereto include a provision for payback service to the commonwealth for a period after said students have fulfilled all internships and residency requirements; and provided, further, that all contracts relative thereto are approved by the 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 of each fiscal year	676,216
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 shall include a provision for payback service to the commonwealth for a period after said students have fulfilled all internships and residency requirements and are approved by the 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 of each fiscal year	523,600

*Department of Education.**Board of Education.**Board of Education and Commissioner's Office.*

7010-0005	For the general administration of the department, including the expenses of the members of the board, the office of the commissioner, the division of administration and personnel, the division of state and federal assistance, the division of research and development, the bureau of equal educational opportunity, and the bureau of assessment, including not more than eighty-four permanent positions	\$2,372,300
7010-0006	For assistance to children of certain war veterans, as authorized by section seven B of chapter sixty-nine of the General Laws, including expenses for the last two prior fiscal years	123,750
7010-0012	For reimbursement to towns for payments of certain costs incurred under the program for the elimination of racial imbalance; provided that reimbursements to a city, town or regional school district shall be limited by the Board of Education to actual and specifically documented incremental costs incurred as a direct consequence of participation in the program whenever the reimbursements requested by such city, town or regional school district exceed the level of reimbursements received in fiscal year	

Item

nineteen hundred and seventy-seven; provided further that the Board of Education shall establish a uniform procedure by which the categories and amounts of incremental costs directly consequent to participation in the program shall be determined and reported by cities, towns and regional school districts; providing further that the Board of Education shall certify to the accuracy of said incremental cost determinations to the committees on ways and means before September first, nineteen hundred and seventy-seven; provided further that reimbursements for incremental instructional costs shall in no case exceed the average per-pupil instructional costs, exclusive of administrative costs, for appropriate grade levels as incurred by the school district during the current school year; and provided further that payments to METCO Inc. shall be made through one disbursing agent as designated by the Board of Education and that they be not less than 12.5% of the non-transportation costs of the program; provided further, that there shall be no discrimination on the basis of race, sex, color or creed; provided, further, that no payments or approvals shall be given or made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount of this appropriation \$5,900,000

7010-0042 For grants to cities, towns or regional school districts for the cost of providing magnet educational programs in accordance with the provisions of section thirty-seven I and thirty-seven J of chapter seventy-one of the General Laws; provided, however, that any payment made under this appropriation shall be deposited with the treasurer of such city, town or regional school district and held as a separate account and shall be expended by the school committee of such city, town or regional school district without appropriation, notwithstanding the provisions of any general or special law to the contrary; provided, further, that any portion of this appropriation item may be expended by the state board of education to purchase magnet educational programs as provided in the first sentence of the last paragraph of said section thirty-seven J; and provided, further, that no payments or approvals shall be given or made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount of this appropriation 3,000,000

7010-0043 For grants to establish the 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; provided, however, that any payment made under this appropriation shall be deposited with the treasurer of such city, town or regional school district and held as a separate account and shall be expended by the school committee of such city, town or regional school district without appropriation, notwithstanding the provisions of any general or special law to the contrary; provided, further, that no payments or approvals shall be given or made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount of this appropriation 6,000,000

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 twenty-three permanent positions . \$493,800

Item		
7027-0010	For reimbursement to certain municipalities and regional school districts of expenses for certain approved courses, as defined in section nine of chapter seventy-four of the General Laws	\$41,733,000
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	1,567,987
7027-0012	For reimbursement to certain municipalities and regional school districts for two thirds of the salaries of certain agricultural instructors, as defined in section twelve of chapter seventy-four of the General Laws	169,000
7027-0013	For the reimbursement of certain counties for county vocational schools	1,790,000
7027-0014	For the reimbursement of certain towns for the transportation of pupils	333,756
7027-0015	For a program of tuition assistance to students enrolled in a course of study at a private business, trade or correspondence school licensed by the commissioner of education under the authority of section two of chapter seventy-five C, section two of chapter seventy-five D and section twenty-one B of chapter ninety-three; provided, that no student shall receive tuition assistance in any amount greater than nine hundred dollars in any twelve month period; and provided further, that the total amount of tuition assistance received by a student shall not constitute more than fifty per cent of the total tuition cost of his or her course of study; provided further, that the state board of education shall establish regulations governing standards under which tuition assistance shall be awarded hereunder, and any portion of the tuition paid under the provisions of this section on account of a student which is refunded as required by section thirteen K of chapter two hundred and fifty-five shall be paid to the state treasurer and credited to this account, prior appropriation continued	95,000
7027-1001	For the administration of a fire fighting academy and training program, to be in addition to any federal funds available for the purpose; including not more than four permanent positions	500,000

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-three permanent positions	\$1,103,000
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, including not more than one hundred and sixty-five permanent positions	12,900,000
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	18,134,000

Division of Curriculum and Instruction.

7030-0100	For the general administration of the division, including bilingual programs, and including not more than seventy-three permanent positions	\$1,371,275
7032-0202	For the expenses and the services of an educational television program	355,000
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	

Item		
	thousand dollars; including not more than forty-nine permanent positions; prior appropriation continued	\$427,697
7035-0004	For the reimbursement of certain towns and regional school districts for the transportation of pupils	33,000,000
7036-0101	For the administration of the library bureau, including not more than twenty permanent positions	359,707
7036-1401	For state aid to regional public libraries	2,610,489
7036-1501	For state aid to public libraries	2,218,142
	<i>Division of School Facilities and Related Services.</i>	
7051-0005	For the general administration of the division, including the school building assistance bureau and the school lunch bureau; provided, that the comptroller shall transfer to the General Fund the sum of fifty thousand dollars from the school lunch and salvage fund; including not more than forty-four permanent positions	\$790,000
7051-1908	For printing school registers and other school blanks for cities and towns	17,000
7052-0004	For grants and reimbursements to cities, towns, regional school districts and counties under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, for first annual payments on school projects approved on or after July first, nineteen hundred and seventy-five; provided, that the aggregate amount of first annual estimated payments for school projects approved by the board of education under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, in the fiscal year ending June thirtieth, nineteen hundred and seventy-eight, shall not exceed six million three hundred thousand dollars, of which amount not more than one million seven hundred thousand dollars shall be for projects ordered or approved by a court as necessary for desegregation or such projects as may be required in the judgment of said board to reduce or eliminate racial imbalance	7,000,000
7052-0005	For grants and reimbursements to cities, towns, regional school districts and counties under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, for annual payments on account of school projects approved prior to July first, nineteen hundred and seventy-five, and all other school projects approved on or after said date on which the first annual payment has been made	103,000,000
7052-0006	For grants and reimbursements for cities, towns, regional school districts and counties under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, for (a) educational, engineering and architectural services for regional school districts as set forth in section six of said act, (b) for surveys made of school building needs and conditions as set forth in section six A of said act and (c) for matching stabilization fund payments as set forth in section nine of said act	1,000,000
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	316,769

Item	
7053-1908	For the reimbursement of cities and towns for partial assistance in the furnishing of breakfasts to school children, as authorized by chapter eight hundred and seventy-one of the acts of nineteen hundred and seventy; provided, that, notwithstanding any provisions of law for the contrary, reimbursements so authorized shall not exceed ten cents per breakfast; provided further, that notwithstanding any general or special law or administrative regulation of any agency of the commonwealth to the contrary, no local school committee shall be required to participate in the federal school breakfast program unless the local school committee votes to conduct the program \$1,000,000
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 6,976,800
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, prior appropriation continued 736,756
<i>Division of State and Federal Assistance.</i>	
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, further, 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 \$20,091
7061-0003	For the reimbursement of regional school districts of the amount of school aid due under the provisions of section sixteen D of chapter seventy-one of the General Laws 25,000,000
7061-0008	For the reimbursement of school aid to cities, towns and regional school districts under the provisions of chapters seventy, seventy-one A, seventy-one B and seventy-six of the General Laws 454,900,000

Board of Higher Education.

Notwithstanding any provision of law to the contrary, on or before December first, nineteen hundred and seventy-five and the fifteenth day of April in each and every year thereafter, the board of trustees of all segments of higher education shall determine for each public institution of higher education, except the Massachusetts maritime academy, the average cost of instruction for each undergraduate student. Costs so determined shall be certified to the boards having control of the several institutions and shall be used by them in fixing the tuition to be charged students who are not residents of the commonwealth. Such tuition shall be fixed at an amount which as nearly as possible reflects the actual average cost of instruction for each said institution or group of institutions, but in no event shall such tuition amount be less than ninety-five per cent of said costs. Tuition charges as determined in accordance with

Item

this paragraph shall be charged to all nonresident students on and after January first, nineteen hundred and seventy-six; provided, that students participating in the New England regional student program shall not be affected by this paragraph.

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-eight fiscal year for salaries of existing professional positions shall not include expenditures for merit increases for such positions except as a part of a collective bargaining agreement negotiated under the provisions of Chapter 150E after the effective date of this act and funded by the General Court.

7070-0001	For the administration of the board, including the salary of the chancellor and including not more than twenty-seven permanent positions	\$600,000
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	12,250,000
7070-0007	For special educational scholarships, as authorized by section seven D of chapter sixty-nine of the General Laws	15,000
7070-0010	For a state-wide program in consortium scholarships to provide an opportunity for pursuing programs in the private sector that are not presently available in the public sector; provided, that all applications for such scholarships must be approved by the board of higher education and be subject to the rules and regulations with respect to eligibility as established by said board	150,000
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	15,000
7070-0014	For merit scholarships	300,000
7070-0016	For central processing, classification and cataloguing of books in all institutions of higher education, prior appropriation continued.	
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.	

Board of Trustees of State Colleges.

For the administration and maintenance of and for certain improvements at state colleges and the Massachusetts maritime academy with the approval of the board of trustees:

7101-0001	For the administration of the board, including not more than forty-eight permanent positions	\$880,000
7102-0001	For the purchase of scientific, technological and other educational reference material for the libraries	150,000
7102-9604	For a program of assistance for students from various racial backgrounds in disadvantaged environments; 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 of Boston	600,000

Item		
7105-0001	For the operation of a data processing system; provided, that notwithstanding any provision of law to the contrary, that services may be rendered to agencies of the commonwealth and educational institutions at no expense to the system; and provided, further, that charges for such services shall be allocated to the agencies and institutions utilizing the system	\$1,374,000
7108-0100	State college at Boston, including maintenance of the evening undergraduate college and including not more than five hundred and ninety-seven permanent positions	9,678,000
7108-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	194,029
7109-0100	State college at Bridgewater, including not more than four hundred and ninety-two permanent positions	7,713,800
7109-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	85,000
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 sixty permanent positions	7,230,000
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	50,023
7111-0100	State college at Framingham, including not more than three hundred and sixty-eight permanent positions	5,279,000
7111-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	59,528
7113-0100	State college at North Adams, including not more than two hundred and thirty-six permanent positions	3,793,000
7113-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	100,000
7114-0100	State college at Salem, including not more than five hundred and seventy-six permanent positions	8,611,000
7114-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	132,639
7115-0100	State college at Westfield, including not more than three hundred and forty-three permanent positions	5,122,000
7115-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	85,367
7116-0100	State college at Worcester, including not more than three hundred and eighty-four permanent positions	5,869,000
7116-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	70,611
7117-0100	Massachusetts college of art, including not more than one hundred and twenty-nine permanent positions	2,506,000
7117-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	25,694
7118-0100	Massachusetts maritime academy and ship, including not more than one hundred and sixty-one permanent positions	2,854,000
7118-9002	For certain repairs to the pier and roadway, the dredging of the ship's berth and maneuvering area, the construction of an additional pier and slip area, and the construction of a floating breakwater; appropriation expires June thirtieth, nineteen hundred and seventy-eight	340,000
7118-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	24,472

University of Lowell.

Item		
7220-0001	For the maintenance and administration of the university, with the approval of the trustees; provided, that said university is hereby authorized to conduct a summer school at no expense to the commonwealth, for which purpose the university may receive and expend funds derived therefrom; provided further, that the university is directed to charge each applicant for admission who is a resident of the commonwealth a fee of not less than ten dollars and every other applicant not less than twenty-five dollars, provided, that the university may grant a waiver of said charge in instances of financial hardship; and provided, further, that said minimum fees be transferred to the General Fund; including not more than eight hundred and eighty-nine permanent positions	\$16,475,000
7220-0002	For the maintenance of the boarding hall, with the approval of the trustees; including not more than four permanent positions	56,973
7220-9005	For the purchase of scientific, technological, and other educational reference material for the libraries	125,000
7220-9604	For a program of assistance for students attending the university from various racial backgrounds in disadvantaged environments 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	125,000
7220-9704	For the commonwealth's contribution toward the federal student loan programs and federal work-study programs and for scholarships in accordance with section sixteen of chapter seventy-five A of the General Laws, as amended	200,000
7225-0001	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	677,930

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; provided further, that the university is directed to charge each applicant for admission who is a resident of the commonwealth a fee of not less than ten dollars and every other applicant not less than twenty-five dollars; provided further, that the university may grant a waiver of said charge in instances of financial hardship; provided further, that said minimum fees be transferred to the General Fund; provided further, that not more than one hundred and fifty thousand dollars from this item may be expended for the purchase of fire equipment to be operated in accordance with the provisions of section forty-two of chapter forty-eight of the General Laws; including not more than six hundred and sixty-eight permanent positions	\$11,100,000
7310-9604	For a program of assistance for students from various racial backgrounds in disadvantaged environments; 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	170,000
7310-9705	For the purchase of scientific, technological, and other educational reference material for the library	200,000

University of Massachusetts.

Item		
7400-0010	For the office of the president; provided, notwithstanding any provision of law to the contrary, that no expenditures shall be made available for the maintenance and operation of the office of the president from funds provided by any other appropriation; and provided further, that not more than thirty-six thousand dollars of the amount provided by this appropriation item shall be expended for the rental of space at One Washington Mall in the city of Boston; including not more than seventeen permanent positions	\$990,494
7400-0014	For a general court staff fellowship program, prior appropriation continued	7,000
7400-0100	For the institute for governmental service, including not more than three permanent positions	121,859
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
7400-9604	For a program of assistance for students from various racial backgrounds in disadvantaged environments; 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	1,350,000
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; 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; provided, further, that the university is directed to charge each applicant for admission who is a resident of the commonwealth a fee of not less than ten dollars and every other applicant a fee of not less than twenty-five dollars; provided, further, that the university may grant a waiver of said charge in instances of financial hardship; provided further, that said minimum fees be transferred to the General Fund; including not more than three thousand seven hundred and six permanent positions	72,570,000
7411-1005	For the personal services and expenses of the medical school, including not more than three hundred and sixty-nine permanent positions; provided,	

Item		
	notwithstanding any provision of law to the contrary, the university of Massachusetts board of trustees shall institute learning contracts for students admitted for the Fall of nineteen hundred and seventy-eight which include provisions for "payback" service or monetary payback to the commonwealth for a period after said students have fulfilled all internship and residency requirements	\$10,239,000
7411-1006	For the maintenance and operation of the Medical School Teaching Hospital; provided, that notwithstanding any provision of any law to the contrary, all revenue received by said hospital after June thirtieth, nineteen hundred and seventy-seven, from whatever source, including reimbursements under Titles XVIII and XIX of the Social Security Act, shall be deposited in a trust fund in the state treasury, and may be expended by the board of trustees of the University of Massachusetts for the maintenance and operation of said hospital; provided, further, notwithstanding any provision of law to the contrary, all expenditures from the trust fund will be made using standard state accounting methods; provided, further, that the trustees shall report monthly to the commissioner of administration and finance and to the house and senate ways and means committees such revenues and reimbursements received and expenditures made, including not more than one thousand and twenty-five permanent positions	3,500,000
7416-1001	For the maintenance of the facilities of the university in the city of Boston; including not more than one thousand and six permanent positions	19,531,000

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	\$545,500
7501-3004	For the purchase of scientific, technological and other educational reference material	125,000
7501-9604	For a program of assistance for students from various racial backgrounds in disadvantaged environments; 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	2,460,000
7502-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	20,000
7503-0100	Bristol community college, including not more than one hundred and eighty-nine permanent positions	2,845,000
7503-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	69,000
7504-0100	Cape Cod community college, including not more than one hundred and sixty-seven permanent positions	2,617,000
7504-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	36,000
7505-0100	Greenfield community college, including not more than one hundred and fifty permanent positions	2,358,000
7505-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	27,500
7506-0100	Holyoke community college, including not more than two hundred and sixty-nine permanent positions	4,000,000

Item		
7506-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	\$70,000
7507-0100	Massachusetts Bay community college, including not more than one hundred and sixty-eight permanent positions	2,737,000
7507-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	22,470
7508-0100	Massasoit community college, including not more than one hundred and ninety permanent positions	3,040,000
7508-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	54,250
7509-0100	Mount Wachusett community college, including not more than one hundred and sixty-six permanent positions	2,670,000
7509-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	18,960
7510-0100	Northern Essex community college, including not more than two hundred and thirty-two permanent positions	3,634,000
7510-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	100,000
7511-0100	North Shore community college, including not more than one hundred and ninety-nine permanent positions	3,520,000
7511-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	37,700
7512-0100	Quinsigamond community college, including not more than two hundred and three permanent positions	2,870,000
7512-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	18,000
7514-0100	Springfield technical community college, including not more than three hundred and thirty-four permanent positions	4,690,000
7514-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	46,000
7515-0100	Roxbury community college, including not more than ninety permanent positions	1,435,000
7515-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	50,000
7516-0100	Middlesex community college, including not more than one hundred and twenty-eight permanent positions	1,750,000
7516-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	29,987
7518-0100	Bunker Hill community college, including not more than one hundred and seventy-five permanent positions	2,850,000
7518-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	150,450
<i>Council on the Arts and Humanities.</i>		
7700-0001	For the administration of the council, including the expenses of projects and productions of the council provided that five per cent of said expenses shall be expended on projects and productions which are community based nonprofessional music activities, to be in addition to any federal funds available for the purpose	\$1,700,000
7700-0101	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	45,000
7700-0102	For certain payments for the use of the facilities of the children's museum; provided, that children in groups sponsored by elementary and secondary schools of the commonwealth shall be admitted without charge	70,000

Item		
7700-0103	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	\$90,000
7700-0104	For certain payments for the use of the facilities of the Alice G. Wallace planetarium in the city of Fitchburg; provided, that children sixteen years of age or under shall be admitted without charge . . .	22,500
7700-0105	For certain payments for the use of facilities of the museum of science	310,000

Executive Office of Public Safety.

Office of the Secretary.

8000-0100	For the office of the secretary, including not more than three permanent positions	\$163,500
	Highway Fund	85.0%
	General Fund	15.0%

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, including not more than seven permanent positions	\$359,913
8200-0215	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	40,000

Department of Public Safety.

8311-1000	For the administration of the department, including not more than one hundred permanent positions	\$1,378,000
-----------	---	-------------

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	\$21,068,000
	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	122,500
	General Fund	15.0%
	Highway Fund	85.0%
8312-9031	For vehicle maintenance program	234,000
	Highway Fund	100.0%

Division of Fire Prevention.

8314-1000	For the administration of the division, including not more than nineteen permanent positions	\$277,786
-----------	--	-----------

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 permanent positions	\$1,318,000
-----------	--	-------------

Board of Boiler Rules.

8316-1000	For the administration of the board, including not more than four permanent positions	\$2,712
-----------	---	---------

State Boxing Commission.

Item		
8317-1000	For the administration of the commission, including not more than six permanent positions	\$30,110

Board of Elevator Regulations.

8318-1000	For the administration of the board, including not more than seven permanent positions	\$5,735
-----------	--	---------

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	\$1,160
-----------	---	---------

Board of Elevator Appeals.

8320-1000	For the administration of the board, including not more than six permanent positions	\$672
-----------	--	-------

Architectural Barriers Board.

8321-1000	For the expenses of the board, including not more than five permanent positions	\$26,900
-----------	---	----------

Recreational Tramway Board.

8322-1000	For the expenses of the board, including not more than four permanent positions	\$4,501
-----------	---	---------

Board of Fire Prevention Regulations.

8340-1000	For the administration of the board, including not more than eight permanent positions	\$6,230
-----------	--	---------

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 two hundred and seventy-three permanent positions	\$18,989,000
	Highway Fund	100.0%
8400-0002	For the administration of the certificate of title law, prior appropriation continued, including not more than two hundred and twenty-three permanent positions	2,375,300
	Highway Fund	100.0%
8400-0010	For a motor vehicle safety compact with other states	2,000
	Highway Fund	100.0%
8400-0100	For expenses of the merit rating board authorized by chapter two hundred and sixty-six of the acts of nineteen hundred and seventy-six, prior appropriation continued	635,000

Commercial Motor Vehicle Division.

8400-0200	For the administration of the division, including not more than forty permanent positions	\$467,663
	Highway Fund	100.0%
8400-9999	For the preparation and distribution to eligible citizens photo identification cards	10,000

Other.

8500-0400	For the life safety code inspection unit under Title XIX of the Social Security Act; provided, that any expenditure from this item shall be contingent upon prior approval and assurance by the proper federal authorities that not less than one hundred per cent for personal services, travel and train-	
-----------	---	--

Item		
	ing expenditures and fifty per cent for all other expenditures are eligible for federal reimbursement	\$499,859
Executive Office of Manpower Affairs.		
<i>Office of the Secretary.</i>		
9000-0100	For the office of the secretary, including not more than four permanent positions	\$93,207
<i>Commission on Employment of the Handicapped.</i>		
9010-0100	For the expenses of the commission	\$3,700
<i>Department of Labor and Industries.</i>		
9020-1001	For general administration of the department, including not more than fourteen permanent positions	\$225,000
	<i>For the personal services and expenses of the following agencies of the department:</i>	
9020-2001	Division of industrial safety, including not more than ninety-three permanent positions	\$1,436,000
9020-3001	Division of occupational hygiene, including not more than twenty permanent positions	334,900
9020-3005	For the division of occupational hygiene; provided, that all funds appropriated under this item shall be for a program to evaluate the asbestos level in public schools and other public buildings; the division for this purpose may employ staff which shall not be subject to chapter thirty-one of the General Laws and engage engineering and medical and other consultants. The division shall report the results of its activities every sixty days to the special commission established by chapter fifty-eight of the resolves of nineteen hundred and seventy-five and most recently revived and continued under the provisions of chapter seven of the resolves of nineteen hundred and seventy-seven	50,000
9020-4001	Division of statistics, including not more than twenty-six permanent positions	232,400
9020-6001	For the expenses of the department in enforcing the minimum wage laws, including not more than twenty-five permanent positions .	289,087
9020-7001	Board of conciliation and arbitration, including not more than eighteen permanent positions	308,000
9020-8001	Division of employment agencies, including not more than three permanent positions	48,000
<i>Division of Apprentice Training.</i>		
9020-9001	For the administration of the division; provided, that no position in the division shall be subject to chapterthirty-one of the General Laws; including not more than thirty permanent positions	\$315,619
<i>Labor Relations Commission.</i>		
9030-1001	For the administration of the commission, including not more than twenty-four permanent positions	\$490,000
<i>Division of Industrial Accidents.</i>		
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 seventy-six permanent positions	\$1,817,000
9050-1901	For expenses of impartial examinations, including previous fiscal years	110,000
9050-3000	For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years	3,500,000
	Highway Fund	35.0%

Item		
	General Fund	65.0%
	<i>Office of Self-Insurance.</i>	
9050-4000	For the service of the office, including not more than six permanent positions	\$72,500
	<i>Industrial Accident Rehabilitation Board</i>	
9050-5000	For the service of the board, including not more than six permanent positions	\$21,700
DEPARTMENT OF COMMERCE AND DEVELOPMENT.		
9091-0100	For the administration of the department, including not more than eighty-three permanent positions	\$1,152,000
	<i>Division of Tourism.</i>	
9091-0200	For the operation of tourist information booths; provided, that no position in this item shall be subject to chapter thirty-one of the General Laws; and including not more than eight permanent positions ..	\$58,142
9091-0211	For financial assistance for local tourist councils	500,000
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	750,000
	<i>Division of Economic Development.</i>	
9091-0400	For the promotion of industry into the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	\$750,000
9091-0516	For the expenses of the state office of minority business assistance	32,700
	<i>Massachusetts Industrial Mortgage Insurance Agency.</i>	
9091-1002	For the administration of the Massachusetts Industrial Mortgage Insurance agency; provided, that the comptroller shall transfer to the General Fund from Massachusetts Industrial Mortgage Insurance Fund, in the fiscal years beginning July first, nineteen hundred and seventy-nine, an amount equal to the expenditures made herefrom	\$70,000
	<i>Massachusetts Science and Technology Foundation.</i>	
9091-2000	For the expenses of the Massachusetts Science and Technology Foundation; provided, that the foundation shall reimburse the commonwealth for the appropriation herein	\$125,000
Executive Office of Elder Affairs.		
	<i>Office of the Secretary.</i>	
9100-0100	For the office of the secretary of elder affairs, including not more than five permanent positions	\$120,000
9100-1000	For the office of elder affairs, division of administration and program planning, including not more than twenty-five permanent positions	725,117
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	

Item		
	the Social Security Act and the tipend for part-time corpsmen shall not exceed one hundred dollars per month	\$200,000
9110-1630	For a home care program for the elderly, of which no more than five 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; provided, that to qualify for such assistance, the grantee shall meet matching requirements as established by departmental regulation; provided, that all other funds appropriated under this item shall be used for purpose of home care services for the elderly under a program operated pursuant to a Title XX contract with the department of public welfare; prior appropriation continued	
		21,275,000
9110-9002	For a demonstration grant program for the elderly	100,000

Executive Office of Consumer Affairs.

Office of the Secretary.

9200-0100	For the office of the secretary, including not more than two permanent positions	\$140,000
-----------	--	-----------

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 permanent positions	\$484,023
-----------	---	-----------

Alcoholic Beverages Control Commission.

9212-0001	For the administration of the commission; including not more than fifty-five permanent positions	\$790,456
-----------	--	-----------

Consumers' Council.

9214-0001	For the administration of the council, including not more than nine permanent positions	\$190,000
-----------	---	-----------

Community Antenna Television Commission.

9215-0001	For the administration of the community antenna television commission, including not more than seventeen permanent positions	\$160,950
-----------	--	-----------

Division of Standards.

9218-0100	For the personal services and expenses of the division of standards, including not more than thirty-four permanent positions	\$476,000
-----------	--	-----------

DEPARTMENT OF BANKING AND INSURANCE.

Division of Banks.

9221-1000	For the office of the commissioner, including not more than two hundred and forty-three permanent positions	\$3,710,000
-----------	---	-------------

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; including not more than two hundred and seventy-eight	
-----------	---	--

Item		
	permanent positions, and provided further that a su, not to exceed two hundred thousand dollars, shall be expended in fiscal nineteen hundred and seventy-eight pending the submission by the Division, for approval, to the House and Senate Ways and Means Committees and the Secretary of Administration and Finance a plan outlining the nature of information that will be obtained from insurance companies for rate-making purposes. Such plan shall contain specific questions to be presented to the companies through the normal auditing process	\$4,067,000
	General Fund	65.0%
	Highway Fund	35.0%
9222-0199	For the expenses and administration of the board of appeal on motor vehicle liability policies and bonds, including not more than ten permanent positions	304,796
	<i>Division of Registration.</i>	
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	\$1,324,787
	<i>For the services of the following agencies in the division:</i>	
9230-0150	Board of registration and discipline in medicine, including not more than seven permanent positions	\$80,000
9230-0200	Board of dental examiners, including fifteen hundred dollars for regional and national conferences, including not more than six permanent positions	22,886
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	2,732
9230-0400	Board of registration in pharmacy, including not more than ten permanent positions	98,918
9230-0500	Board of registration of nurses, including not more than twelve permanent positions	10,500
9230-0600	Board of registration in embalming and funeral directing, including not more than five permanent positions	25,169
9230-0700	Board of registration in optometry, including not more than five permanent positions	3,860
9230-0800	Board of registration in veterinary medicine, including not more than five permanent positions	3,711
9230-0900	Board of registration of chiropractors, including not more than five permanent positions	5,850
9230-1000	Board of registration of architects, including not more than five permanent positions	18,815
9230-1100	Board of registration of professional engineers and land surveyors	45,649
9230-1200	Board of public accountancy, including not more than eleven permanent positions	134,352
9230-1300	State examiners of electricians, including not more than four permanent positions	12,126
9230-1400	State examiners of plumbers, including not more than five permanent positions	26,600
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 twenty-six permanent positions	337,672
9230-1600	Board of registration of electrologists, including not more than three permanent positions	3,802

Item	
9230-1700	Board of registration of barbers; provided, that the board shall make rules and regulations requiring schools for barbers to offer evening classes; including not more than ten permanent positions \$96,452
9230-1800	Board of registration of hairdressers, including not more than seventeen permanent positions 173,309
9230-1900	Board of registration of dispensing opticians, including not more than five permanent positions 1,134
9230-2000	Board of registration of sanitarians, including not more than four permanent positions 1,085
9230-2100	Board of registration of radio and television technicians, including not more than seven permanent positions 13,920
9230-2200	Board of registration of landscape architects 3,500
9230-2300	Board of registration of health officers 2,560
9230-2400	Board of registration of nursing home administrators, including not more than eleven permanent positions 3,500
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 1,810
9230-2700	Board of registration of psychologists 990
<i>Department of Public Utilities.</i>	
9270-000	For general administration, including not more than eighty-nine permanent positions \$1,700,000
<i>Energy Facilities Siting Council.</i>	
9274-0010	For the expenses of the energy facilities siting council; provided, that the expenditures from this item shall be assessed upon utility companies in accordance with the provisions of chapter one hundred and sixty-four of the General Laws; including not more than one permanent position \$400,000

SECTION 2A. The registry of motor vehicles shall design and issue vanity plates, so called, for those persons licensed to operate citizen's band radios. Said plates shall bear the call letters of the radio operator, and shall be issued for the same fee as other vanity plates.

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 received from the operation of said projects the sum of nine hundred sixty-five thousand dollars for the current fiscal year.

SECTION 4. In order to meet the estimated cost of utilities to be furnished projects constructed by the University of Lowell Building Authority, the comptroller shall transfer from item 7220-0001 to the General Fund, on or after July first of each fiscal year the sum of seventy-five thousand dollars; provided, that said amount shall be credited to item 7220-0001 upon pay-

ment of said building authority and may be spent without further appropriation.

SECTION 5. 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 other such transfers 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 6. 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 7. 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 8. Notwithstanding any provision of law to the contrary, amounts appropriated in section two for permanent offices and positions are authorized to be expended for the permanent offices and positions as listed and at the salary rates indicated in the schedule of permanent offices and positions submitted by the personnel director to the house and senate committees on ways and means as adjusted by said committees prior to the passage of this act and on file with said committees and available to the members of the general court prior to the passage of this act, but subject to any changes in said schedule recommended by the conference committee and approved by the general court and subject further to any change in said schedule made by the general court as a result of this act. Except as otherwise shown on the said adjusted schedules, a copy of which shall be deposited with the personnel director, 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 as authorized by rules and regula-

tions established under the provisions of paragraph (6) of section forty-five of chapter thirty of the General Laws, and shall be filled by the transfer, reassignment, or promotion of a presently authorized state employee who is subject to termination or lay-off, if the duties to be performed can be carried out by the such employee. Any person in the employ of the commonwealth on June thirtieth, nineteen hundred and seventy-four, and subsequently terminated or laid off, except for just cause, shall have re-employment rights to vacancies in any state department, agency, or institution prior to such vacancies being filled from open competitive registers, or lists, or from any other source; provided, that such employees shall not have priority over persons on lay-off or termination within the department, agency or institution posting the vacancy. Employees coming under this provision shall retain and carry with them as re-employed employees all rights previously held at the time of lay-off or termination. Said laid off or terminated employees shall be notified by the division of personnel administration of any such vacancies.

SECTION 9. 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 thir-

ty nor to a position required to correct an inequity determined as provided in sections fifty-three and fifty-six of said chapter thirty.

SECTION 10. Notwithstanding any provision of general or special law to the contrary, federal funds received by the commonwealth or any department, agency or subdivision of a department shall not be available for the payment of the salary for any position unless such expenditure has been approved in advance by the general court and is based upon a schedule of positions and salary rates approved by said general court, a copy of which shall be deposited with the bureau of personnel. No such federally funded positions shall be established or filled by employees hired from outside existing state departments and agencies if the duties to be performed can be carried out by promoting or transferring or reassigning a present certified or authorized permanent state employee. Positions to be filled on federally funded projects must be advertised by posting a circular describing title, location, duties and salary grade in all places that state civil service posters are posted and by distributing such circulars to all departments for at least twenty days prior to appointment or recruitment of a nonstate employee. Proof of such notice of promotional opportunities must be filed with the commissioner of administration and the house and senate committees on ways and means and signed under penalties of perjury by the appointing authority. The provisions of this section shall not prevent payment of the salary of any employee filling a federally funded position immediately prior to the effective date of this act.

SECTION 11. Notwithstanding any special or general law to the contrary, any officer of the commonwealth as defined in section G-6 of the rules and regulations authorized by section twenty-eight of chapter seven of the General Laws receiving payment under subsidiaries "01 salaries, permanent positions", "02 salaries, other" or "03 services, nonemployees" for services under any item in section two of this act shall, under the penalties of perjury, report annually to the commissioner of administration, on forms said commissioner shall prescribe any other compensations received for services performed and paid from any state, federal or private funding source. Such forms shall include the name of the funding source, the date and extent of the services performed, including the rate of compensation, the signature of the person so employed and the employer thereof. Any officer of the commonwealth failing to file said report shall be given a hearing and dismissed, if found delinquent without sufficient

cause. Copies of said reports shall be submitted within thirty days after receipt to the house and senate committees on ways and means.

SECTION 12. Applications for all federal subventions and grants available to the commonwealth under any act of Congress shall be subject to the approval of the commissioner of administration. Any transfer within such subventions or grants shall be subject to the approval of the commissioner of administration. All federal subventions and grants received by the commonwealth, or by a corporation or other organization established as an affiliate of any agency or institution operated by the commonwealth or by an individual employed by the commonwealth, authorized to expend such funds in conjunction with services rendered by the commonwealth, may be expended without specific appropriation under the terms and conditions provided in rules and regulations established by the commissioner of administration and if such expenditures are otherwise in accordance with law. All such federal subventions and grants shall be reported in full by the head of the agency directly rendering the services mentioned above to the budget director, to the comptroller and to the house and senate committees on ways and means. The report shall include such itemization as required in accordance with state and federal regulations. All federal subventions and grants available to the commonwealth under any act of Congress and not otherwise authorized to be received shall be paid into the treasury of the commonwealth. All such expenditures of federal subventions and grants shall be subject to the audit of the state auditor.

SECTION 13. 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 general court.

SECTION 14. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and seventy-eight 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 15. 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-eight 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 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 fifty thousand dollars, in addition to any amount heretofore provided for said purpose.

SECTION 16. 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 17. Notwithstanding any provision of sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, a salary differential shall 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.

SECTION 18. The surplus property agency in the department of education is hereby authorized to expend during the fiscal year nineteen hundred and seventy-eight 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 19. 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 20. 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. 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 general court after recommendation by the commissioner of administration. Use without such approval shall be deemed to be a violation of this section, and the user shall pay a rental fee at the rate of ten dollars per square foot annually for the period of such use.

SECTION 21. 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-eight, submit for ap-

proval 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 22. 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-two of chapter six A 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 23. 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, 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 24. Notwithstanding any general or special law to the contrary, the secretary of human services shall, on or before January first, nineteen hundred and seventy-eight, establish a billing and collection system within the department of mental health for the collection of fees for services rendered by the department including but not limited to third party payments, in

accordance with a schedule of fees for such services, established by said department.

SECTION 25. The commissioners of the departments of mental health and public health are authorized and directed to identify those patients at institutions subject to the control of said departments who are eligible for federal veterans benefits and to take such steps as are necessary to assist said patients in collecting said benefits. Said commissioners shall promulgate rules and regulations as are necessary to identify such patients at such institutions who are eligible for federal veterans benefits and to collect said benefits. Said rules and regulations shall be submitted to the general court for approval by September first, nineteen hundred and seventy-seven, and shall not take effect until approved by the general court.

Said commissioners shall report of the clerks of the house of representatives and the senate not later than June thirtieth, nineteen hundred and seventy-eight, the number of patients which have been identified as eligible for veterans benefits, the amount of said benefits which have been collected by the commonwealth under this section, and the cost to the commonwealth of collecting said benefits.

SECTION 26. Notwithstanding any provisions of law to the contrary, during the entire fiscal year nineteen hundred and seventy-eight, for the payment of classified personal services the fiscal year shall be from July first, nineteen hundred and seventy-seven through June twenty-fourth, nineteen hundred and seventy-eight. Classified personal services for June twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth, nineteen hundred and seventy-eight, shall be charged to the next fiscal year.

SECTION 27. 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 Title II, Public Law 94-369, and Public Law 95-512 as amended by Public Law 94-888 to the extent that such funds are available, subject to the restrictions contained in said Public Laws for applications of federal funds received from these sources, 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 requirements of said Public Laws.

SECTION 28. 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 University of Lowell, 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 eight of this act which are inconsistent with any provisions of the General Laws specifically regulating the expenditures of public funds at each of said institutions apply to such expenditures; provided, however, that on or before October first, nineteen hundred and seventy-seven, 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 statements.

SECTION 29. In order that the group insurance commission may provide for maximum reimbursements to the commonwealth for group insurance costs, every department, board or agency shall, on or before August first, nineteen hundred and seventy-seven, 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-seven, true copies shall be filed with the group insurance commission no later than sixty calendar days from the effective date thereof.

SECTION 30. Notwithstanding any provisions of law to the contrary, federal or other funds not exceeding five hundred thousand dollars received as reimbursement for costs incurred for energy management, resource development and conservation programs from the federal government or other sources may be expended without further appropriation.

SECTION 31. Notwithstanding the provisions of any general or special law to the contrary, payments to be made during the nineteen hundred and seventy-eight fiscal year by the department of public welfare for authorized medical services, excluding primary care, shall be reduced by thirty per cent of the rates in effect on June thirtieth, nineteen hundred and seventy-five for medical practitioners.

SECTION 32. If a veteran eligible for benefits requests assistance under chapter one hundred and eighteen E of the General Laws, a veterans' service agent shall complete and file an application authorized by the department of public welfare for such veteran or for any surviving spouse or dependent of such veteran, and shall advise such veteran, spouse or dependent of his eligibility for veterans' benefits or benefits from public assistance. The department of public welfare shall process said application through its appropriate office.

SECTION 33. Notwithstanding the provisions of any law to the contrary, no payments for medical providers shall be authorized at a rate greater than the reasonable cost thereof as determined by rate setting commission; provided, that no increase greater than seven per cent over the rate effective September thirtieth, nineteen hundred and seventy-seven, in the case of hospitals, or over the rate effective as of June thirtieth, nineteen hundred and seventy-seven in the case of other medical providers, shall take effect until approved by the general court; provided, however, that the costs incurred by nursing homes in meeting federally mandated life safety code improvements shall be exempt from the provisions of this section; and provided, further, that the secretary of human services and the commissioner of public welfare are hereby directed for hospitals to obtain from the proper federal authorities prior approval for the provisions of this section.

SECTION 34. The department of public welfare shall require the use of interchangeable drugs, to the extent such drugs are available and appropriate, for recipients of medical services authorized by Title XIX of the federal Social Security Act.

SECTION 35. Notwithstanding the provisions of any law to the contrary, no payments shall be made by the department of public welfare under Title XIX for so-called nonmedically necessary days in acute hospitals except as authorized by department regulations for the prevention of undue hardship and suffering; provided, that the department shall reimburse acute care hospitals for the reasonable cost of services appropriately rendered to patients during such administratively necessary days except where the department of public welfare has determined that there are existing facilities available in the appropriate level care facility within a reasonable distance to the hospital, and advise the hospital of the location of such facility. The department shall promulgate rules and regulations and report to the legislature within thirty days of the effective date of this section.

SECTION 36. In order to meet that portion of the cost of state employees retirement system attributable to retired employees of the metropolitan district commission, the comptroller shall transfer from the following funds to the general fund the amounts stated:

Highway Fund	\$1,956,000
Metropolitan District Parks Fund	963,000
Metropolitan District Sewerage Fund	796,000
Metropolitan District Water Fund	1,230,000

provided, that notwithstanding the provisions of item 0612-1000 of section two of this act, the aforesaid amounts shall not be available for expenditure.

SECTION 37. Notwithstanding the provisions of any general or special law to the contrary, no governmental unit shall make any payment to a physician or surgeon on behalf of a patient for the performance of any medical or surgical procedure if, during the performance of such procedure, said physician or surgeon was not physically present and actively involved in the treatment of the patient.

SECTION 38. Notwithstanding the provisions of any general or special law to the contrary, providers of authorized social services, as defined by the department of public welfare, under any assistance program administered by said department, shall submit a bill for services rendered to the department not later than ninety days after the service is rendered.

SECTION 39. Notwithstanding any law to the contrary, all revenue accrued through the program of selling of correctional industries products and services may be expended without further appropriation subject to the approval of the commissioner of correction and the state comptroller for said program, including cost of materials, supplies and equipment, maintenance of industrial facilities and compensation to correctional industry employees. This program shall be subject to a full audit and annual report by the state auditor.

SECTION 40. 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-seven. However, beginning June first, nineteen hundred and seventy-seven, 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-seven; 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-seven, 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-seven, 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-seven. 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-seven.

Notwithstanding any law to the contrary not later than December first, nineteen hundred and seventy-seven, each secretariat shall submit to the house and senate committees on ways and means schedules of their expected allotments to be approved by the commissioner of administration for each account for each allotment period of fiscal nineteen hundred and seventy-eight. Thereafter, at the end of each allotment period each secretary shall notify the commissioner of administration 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, exceed funds allotted to that account for the period covered for the year to date. Said total shall be called the total commitments. Starting November first, nineteen hundred and seventy-eight, 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, certifications 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 41. Chapter 291 of the acts of 1975 is hereby amended by striking out section 5 and inserting in place thereof the following new section:-

Section 5. For the period beginning July first, nineteen hundred and seventy-five and ending December thirty-first, nineteen hundred and seventy-seven, there is hereby imposed, in addition to the excise imposed under the provisions of chapter sixty-four B of the General Laws, an additional excise at the rate of three per cent upon charges taxable under said chapter sixty-four B. For the period beginning January first, nineteen hundred and seventy-eight and ending June thirtieth, nineteen hundred and eighty, there is hereby imposed, in addition to the excise imposed under the provisions of chapter sixty-four H, an additional excise at the rate of one per cent upon meals as defined in paragraph (h) of section six of said chapter sixty-four H.

SECTION 42. Sections sixty-one to sixty-three, inclusive, and section eighty-seven of chapter six hundred and eighty-four of the acts of nineteen hundred and seventy-five are hereby repealed.

SECTION 43. Chapter sixty-four B of the General Laws is hereby repealed.

SECTION 44. Section 5 of chapter 64H of the General Laws is hereby amended by inserting after the word "vendor", in line 5, the words:- ; provided, however, that in the instance of the sale of alcoholic beverages for on premise consumption, the tax collected need not be stated separately.

SECTION 45. Section 6 of said chapter 64H is hereby amended by striking out paragraph (g), as amended by section 62 of said chapter 684, and inserting in place thereof the following paragraph:-

(g) Sales of tangible personal property includable in the measure of the excises levied under the provisions of chapters sixty-four A, sixty-four C, sixty-four E, sixty-four F and one hundred and thirty-eight.

SECTION 46. Paragraph (h) of said section 6 of said chapter 64H, inserted by section 44 of chapter 555 of the acts of 1971, is hereby amended by striking out the last sentence and inserting in place thereof the following:-

“Food products” does not include meals consisting of any of the items defined as food products in this paragraph for consumption on or off the premises where sold.

“Meals” shall mean any food or beverage, or both, prepared for human consumption and provided by a restaurant, where the food or beverages is intended for consumption on or off the restaurant premises, and includes food or beverages sold on a “take out” or “to go” basis, whether or not they are packaged or wrapped and whether or not they are taken from the premises of the restaurant.

“Restaurant”, shall mean any eating establishment where food, food products, or beverages are provided and for which a charge is made, including but not limited to, a cafe, lunch counter, private or social club, cocktail lounge, hotel dining room, catering business, tavern, diner, snack bar, dining room, vending machine, and any other place or establishment where food or beverages are provided, whether stationary or mobile, temporary or permanent; provided, however, that delicatessen, grocery, market or bakery stores shall not be considered eating establishments within the meaning of this chapter except for any part of such a store which engages, in the sale of dinners, luncheons, barbecued chicken, other than barbecued chicken sold whole and unsliced, sandwiches, snacks, pizzas, and other similar items which are commonly sold at snack bars, coffee shops or luncheon counters; provided, further, that such stores shall not be deemed to be restaurants under this chapter based solely on the preparation and sale of prepared meat, poultry and fish items if such sales constitute less than a major portion of the total sale of such stores; and provided, further, that a vending machine shall not be considered an eating establishment within the meaning of this chapter in the instance in which it sells candy only.

The following food or beverages sold by a restaurant for consumption off the restaurant premises shall not be deemed to be a meal for the purposes of this chapter:- (a) Food sold by weight, liquid or dry measure, count, or in unopened original containers or packages, including, but not limited to, meat, bread, milk, specialty foods, cream and ice cream; provided, that such foods are commonly sold in such manner in a retail food store which is not a restaurant; (b) Beverages in unopened original containers or packages when sold as a unit having a capacity of at least twenty-six fluid ounces; and (c) Bakery products including but not limited to doughnuts, muffins, bagels, and similar items sold in units of six or more. Prepared meals, snacks, sandwiches, food

platters, poultry, fish or meat items, or other food combinations, to the extent that such items are sold by a restaurant whose principal business is the preparation or sale of such items in such form as to be available for immediate consumption without further significant preparation, whether for on or off premise consumption, shall not be excluded under clause (a), (b), or (c).

SECTION 47. Said section 6 of said chapter 64H is hereby further amended by adding the following paragraph:-

(cc) meals prepared by employees thereof and served in any hospital, sanatorium, convalescent or nursing home, or boarding home for the aged licensed under section seventy-one of chapter one hundred and eleven or in any institution or private house licensed under section twenty-nine of chapter nineteen; meals prepared by the members thereof and served on its premises by any church or synagogue or by any church or synagogue organization to any organization of such church or synagogue the proceeds of which are to be used for religious or charitable purposes; meals furnished by any person while transporting passengers for hire by air to or from any place within the commonwealth, meals furnished to any organization in which membership is limited to persons sixty years of age or over and said organization has previously filed with the commissioner, on a form approved by the commission, satisfactory proof of its eligibility hereunder; and meals furnished to students by public and private nonprofit primary and secondary schools; and, meals furnished through programs established under section one L of chapter fifteen.

SECTION 48. Clause (r) of said section 6 of said chapter 64H, as appearing in section 45 of chapter 555 of the acts of 1971, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- For the purpose of this paragraph, the raising of poultry and livestock shall be construed to be included in the term "agricultural production"; any material, tool or fuel shall be construed to be consumed and used only if its normal useful life is less than one year or if its cost is allowable as an ordinary and necessary business expense for federal income tax purposes or if it is nuclear fuel or a nuclear fuel assembly; and the term "industrial plant" shall mean a factory at a fixed location primarily engaged in the manufacture, conversion or processing of tangible personal property to be sold in the regular course of business.

SECTION 49. Notwithstanding any general or special law to the contrary, the amounts appropriated in section two of this act in items 7027-0010, 7027-0011, 7027-0012, 7027-0013, 7035-0004

and 7061-0003 shall constitute the total amount to be paid to cities, towns, regional districts, and counties on account of a school year for which payment would fall due in the nineteen hundred and seventy-eight fiscal year under the provisions of sections nine, ten, twelve and eleven of chapter seventy-four, and sections seven A, seven B, sixteen C, sixteen D of chapter seventy-one of the General Laws, respectively; provided, however, that each city, town, regional school district, or county to which a payment is due under any of the said sections shall receive an amount which shall be determined by multiplying the amount which would otherwise have been due by a fraction the numerator of which is the amount appropriated in each item and the denominator of which is the total amount which would otherwise fall due for payment in the nineteen hundred and seventy-eight fiscal year under said sections, as the case may be.

SECTION 50. Subject to the provisions of section one hundred and two of chapter thirty-two of the General Laws as most recently amended by chapter three hundred and four of the acts of nineteen hundred and seventy-six, 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 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 beginning July first, nineteen hundred and seventy-seven be increased by five per cent.

SECTION 51. Chapter 12 of the General Laws is hereby amended by inserting after section 11F the following section:- *Section 11G.* There shall be established within the department of the attorney general a local consumer aid fund, which may receive and expend monies as may be appropriated to said fund by the general court, as well as additional monies which may be made available from sources other than the General Fund. The purpose of said fund shall be to provide financial assistance to eligible, local or regional agencies which deal with the resolution of consumer problems. The attorney general shall determine the standards for eligibility in order for such agencies to receive financial assistance. No more than ten per cent of said fund may be expended for administrative purposes.

SECTION 52. Chapter 18 of the General Laws is hereby amended by inserting after section 5F the following section:-

Section 5G. In this section, the word "recipient" shall mean any person who has within the preceding six years received assistance under chapter one hundred and seventeen, chapter

one hundred and eighteen, or chapter one hundred and eighteen E; the word “claimant” shall mean any recipient whose need for assistance was caused by any accident, illness, injury or other disability for which third parties may be liable to the recipient or for which monies are expected to be provided to the recipient by accident, liability or health insurance, workmen’s compensation or any other source.

A claimant shall notify the department in writing upon commencement by him of a civil action or other proceeding to establish the liability of any third party or to collect monies payable under accident, liability, or health insurance, workmen’s compensation, or from any other source by reason of the accident, injury or disability referred to in the preceding paragraph.

The commonwealth shall be subrogated to a claimant’s entire cause of action or right to proceed against any third party and to a claimant’s claim for monies to the extent of assistance provided under chapter one hundred and seventeen, chapter one hundred and eighteen, or chapter one hundred and eighteen E. The department, with the consent of the attorney general, may, by attorneys employed or selected by it, commence a civil action or other proceeding on behalf of the commonwealth to establish the liability of any third party or to collect such monies if a claimant does not commence such a civil action or other proceedings within nine months after the date of the accident, injury, or onset of disease or other disability.

SECTION 53. The first paragraph of subdivision (4) of section 16 of chapter 32 of the General Laws, as most recently amended by chapter 872 of the acts of 1975, is hereby further amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences:- The contributory retirement appeal board, after giving due notice, shall, not less than ten nor more than sixty days after the filing of any such claim of appeal, assign such appeal to the division of hearing officers for a hearing. The contributory retirement appeal board shall pass upon the appeal within six months after the conclusion of such hearing, and its decision shall be final and binding upon the board involved and upon all other parties, and shall be complied with by such board and by such parties.

SECTION 54. Subsection (b) of section 18A of chapter 58 of the General Laws is hereby amended by striking out paragraph (1), as appearing in section 8 of chapter 492 of the acts of 1974, and inserting in place thereof the following paragraph:-

(1) On or before November twentieth, the reimbursements for the transitional bilingual education programs and special education programs required to be paid by the commonwealth under chapters seventy-one A and seventy-one B, and for the public school tuition required to be paid by the commonwealth under section seven of chapter seventy-six for certain children placed in family foster care by the department of public welfare.

SECTION 55. Chapter 76 of the General Laws is hereby amended by striking out section 7, as most recently amended by chapter 579 of the acts of 1951, and inserting in place thereof the following section:-

Section 7. For the tuition in the public schools of any city, town, or regional school district of any school age child placed elsewhere than in his home town by, or there kept under the control of, the department of public welfare, the commonwealth shall reimburse said city, town, or regional school district for the child's tuition each day the child is enrolled in a public elementary or secondary school. The amount of said reimbursement shall be based on the average annual per pupil cost of education in the city, town or regional school district, as determined by the department of education.

Said reimbursement for children placed in family foster care elsewhere than in their home town shall be made as provided in section eighteen A of chapter fifty-eight. For purposes of this section, "family foster care" shall have the same definition as in section nine of chapter twenty-eight A.

For purposes of reimbursement under this section, every superintendent of schools shall, as part of the annual statement required to be filed with the commissioner of education under section five of chapter seventy, report on a form provided by the department of education the number of school age children placed in family foster care in the city, town or regional school district by the department of public welfare and the duration of their public school enrollment there, and shall support each such claim with appropriate documentation as required by the commissioner of education.

SECTION 56. Section eight of chapter seventy-six of the General Laws is hereby repealed.

SECTION 57. Chapter 76 of the General Laws is hereby further amended by striking out section 9, and inserting in place thereof the following section:-

Section 9. If a city or town where a school age child is placed or kept under section seven does not maintain a public high school offering four years of instruction, said school age child

may, subject to section six of chapter seventy-one, attend the public high school of another city, town or regional school district, but the commonwealth shall under section seven reimburse the city or town where he is so placed or kept, for tuition paid by it on his account. Said reimbursement shall be based on appropriate documentation filed by the superintendent of schools of said city or town, as required by the commissioner of education.

SECTION 58. Any reimbursements made under this act for any school year shall be limited to those amounts to which the city, town or regional school district is entitled and which have not already been reimbursed by the commonwealth.

SECTION 59. Chapter six hundred and forty-four of the acts of nineteen hundred and seventy-four is hereby repealed.

SECTION 60. Notwithstanding any general or special law to the contrary, the commissioner of administration is hereby authorized to enter into negotiations with Tufts University for the sale or lease, and at such price, as may be determined by said commissioner, of all or any part of the land and buildings commonly known as Grafton state hospital, whether owned or held by the commonwealth or any agent thereof, for the purpose of establishing a Tufts University School of Veterinary Medicine.

Any such land or buildings not transferred to Tufts University pursuant to an agreement negotiated under the preceding paragraph shall become surplus property which shall be under the jurisdiction and control of the executive office for administration and finance.

SECTION 61. Section seventeen of chapter twenty-one of the General Laws is hereby repealed.

SECTION 62. Section eleven of chapter sixty-four G of the General Laws is hereby repealed.

SECTION 63. Section sixteen of chapter ninety B of the General Laws is hereby repealed.

SECTION 64. Section ten B of chapter ninety-one of the General Laws is hereby repealed.

SECTION 65. Section 5F of chapter 111 of the General Laws is hereby amended by striking out the last paragraph.

SECTION 66. Section two A of chapter one hundred and thirty of the General Laws is hereby repealed.

SECTION 67. Section 6A of chapter 280 of the General Laws is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

Said cost assessment shall be accounted for by the clerk of the court and forwarded to the state treasurer who shall deposit such assessment in the General Fund.

SECTION 68. Chapter 291 of the acts of 1975 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. For the period beginning July first, nineteen hundred and seventy-five and ending June thirtieth, nineteen hundred and eighty-one, there shall be established and set up on the books of the commonwealth a General Obligation Fund, the revenue credited to which shall be used solely toward meeting the debt service obligations charged to said fund.

Any unexpended balance remaining in the General Obligations Fund at the close of business on June thirtieth, nineteen hundred and eighty-one, shall be transferred to the General Fund and used solely toward meeting the debt service obligations of the General Fund.

SECTION 69. Section 24 of chapter 91 of the General Laws is hereby amended by striking out the words "environmental fund", inserted by section 128 of chapter 706 of the acts of 1975, and inserting in place thereof the words;- General Fund.

SECTION 70. The second sentence of the first paragraph of section 52 of said chapter 91 is hereby amended by striking out the words "environmental fund", inserted by section 131 of said chapter 706, and inserting in place thereof the words:- General Fund.

SECTION 71. The third sentence of section 14C of chapter 129 of the General Laws is hereby amended by striking out the words "from the Agricultural Purposes Fund".

SECTION 72. Section fifteen of chapter one hundred and twenty-eight A of the General Laws is hereby repealed.

SECTION 73. There shall be filed with each regulation an estimate of its fiscal effect including that on the public and private sector, for its first and second year, and a projection over the first five-year period, or a statement of no fiscal effect.

SECTION 74. Section 28A of chapter 161A of the General Laws, as most recently amended by section 32C of chapter 283 of the acts of nineteen hundred and seventy-six, is hereby further amended by striking out the words "fiscal year nineteen hundred and seventy-seven" and inserting in place thereof the words:-fiscal year nineteen hundred and seventy-eight.

SECTION 75. A three per cent adjustment to the basic grant for recipients of the program of aid to families with dependent children and for recipients of the program of general relief will

be paid January first, nineteen hundred and seventy-eight, retroactive to July first, nineteen hundred and seventy-seven, subject to a determination by the commissioner of public welfare and the commissioner of administration that the funds available in appropriation account 4403-2000 and appropriation account 4406-2000 are sufficient to meet all of the expenditures required to be made in the current fiscal year including the said adjustment to the basic grant. Such determination will be made on December first, nineteen hundred and seventy-seven, and will be subject to the approval of the house and senate committees on ways and means.

SECTION 76. Sections forty-one to forty-seven, inclusive, shall take effect on January first, nineteen hundred and seventy-eight and the remaining sections shall take effect as of July first, nineteen hundred and seventy-seven.

This Bill was returned July 15, 1977, by the Governor to the House of Representatives, the branch in which it originated with his objections in writing to the following items therein:-

<u>Item</u>	<u>Reduced to</u>
0302-0401	\$1,900,000.
0305-6031	319,000.
0305-6051	400,265.
0305-6071	403,600.
0305-6091	965,000.
0305-6111	503,677.
0305-6121	300,000.
0305-6131	840,700.
0305-6141	590,411.

and item 7053-1908 was disapproved.

The vote being taken by the House of Representatives on August 8, 1977 on the passage of such items, the objections of the Governor thereto were overridden on items 0302-0401, 0305-6031, 0305-6051, 0305-6071, 0305-6091, 0305-6111, 0305-6121, 0305-6131, and 0305-6141 and, in concurrence, by the Senate on September 6, 1977. The vote being taken by the House of Representatives on August 8, 1977 on the passage of item 7053-1908 was passed notwithstanding said objection. The vote being taken by the Senate on September 20, 1977 on the passage of said item 7053-1908, the objection of the Governor

thereto was sustained. The remainder of the Bill was approved by the Governor July 6, 1977.

Chap. 364. AN ACT PROVIDING FOR CERTAIN CHANGES IN THE RATES CHARGED FOR RISKS IN THE MOTOR VEHICLE REINSURANCE FACILITY.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 113H of chapter 175 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in section 16 of chapter 266 of the acts of 1976, and inserting in place thereof the following sentence:- The rates filed by or on behalf of the plan for risks with less than three accidents based on fault which exceeds fifty per cent or convictions of moving violations of motor vehicle laws in the most recent three year period shall provide that the rates for such risks shall not exceed the rates that would be used by each such risk's insurer or servicing carrier for that risk if such risk were not reinsured in the plan.

SECTION 2. This act shall take effect on January 1, 1978.

Approved July 6, 1977.

Chap. 365. AN ACT RELATIVE TO THE RATES CHARGED FOR MOTOR VEHICLE INSURANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate the rates for motor vehicle insurance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

SECTION 1. Section 172 of chapter 6 of the General Laws, inserted by section 1 of chapter 805 of the acts of 1972, is hereby amended by adding the following paragraph:-

Notwithstanding the provisions of this section, the dissemination of information relative to a person's conviction of automobile law violations as defined by section one of chapter ninety C, or information relative to a person's charge of operating a motor vehicle while under the influence of intoxicating liquor which resulted in his assignment to a driver alcohol program as described in section twenty-four D of chapter ninety, shall not be prohibited where such dissemination is made, direct-

ly or indirectly, by the motor vehicle insurance merit rating board established pursuant to section one hundred and eighty-three of chapter six, to an insurance company doing motor vehicle insurance business within the commonwealth, or to such insurance company's agents, independent contractors or insurance policyholders to be used exclusively for motor vehicle insurance purposes.

SECTION 2. The second paragraph of section 183 of said chapter 6, inserted by section 1 of chapter 266 of the acts of 1966, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Such records and data disseminated by such plan shall be used exclusively for motor vehicle insurance purposes.

SECTION 3. Chapter 175 of the General Laws is hereby amended by striking out section 113H, as most recently amended by chapter 266 of the acts of 1976, and inserting in place thereof the following section:-

Section 113H. Insurance companies undertaking to issue motor vehicle liability policies or bonds, both as defined in section thirty-four A of chapter ninety, shall cooperate in the preparation and submission of a plan for the fair and equitable apportionment among such insurance companies of premiums, losses or expenses, or any combination thereof. Such a plan shall include at least the coverages required by sections thirty-four A and thirty-four O of chapter ninety and, at the option of the applicant the additional coverages described in section one hundred and thirteen C, except that the plan may provide for the refusal of those optionally offered coverages which would eliminate in whole or in part the effect of any deductible provided in section thirty-four O of chapter ninety and section one hundred and thirteen O. Such a plan shall be prepared and administered by a governing committee appointed by the commissioner consisting of six members from insurance companies participating in the plan and one additional representative from a domestic insurer in the commonwealth whose annual motor vehicle policy premiums amount to ten million dollars or less and unaffiliated with any other insurance company and six members from the associations of insurance producers. In the event that a company represented on the committee decreases its book of automobile business in the commonwealth by more than ten per cent from the previous calendar year, as determined by the commissioner, the member representing such company shall cease to be a member of the committee and a new company and a member thereof shall be appointed as prescribed herein. Not more than

one insurer in a group under the same management shall serve on the committee at the same time.

Before becoming effective and upon any written request of the commissioner on a new plan thereafter, any such plan shall be filed with the commissioner who shall conduct a public hearing within thirty days to determine whether such plan is consistent with public policy and meets the requirements of this section. At such hearing insurance companies and any other party having a direct interest shall have an opportunity to be heard. Unless sooner approved or disapproved in writing by the commissioner, such plan shall be deemed to meet the requirements of this section within thirty days after the public hearing.

Amendments to such plan shall be prepared and filed in the same manner as herein provided with respect to the original plan. Such amendments, unless sooner approved or disapproved in writing by the commissioner shall be deemed to meet the requirements of this section in thirty days from the date of filing. The commissioner shall, prior to the disapproval of any such amendments, issue a notice specifying in what respects the amendments do not meet the requirements of this section and fixing a date for a public hearing thereon at which insurance companies and any other party having a direct interest shall have an opportunity to be heard.

If the commissioner shall have requested the submission of a new plan or amendments to the plan, and no such plan or amendments have been filed with and approved by the commissioner within sixty days after such request, the commissioner may, if he deems it necessary to carry out the purposes of this section, prepare and publish proposed amendments or a proposed plan that in his opinion would carry out the purposes of this section. He shall submit a copy of such proposed amendments or proposed plan to the joint committee on insurance at the time of publication, and shall schedule a public hearing thereon not less than ten days after the publication thereof. After such hearing the commissioner may promulgate such plan or amendments thereto as he finds will best carry out the purposes of this section.

When such plan or amendment has been approved or promulgated, no insurer may thereafter issue a motor vehicle policy or bond unless such insurer shall participate in such an approved or promulgated plan. All insurers issuing policies which are reinsured through the plan shall use the manual of classifications, rules and rates, and rating plans filed by or on behalf of the plan under the provisions of chapter one hundred and seventy-five A. The statistical data previously and hereafter recorded under this

section for risks reinsured in the plan shall be given due consideration in developing the rates for such risks reinsured in the plan. The rates filed by or on behalf of the plan for risks with convictions of moving violations of motor vehicle laws in the most recent three year period shall provide that the rates for such risks shall not exceed the rates that would be used by each such risk's insurer or servicing carrier for that risk if such risk were not reinsured in the plan. The plan shall also provide for the payment of a commission to independent insurance agents licensed by the insurer which shall be stated in the filing of rates as a percentage equal to the average percentage commission paid for risks not reinsured through the plan during the immediately preceding calendar year to agents by companies which do business through independent insurance agents pursuant to the so-called American Agency System. The plan shall also provide for a schedule of commissions to designated producers under the plan based upon the degree of market need of the applicants in the locality served by such designated producers which schedule shall be uniform as respects participating companies.

Any insurer and any other party affected may appeal to the commissioner from any ruling or decision with reference to the operation of such plan.

Such plan shall provide reasonable rules governing the fair and equitable distribution of expenses and losses by reinsurance.

The rules for such plan shall require that separate statistical data be recorded for risks reinsured in the plan and may provide incentives and penalties to prevent abuse of such plan. The rules for such plan shall also include a provision giving the commissioner authority, after due hearing and investigation, to order that any company he finds using practices which have the effect of distributing risks or expenses or losses of risks unfairly and inequitably on other companies or agents or brokers be assigned a share of the expenses and losses of said risks to insure a fair and equitable distribution.

Any insurer or group of insurers participating in such plan and other person aggrieved shall be authorized to bring a complaint to the commissioner alleging unfair or unreasonable or improper practices by any insurer. The commissioner shall, in all such cases, cause a proper hearing on such complaint to be held and shall issue such orders as he then deems appropriate.

If the commissioner finds after due hearing and investigation that any activities or practice of any insurer in connection with the submission or operation of such plan is unfair or unreasonable or inconsistent with the provisions of this section,

he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or inconsistent with the provisions of this section, and requiring the discontinuance of such activity or practice.

Any ruling, order or decision of the commissioner under authority of this section shall be subject to review by appeal to the superior court for the county of Suffolk at the instance of any party in interest, which appeal shall be on the basis of the record of the proceeding before the commissioner. The court shall have jurisdiction to modify, amend, annul, review or affirm such action, order, finding or decision, shall review all questions of fact and of law involved therein, and may make any other appropriate order or decree. The court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the commissioner.

SECTION 4. Notwithstanding the provisions of section one hundred and thirteen H of chapter one hundred and seventy-five of the General Laws to the contrary, the rates filed by or on behalf of the plan for risks with no accidents based on fault which is in excess of fifty per cent or convictions of moving violations of motor vehicle laws since November first, nineteen hundred and seventy-six, shall approximate as closely as practicable the rates for each coverage at the fifty percentile level of rates used by insurers for such risks not reinsured in the plan.

The plan shall file or cause to be filed on its behalf revised rates conforming to the requirements of this section. Notwithstanding the provisions of said chapter one hundred and seventy-five A to the contrary, such filing shall be made as soon as practicable after this section takes effect and shall become effective as if filed on January first, nineteen hundred and seventy-seven, without regard to any waiting period or action of the commissioner; provided, however, that nothing contained herein shall be construed as limiting the commissioner's authority to take appropriate action in the event he finds that such rates as put into effect by the plan include other adjustments beyond those necessary to conform to this section. The provisions of this section shall cease to be effective on January first, nineteen hundred and seventy-eight.

SECTION 5. The plan established pursuant to section one hundred and thirteen H of chapter one hundred and seventy-five of the General Laws, as amended by section three of this act, and every insurer or rating organization authorized to file on behalf of insurers pursuant to chapter one hundred and seventy-five E of the General Laws shall file or cause to be filed on its behalf

revised motor vehicle insurance rates for private passenger motor vehicles to be effective January first, nineteen hundred and seventy-seven, for the following categories:-

1. The rates for the cities of Chelsea and Revere shall contain a territorial differential equivalent to the differential in the current filings made for territory 13 by or on behalf of the plan, insurer or rating organization to be effective January first, nineteen hundred and seventy-seven.

2. The combined premiums for all coverages charged to any individual, after reflecting any applicable rate change pursuant to this act, shall not exceed one hundred and twenty-five per cent of the premium which would have been charged for the same or similar coverages had the rates applicable in nineteen hundred and seventy-six remained unchanged.

The revised rates pursuant to this section shall include only such adjustments as are necessary to conform to this section. The revised rate filing required by this section shall be made under the provisions of the applicable rate regulatory laws. Notwithstanding any provisions of such laws to the contrary, such filings shall be made as soon as practicable after this section takes effect and shall become effective as if filed on January first, nineteen hundred and seventy-seven, without regard to any waiting period or action of the commissioner; provided, however, that nothing herein shall be construed as limiting the commissioner's authority to take appropriate action in the event he finds that such rates as put into effect by any insurer, rating organization or the plan include other adjustments beyond those necessary to conform to this section. The provisions of this section shall cease to be effective on January first, nineteen hundred and seventy-eight.

SECTION 6. Any insured whose motor vehicle rates or premiums are affected by this act shall have his present motor vehicle insurance policy amended by endorsement retroactively as of its effective date to the revised rates and premiums conforming to the requirements of this act, and have it expire on January first, nineteen hundred and seventy-eight. The insurer of any insured whose motor vehicle rates or premiums are affected by this act shall return to said insured the appropriate difference in rates or premiums based on the revised rates and premiums conforming to the requirements of this act, said returns to be made either by payment to said insured or as an identified credit against any unpaid premium balance on said motor vehicle insurance policy issued to said insured. Any insured whose motor vehicle rates or premiums are affected by this act and who purchases a motor

vehicle insurance policy in nineteen hundred and seventy-seven after the effective date of this act shall receive a short-term policy expiring on January first, nineteen hundred and seventy-eight, and written at rates and premiums conforming to the requirements of the act. Nothing in this section shall prohibit an insurer from offering to any insured a motor vehicle insurance policy for a period of one year or from offering an extension of any motor vehicle insurance policy issued in nineteen hundred and seventy-seven.

Any premium loss suffered by an insurer as a result of its compliance with the provisions of this act shall not be used as a factor in calculating future motor vehicle insurance rates for said insurer. The commissioner is hereby authorized to declare any motor vehicle insurance rate for which such has been considered as a factor as invalid and is hereby directed to take all steps necessary to correct said rate for the benefit of the insured affected by said rate.

SECTION 7. The commissioner is hereby authorized and directed to make an analysis of the effect of the provisions of section one hundred and thirteen C of chapter one hundred and seventy-five of the General Laws relative, but not limited, to the cost of providing the coverages to the insureds mandated by said section versus the necessity for mandating such coverages for said insureds. The commissioner shall, not later than August first, nineteen hundred and seventy-seven, report in writing his evaluation of said section to the clerk of the house of representatives along with any legislation necessary to either improve said section or to provide an alternative means of providing a solution to the problems said section was enacted to resolve.

SECTION 8. The rights and remedies provided in this act shall be the sole and exclusive remedies available to be exercised by both insurers and insureds for nineteen hundred and seventy-seven motor vehicle insurance rate relief.

SECTION 9. This act shall take effect upon its passage, except that the plan referred to in section three shall not become operative until January first, nineteen hundred and seventy-eight.

SECTION 10. The provisions of this act are hereby declared to be severable and if any such provisions or the application of such provisions 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.

Approved July 6, 1977.

Chap. 366. AN ACT AUTHORIZING THE TOWN OF NORTHBOROUGH TO PAY CERTAIN SUMS OF MONEY TO CERTAIN PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The town of Northborough 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 David Brockway and Virginia L. Brockway the sum of eighty dollars and forty cents and to Peter Dinicola and Gwen C. Dinicola the sum of one thousand and forty-nine dollars and seventy-four cents, as reimbursement for the overpayment of real estate taxes and interest thereon for the fiscal years nineteen hundred and seventy-five and nineteen hundred and seventy-six, respectively.

SECTION 2. The action taken by the town of Northborough on Articles 19 and 20 of the warrant for the annual town meeting of said town held on April eleventh, nineteen hundred and seventy-seven and at the adjourned session thereof held on April twelfth, nineteen hundred and seventy-seven is hereby validated and confirmed to the same extent as though section one of this act had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved July 6, 1977.

Chap. 367. AN ACT RELATIVE TO THE MAKING OF INCLUSIVE LISTS OF PERSONS RESIDING IN CITIES AND TOWNS IN THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make inclusive lists of persons residing in cities and towns in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 51 of the General Laws is hereby amended by striking out section 4, as most recently amended by chapter

378 of the acts of 1974, and inserting in place thereof the following section:-

Section 4. Registrars, assistant registrars, or boards having similar duties under any special or general law, or one or more of them, except in the city of Boston, 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 three years of age or older residing in their respective cities and towns. A list of all persons three through twenty-one years of age shall be transmitted by the board of registrars to their respective school committee not later than April first in each year. Said list shall contain the name, residence and age or date of birth of each such person and shall be open to public inspection at reasonable times. That proportion of any expenses incurred by the registrars under this section, equal to the proportion that the number of persons under seventeen years of age bears to the total number of persons listed thereunder, shall be carried as an item in the school committee budget.

In the city of Boston, the 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 city 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 city.

SECTION 2. Said chapter 51 is hereby further amended by striking out section 14A, as amended by section 11 of chapter 440 of the acts of 1938, and inserting in place thereof the following section:-

Section 14A. In the making of lists under sections four to fourteen, inclusive, the registrars, except in the city of Boston, may, with the approval of the mayor or selectmen or the school committee, as the case may be, have the assistance of the police department, assessors, supervisors of school attendance, or other suitable officers or employees of the city or town or other qualified persons employed by them for the purpose, in visiting

buildings and residences and performing the duties of assistant registrars in securing the information required by said sections.

In the making of lists under sections four to fourteen, inclusive, the registrars of the city of Boston may, with the approval of the mayor, have the assistance of the police department in visiting buildings and residences and performing the duties of assistant registrars in securing the information required by said sections.

SECTION 3. Chapter 72 of the General Laws is hereby amended by striking out section 2A, as most recently amended by section 8D of chapter 925 of the acts of 1973, and inserting in place thereof the following section:-

Section 2A. The superintendent of schools of each town shall file annually on or before May first with the commissioner of education, on forms provided by the department of education, a sworn statement reporting the number of pupils whose parents or guardians were residents of the town and who were enrolled on the preceding January first for full-time attendance in the following schools and classes, respectively, including kindergarten and grades one through twelve:-

First. Pupils in schools and classes in the town under the control of the school committee, excluding pupils in schools and classes of regional school districts.

Second. Pupils in schools and classes of a regional school district which includes the town.

Third. Pupils in schools and classes elsewhere in the commonwealth under the control of school committees.

Fourth. Pupils in vocational schools and classes in the town under the control of the local trustees of vocational education, excluding pupils in vocational schools and classes under the control of district trustees for vocational education.

Fifth. Pupils in vocational schools and classes under the control of district trustees for vocational education in a district which includes the town.

Sixth. Pupils in vocational or other schools and classes elsewhere in the commonwealth which are supported by public funds.

Seventh. Pupils in nonpublic schools anywhere. Such information shall be collected during the months of January and February.

Before filing said statement, the superintendent shall submit it to the chairman of the school committee, who shall countersign it on oath, if after examination, he finds it correct.

In any city or town wherein a twelve-month school year has been adopted, the enrollment on the preceding January first, as aforesaid, shall include all of said pupils attending public schools, notwithstanding that their actual date of enrollment is subsequent to said January first.

SECTION 4. Notwithstanding any law or regulation, no school committee shall be required to conduct an in-home, door-to-door census of school age children after January first, nineteen hundred and seventy-seven; provided, however, that the school committee of the city of Boston shall ascertain, as nearly as it can, the name, age or date of birth, and residence on January first in each year of every person residing in the city of Boston of age three through sixteen.

Approved July 6, 1977.

Chap. 368. AN ACT PROVIDING FOR THE TRAINING OF SCHOOL BUS OPERATORS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the training of school bus 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:

The third paragraph of section 8A of chapter 90 of the General Laws, inserted by section 5 of chapter 552 of the acts of 1976, is hereby amended by adding the following sentence:- A private driving school licensed under section thirty-two G may offer pre-service and in-service school bus driver training programs for compensation, provided that such school shall offer said training under the direction of a certified school bus driving instructor.

Approved July 6, 1977.

Chap. 369. AN ACT ALLOWING LOCAL TREASURERS TO SET UP CORPORATE NOMINEE PARTNERSHIPS FOR LOCAL RETIREMENT SYSTEMS.

Be it enacted, etc., as follows:

Paragraph (c) of subdivision (2) of section 23 of chapter 32 of the General Laws, as amended by section 1 of chapter 744 of the acts of 1960, is hereby further amended by inserting after the third sentence the following three sentences:- The board may

cause any stock, bond or other security, or cash, of any such system to be registered and held, or deposited and held, in the name of one or more nominees appointed by him for the purpose of facilitating security trading, money management and certificate delivery. The board shall designate the members of any such nominee only from among the following individuals: the assistant treasurers of the respective county, city, or town; any employee of a custodian that is authorized pursuant to this paragraph to have custody of securities or cash of a system; and the treasurer-custodian himself. Each individual so designated shall be covered with respect to his service on behalf of any such nominee by a fidelity bond, in such form and amount as the commissioner of insurance may determine, which coverage may be by separate bond or by incorporation in a bond otherwise required by section three of chapter thirty-five, section thirty-five of chapter forty-one, section thirty-nine A of chapter forty-one or other applicable law or practice.

Approved July 6, 1977.

Chap. 370. AN ACT PROVIDING FOR A THREE YEAR TERM FOR THE SUPERINTENDENT OF SEWERS IN THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 219 of the acts of 1895 is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences:- Said commissioners shall annually, on the first Monday in February, appoint a clerk and may remove said clerk at their pleasure. Said commissioners shall appoint, on the first Monday of February, but not from their own number, a superintendent of sewers to serve for a term of three years and until the qualification of his successor.

SECTION 2. The superintendent appointed under section one in the year nineteen hundred and seventy-seven shall serve until the first Monday in February in the year nineteen hundred and eighty, or until his successor is qualified.

Approved July 6, 1977.

Chap. 371. AN ACT CLARIFYING 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 834 of the acts of 1974, is hereby further

amended by striking out the first two sentences and inserting in place thereof the following two sentences:- There shall be established within the executive office for 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 and finance, 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, # 93, AFSCME, AFL-CIO, and the other a member of the Massachusetts State Employees Association, NAGE. Not more than four appointive members of the commission shall be members of the same political party.

Approved July 6, 1977.

Chap. 372. AN ACT PROVIDING FOR VETERANS ADVISORY BOARDS IN A MUNICIPALITY OR DISTRICT.

Be it enacted, etc., as follows:

Section 12 of chapter 115 of the General Laws, as appearing in section 1 of chapter 599 of the acts of 1946, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- In each city, and in each town not included in a district established under section ten, and in each such district, there may be in the department of veterans' services an unpaid advisory board to be appointed, in cities by the mayor, in towns by the board of selectmen, and in districts by the district board.

Approved July 6, 1977.

Chap. 373. AN ACT AUTHORIZING THE SALE OF CERTAIN LAND OF THE MASSACHUSETTS PORT AUTHORITY TO CERTAIN PERSONS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty-three of chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six, but subject to the provisions of section four of said chapter four hundred and sixty-five and the provisions of the trust agreement authorized and entered into by said chapter four hundred and sixty-five, the Massachusetts Port Authority is

hereby authorized to sell parcels of residential property in the East Boston district of the city of Boston heretofore purchased by said Authority and now deemed by said Authority to be no longer needed for the purposes for which they were acquired, to employees of said Authority who were residents of the East Boston district of said city as of April fifteenth, nineteen hundred and seventy-six, and who currently reside in said district of said city as tenants of said Authority, as part of a program which will give present tenants priority in the purchase of residential property owned by said Authority.

Such employees of said Authority purchasing said property from said Authority by sale hereinabove authorized shall not be subject to the penalty provided by section twenty-three of said chapter four hundred and sixty-five.

Approved July 6, 1977.

Chap. 374. AN ACT RELATIVE TO THE PREPARATION OF PLANS FOR SEWAGE DISPOSAL SYSTEMS UNDER THE STATE ENVIRONMENTAL CODE.

Be it enacted, etc., as follows:

The first paragraph of section 13 of chapter 21A of the General Laws, as appearing in section 79 of chapter 706 of the acts of 1975, is hereby amended by inserting after the third sentence the following two sentences:- A duly registered sanitarian or a professional engineer registered in the commonwealth may prepare plans for subsurface systems for disposal of domestic sewage of not more than two thousand gallons per day. Any other plans for a sewage disposal system shall be prepared by a professional engineer registered in the commonwealth.

Approved July 6, 1977.

Chap. 375. AN ACT REQUIRING THE MASSACHUSETTS HOUSING FINANCE AGENCY TO NOTIFY CERTAIN MUNICIPAL OFFICERS AND MEMBERS OF THE GENERAL COURT BEFORE MAKING LOAN COMMITMENTS OR LOANS FOR PROJECTS WITHIN CITIES OR TOWNS.

Be it enacted, etc., as follows:

Section 5 of chapter 708 of the acts of 1966, as most recently amended by section 5 of chapter 855 of the acts of 1970, is hereby further amended by adding the following paragraph:-

(h) Prior to making a loan commitment or loan under this act, the MHFA shall notify the municipal officers and members of the general court hereinafter specified of its intention to make such a commitment or loan, setting forth in such notification a description of the property, sufficient for purposes of identification, with respect to which such loan is contemplated and a description of the scope of the construction or reconstruction to be financed by such loan. Said notification shall be given to the mayor of cities or selectmen of towns in any city or town within which property may lie with respect to which such loan is contemplated. Such notification shall also be given to all state senators and state representatives within whose districts property may lie with respect to which a MHFA loan is contemplated.

Approved July 6, 1977.

Chap. 376. AN ACT DIRECTING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO PLACE A PLAQUE AT ITS WELLINGTON STATION IN MEMORY OF GERALD H. OGONOSKY.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority is hereby authorized and directed to place and maintain a suitable plaque at its Wellington station in memory of Gerald H. Ogonosky of the city of Medford, an employee of said Authority, who died in the course of his duties on March twentieth, nineteen hundred and seventy-seven, as the result of his efforts to protect persons and property.

Approved July 6, 1977.

Chap. 377. AN ACT PROVIDING FOR THE FILING OF STATE, COUNTY AND MUNICIPAL SECURITIES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (a) of section 402 of chapter 110A of the General Laws, as appearing in section 1 of chapter 694 of the acts of 1972, is hereby amended by striking out, in line 1, the words "The following securities are exempted from sections 301 and 403:" and inserting in place thereof the following:- Any security including a revenue obligation issued or guaranteed by the commonwealth or any political subdivision thereof or any agency or corporate or other instrumentality of one or more of

the foregoing or any certificate of deposit for any of the foregoing is exempted from section 301.

The following securities are exempted from sections 301 and 403:.

SECTION 2. Said paragraph (a) of said section 402 of said chapter 110A, as so appearing, is hereby further amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) any security including a revenue obligation issued or guaranteed by the United States, any state other than the commonwealth, or any agency or corporate or other instrumentality of one or more of the foregoing or any certificate of deposit for any of the foregoing;

SECTION 3. Section 403 of said chapter 110A, as so appearing, is hereby amended by adding the following sentence:- A rule or order relating to any security including a revenue obligation issued or guaranteed by the commonwealth or any political subdivision thereof or any agency or corporate or other instrumentality of one or more of the foregoing or any certificate of deposit for any of the foregoing may require the issuer thereof to file sales literature, but no such rule or order shall require sales literature to be prepared or require affirmative approval or filing of sales literature before it is used or require issuers located outside the commonwealth to file any literature; nor shall violation of any such rule or order be subject to the penalties provided by paragraph (a) of section 409.

SECTION 4. This act shall take effect on January first, nineteen hundred and seventy-eight.

Approved July 6, 1977.

Chap. 378. AN ACT PROVIDING FOR THE LOCATION AND NUMBER OF EXAMINATIONS HELD BY THE BOARD OF STATE EXAMINERS OF PLUMBERS.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 142 of the General Laws is hereby amended by striking out the third sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:- They shall hold frequent examinations in the city of Boston and also in such convenient places within the commonwealth as they deem necessary.

SECTION 2. Said section 4 of said chapter 142 is hereby further amended by striking out the third sentence, as amended by sec-

tion one of this act, and inserting in place thereof the following sentence:- They shall hold frequent examinations in the city of Boston and shall also hold examinations twice each year in five other locations in the commonwealth.

SECTION 3. Section one of this act shall take effect on January first, nineteen hundred and seventy-eight and shall cease to be operative on December thirty-first, nineteen hundred and seventy-nine and section two of this act shall take effect on January first, nineteen hundred and eighty.

Approved July 6, 1977.

Chap. 379. AN ACT PROVIDING THAT ARTHUR J. HALL SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A POLICE OFFICER IN THE TOWN OF WILMINGTON.

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 police officer, Arthur J. Hall shall be eligible to take the next open competitive examination for police officer in the town of Wilmington and, provided he meets all other requirements, shall be eligible for certification and appointment as a police officer in said town.

Approved July 6, 1977.

Chap. 380. AN ACT EXEMPTING FROM CIVIL SERVICE REGULATIONS CERTAIN POSITIONS IN THE CITY OF NEWTON SCHOOL DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The positions of director of support services, director of budget and accounting, supervisor of custodians, and supervisor of attendance in the school department of the city of Newton shall be exempt from the provisions of chapter thirty-one of the General Laws; provided, however, that no person holding any such position shall be removed except for just cause after specific reasons have been given to him in writing.

SECTION 2. The provisions of section one shall not impair the civil service status of any person holding the position of director of support services, director of budget and accounting, super-

visor of custodians, or supervisor of attendance in the city of Newton on the effective date of this act.

Approved July 6, 1977.

**Chap. 381. AN ACT PROVIDING FOR THE CONTINUATION OF CERTAIN
FEDERAL UNEMPLOYMENT BENEFITS.**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent the impending termination of the payment of federal and state extended unemployment compensation, therefore 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 (1) of section 30A of chapter 151A is hereby amended by striking out paragraphs (b) and (c), as appearing in section 1 of chapter 866 of the acts of 1970, and inserting in place thereof the following two paragraphs:-

(b) There is a "national 'on' indicator" for a week after December thirty-first, nineteen hundred and seventy-six if the United States Secretary of Labor determines that for the period consisting of such week and the immediately preceding twelve weeks the rate of insured unemployment, seasonally adjusted, for all states equaled or exceeded four and five-tenths per cent. The rate of insured unemployment, for the purposes of this paragraph, shall be determined by said secretary by reference to the average monthly covered employment for the first four of the most recent six calendar quarters before the close of such period.

(c) There is a "national 'off' indicator" for a week if the United States Secretary of Labor determines that, for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment, seasonally adjusted, for all states was less than four and five-tenths per cent. The rate of insured unemployment, for the purposes of this subsection, shall be determined by said secretary by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of such period.

SECTION 2. Said subsection (1) of said section 30A of said chapter 151A is hereby amended by inserting after paragraph (d) the following paragraph:-

(d $\frac{1}{2}$) For any period after March thirtieth, nineteen hundred and seventy-seven there is a "state 'on' indicator" for the commonwealth for a week if the director determines, in accordance with the regulations of the United States Secretary of Labor, that

for the period consisting of such weeks and the immediately preceding twelve weeks, the rate of insured unemployment, not seasonally adjusted, under this chapter equaled or exceeded five per cent.

SECTION 3. Paragraph (e) of said subsection (1) of said section 30A of said chapter 151A, as amended by section 1 of chapter 483 of the acts of 1972, is hereby further amended by striking out subparagraph (2) and inserting in place thereof the following subparagraph:-

(2) was less than four per cent for any period prior to March thirtieth, nineteen hundred and seventy-seven and was less than five per cent for any period after said date.

SECTION 4. Paragraph (k) of said subsection (1) of said section 30A of said chapter 151A, as appearing in section 1 of chapter 866 of the acts of 1970, is hereby amended by striking out subparagraph (3) and inserting in place thereof the following subparagraph:-

(3) has no right to unemployment benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act or under such other federal laws as are specified in regulations issued by the United States Secretary of Labor; and has not received and is not seeking unemployment benefits under the unemployment compensation law of Canada or the Virgin Islands; but if the individual is seeking such benefits and the appropriate agency finally determines that the individual is not entitled to benefits under such law, the individual shall be considered an exhaustee if the other provisions of this definition are met; provided, that the reference in this subparagraph to the Virgin Islands shall be inapplicable effective on the day on which the United States Secretary of Labor approves under section 3304(a) of the Internal Revenue Code of 1954, an unemployment compensation law submitted to the secretary by the Virgin Islands for approval.

SECTION 5. Section one of this act shall take effect as of January first, nineteen hundred and seventy-seven and sections two, three and four shall take effect as of April third, nineteen hundred and seventy-seven.

Approved July 8, 1977.

Chap. 382. AN ACT EXEMPTING THE OFFICE OF TOWN ACCOUNTANT AND THE POSITION OF WORKMEN'S COMPENSATION AGENT IN THE TOWN OF ARLINGTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the office of town accountant and the position of workmen's compensation agent in the town of Arlington shall not be subject to the provisions of chapter thirty-one of the General Laws.

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

Approved July 8, 1977.

Chap. 383. AN ACT FURTHER REGULATING THE APPLICATION BY CITIES AND TOWNS OF SPECIAL EDUCATION REIMBURSEMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify the application of state reimbursement for special education expenditures in cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 71B of the General Laws is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 375 of the acts of 1975, and inserting in place thereof the following three paragraphs:-

Reimbursements due under this section to cities, towns, and regional school districts shall be paid to the treasurer thereof. The entire amount of the estimated reimbursement to be received by a city or town under this section during any fiscal year shall be treated by the board of assessors as "school income" when computing the school tax rate for said fiscal year under the provisions of section twenty-three C of chapter fifty-nine.

The amount of such estimated reimbursement to be received during said fiscal year by a city, town, or regional school district shall be applied in the first instance to expenditures during said year for programs provided for under this chapter; provided, that the amount of such reimbursement so applied shall not exceed the amount included in the school department or regional school district budget for said fiscal year for such programs as

certified by the superintendent of schools under the provisions of section thirteen A.

In the event that the amount of such estimated reimbursement to be received by a city, town, or regional school district during said year exceeds the amount so certified, such excess, if any, shall be applied by such city or town to expenditures for any municipal purpose, or used by such regional school district to reduce the operating assessments levied by such district upon member cities and towns during the following fiscal year. In the event that the amount of such reimbursement actually received during the fiscal year exceeds the estimated reimbursement, such excess shall be added to the estimated reimbursement to be received during the following fiscal year and applied in said year in accordance with the provisions of this section. In the event that the amount of such reimbursement actually received and available under the provisions of this section for expenditures during said year for programs provided for under this chapter exceeds the total actual amount of such expenditures, such excess shall be added to the estimated reimbursement to be received during the following year and applied in the aforesaid manner. Such amounts of excess reimbursement, if any, shall be treated by the board of assessors in a city or town as "school income" when computing the school tax rate for said following fiscal year under the provisions of section twenty-three C of chapter fifty-nine.

SECTION 2. Said chapter 71B is hereby further amended by striking out section 13A, inserted by section 2 of said chapter 375, and inserting in place thereof the following section:-

Section 13A. The superintendent of schools of each city, town, and regional school district shall, immediately upon the adoption of the school department or regional school district budget by the city, town, or regional school district, certify to the board of assessors of said city or town, or to the treasurer of said regional school district, as the case may be, the amount included in said budget for programs provided for under this chapter and the estimated reimbursement under section thirteen to be applied against said amount during the same fiscal year as determined by the provisions of said section thirteen. Expenditures during any fiscal year for programs provided for under this chapter shall in the first instance be chargeable to any reimbursement received under said section thirteen during said fiscal year.

Approved July 8, 1977.

Chap. 384. AN ACT RELATIVE TO INVESTMENTS BY THE SAVINGS BANK INVESTMENT FUND.

Be it enacted, etc., as follows:

Chapter 283 of the acts of 1945, as most recently amended by chapter 362 of the acts of 1974, is hereby further amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. The board of directors shall have authority from time to time to invest the funds of the corporation, and the corporation shall have powers in that respect, subject to the limitations hereafter stated, as follows:-

(a) To make and acquire such loans secured by mortgages on real property situated within the limits of the commonwealth as the federal housing administrator insures, or issues a commitment to insure, and to obtain such insurance; to collect and apply payments due upon and otherwise to service any such mortgage loan originated or acquired by it and with respect to any such mortgage loan to make agreements with any mortgagees approved by the federal housing administrator to collect and apply payments due upon and otherwise to service or contract for the servicing of any such mortgage loan; and to exercise any powers and to do any and all things, including the acquisition, by foreclosure or otherwise, and holding, of real estate and its sale or other disposal, incidental or necessary to give effect to this authority.

(b) In public funds authorized for savings banks as set forth in sections forty-two and forty-three of chapter one hundred and sixty-eight of the General Laws.

(c) In bonds and other evidences of indebtedness of corporations, associations and trusts, including guarantors and assuming obligors; provided, that such securities are not in default at the time of such investment; and provided, further, that the securities are registered on a national securities exchange, as provided in the Securities Exchange Act of 1934, as amended, or price quotations for such securities are available through publications of The National Quotation Bureau, Inc. or any comparable service, or price quotations for such securities are available through a national securities market established in conformance with section eleven A of the Securities Exchange Act of 1934, as amended, or the securities are of a class commonly known as "money market" instruments, including, but not limited to, commercial paper, bankers' acceptances, certificates of deposit and repurchase agreements entered into with a bank.

(d) In any shares of common stock or preferred stock, provided that (1) any such common stock is registered on a national securities exchange, as provided in the Securities Exchange Act of 1934, as amended; and (2) any such preferred stock, or the common stock of the corporation issuing or having issued such preferred stock, is so registered.

(e) In any shares of common or preferred stock, other than those registered on a national securities exchange, for which quotations are available through publications of The National Quotation Bureau, Inc. or any comparable service, or through a national securities market established in conformance with section eleven A of the Securities Exchange Act of 1934, as amended.

(f) The authority granted in paragraphs (a) to (e), inclusive, shall be subject to the following limitations:-

(i) The corporation shall not purchase the stock or obligations of any one issuer or obligor if such purchase at the time thereof would cause more than five per cent of the corporation's assets to be invested in such stock or obligations. The limitations in the preceding sentence shall not apply to purchases of the following:

(1) Direct obligations of the United States.

(2) Obligations unconditionally guaranteed as to the payment of principal and interest by the United States.

(3) Obligations of, or instruments issued by and fully guaranteed as to principal and interest by, the Federal National Mortgage Association, established under the National Housing Act, as amended.

(4) Debentures, bonds or other obligations issued by any federal home loan bank or consolidated federal home loan bank debentures or bonds issued by the federal home loan bank board under the Federal Home Loan Bank Act, as amended.

(5) Debentures issued by the central bank for cooperatives or consolidated debentures issued by said central bank and the twelve regional banks for cooperatives under the Farm Credit Act of 1933, as amended.

(6) Collateral trust debentures or other similar obligations issued by any federal intermediate credit bank or consolidated debentures or other similar obligations issued by the twelve federal intermediate credit banks under the Federal Farm Loan Act, as amended.

(7) Farm loan bonds issued by any federal land bank under the Federal Farm Loan Act, as amended.

(8) Promissory notes representing domestic farm labor housing loans authorized by section five hundred and fourteen of the Federal Housing Act of nineteen hundred and forty-nine, as amended by the Federal Housing Act of nineteen hundred and sixty-one, when such notes are fully guaranteed as to principal and interest by the Farmers Home Administration of the United States Department of Agriculture.

(ii) The corporation shall not purchase any shares of common stock or preferred stock pursuant to paragraph (e) if such purchase at the time thereof would cause more than ten per cent of the corporation's assets to be invested in such shares or obligations.

(iii) All investments authorized under this section shall be made in the exercise of the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.

(iv) The corporation shall not invest in securities of corporations, associations or trusts which are not organized pursuant to the laws of the United States or any state, territory, possession or political subdivision of the United States without the approval of the commissioner of banks.

(g) The corporation shall have no power to borrow money.

(h) 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 and provided that the limitations contained in clauses (i) and (ii) of paragraph (f) of this section shall apply to each such distinct investment fund individually; the corporation shall at all times keep separate accounts with respect to each such distinct investment fund, showing separately the assests 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.

Approved July 8, 1977.

Chap. 385. AN ACT PROHIBITING THE RESTRAINT OF CERTAIN POLICE DOGS.

Be it enacted, etc., as follows:

Chapter 129 of the General Laws is hereby amended by inserting after section 22 the following section:-

Section 22A. The provisions of sections twenty-one and twenty-two shall not apply to dogs owned by police departments or police agencies of the commonwealth or any of its political subdivisions when such dogs are under the direct supervision, care and control of a police officer, have been vaccinated as provided in section one hundred and forty-five B of chapter one hundred and forty, and are subject to routine veterinary care.

Approved July 8, 1977.

Chap. 386. AN ACT DIRECTING 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 total amount of one thousand three hundred and thirty-six dollars and fifty-one cents, payable to the following vendors, for services rendered to the Plymouth county probate court, Stephen T. Kessman, Esq. in the amount of six hundred and forty-eight dollars and twenty-five cents, Daniel F. Murray, Esq. in the amount of one hundred and sixty-four dollars and ten cents, and McKenna & Mendes Reporting Associates, Inc. in the amount of five hundred and twenty-four dollars and sixteen cents, for services rendered in the years nineteen hundred and seventy-two through nineteen hundred and seventy-five to the probate court in Plymouth county. 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 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 treasurer, stating under penalties of perjury that the services for which said bill was submitted were ordered by an official or an employee of said county and that such services were performed 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 a fine of not more than three hundred dollars, or both 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 8, 1977.

Chap. 387. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF FISHERIES, WILDLIFE AND RECREATIONAL VEHICLES TO CONVEY A CERTAIN PARCEL OF LAND AND TO GRANT AN EASEMENT OVER A CERTAIN PARCEL OF LAND TO THE TOWN OF LENOX FOR SEWERAGE PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide a sewerage disposal system for the town of Lenox, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The director of the department of fisheries, wildlife, and recreational vehicles, acting in the name and on behalf of the commonwealth, is hereby authorized and directed to convey, for nominal consideration, and upon such terms and conditions that may be agreed upon by said parties, by deed approved as to form by the attorney general, to the town of Lenox, for the construction of a wastewater collection system, including pumping station, interceptors and other related sewerage works, a certain parcel of land in the town of Lenox which is a portion of the land presently held by the commonwealth for use by its division of fisheries and wildlife as a wildlife management area, and bounded and described as follows:-

Beginning at a stone monument found in the southerly line of a Town way known as New Lenox Road. Said monument is also at the northeast corner of land owned by the Penn Central Railroad Company and the northwest corner of land owned by the Grantors;

Thence S61-58-17E along the said southerly line of New Lenox Road 100.56 feet to an iron pipe to be set;

Thence S21-59-57W 131.79 feet to an iron pipe to be set;

Thence N68-00-03W 100.00 feet to an iron pipe to be set in the easterly line of land owned by the previously mentioned Penn Central Railroad Company.

Thence N21-59-57E along the said easterly line of said Penn Central Railroad Company 142.35 feet to the point of beginning and containing 0.32 acres of land.

SECTION 2. The director of the department of fisheries, wildlife and recreational vehicles, in the name of and on behalf of the commonwealth, is hereby authorized to grant to the town of Lenox a twenty-five foot permanent right of way for the construction, reconstruction, repair and maintenance of a common sewer, in, on, upon, over, under, across, or through certain land of the commonwealth, located in said town, presently held for use by its division of fisheries and wildlife as a wildlife management area, bounded and described as follows:-

Beginning at the southwest corner of land owned by the Grantors. Said point is at the northwest corner of land owned now or formerly by Edward H. Wickman, Jr. and in the easterly line of land owned by the Penn Central Railroad Company;

Thence the following 2 courses along land of said Penn Central Railroad Company:

In the line of a curve to the left having a radius of 7704.72 feet a distance of 410.71 feet to a point and N17-11-54E 1129.58 feet to a stone monument found at the northwest corner of land of said Grantors;

Said strip of land is 25 feet wide and extends from the southerly line of said Grantors to the northerly line of said Grantors. The previously mentioned 2 courses are the westerly line of said strip of land.

Approved July 11, 1977.

Chap. 388. AN ACT PROVIDING FOR THE DISSOLUTION OF THE NEW BEDFORD FIREMEN'S MUTUAL AID SOCIETY.

Be it enacted, etc., as follows:

The New Bedford Firemen's Mutual Aid Society shall, upon a majority vote of the board of directors, be dissolved subject to the applicable provisions of chapter one hundred and seventy-six of the General Laws; provided, however, that prior to any such vote said board shall distribute the assets among its members in accordance with the constitution and by-laws of said society.

Approved July 11, 1977.

Chap. 389. AN ACT AUTHORIZING THE TOWN OF LUDLOW TO BORROW MONEY FOR SEWER, WATER AND DRAINAGE PURPOSES AT THE WESTOVER DEVELOPMENT PROJECT IN SAID TOWN.

Be it enacted, etc., as follows:

For the purpose of constructing surface drains, sewers and the laying of water mains all in connection with the Westover development project located in the town of Ludlow, the treasurer of said town, with the approval of the board of selectmen, is hereby authorized to borrow on behalf of the town a sum not exceeding one million eight hundred thousand dollars and may issue notes and bonds therefor, which shall bear on their face the words, Town of Ludlow Sewerage, Water and Drainage Loan, Act of 1977. Money so borrowed may be used for said construction without restriction as to allocation among the several categories of said construction project. Said loan shall be payable in not more than twenty years from the date. Indebtedness incurred under this act shall be in excess of the statutory limit prescribed in section ten of chapter forty-four of the General Laws but shall, except as provided herein, be subject to said chapter forty-four.

Approved July 11, 1977.

Chap. 390. AN ACT RELATIVE TO THE PAYMENT OF WORKMEN'S COMPENSATION FEES TO IMPARTIAL PHYSICIANS.

Be it enacted, etc., as follows:

Section 9 of chapter 152 of the General Laws, as most recently amended by section 6 of chapter 314 of the acts of 1953, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: - The fee for this service shall be a reasonable amount set by the division, and the insurer shall remit payment directly to the impartial physician promptly upon receipt of the approved bill.

Approved July 11, 1977.

Chap. 391. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO PURCHASE A CERTAIN PARCEL OF LAND AND THE BUILDINGS THEREON IN THE CITY OF BROCKTON FOR THE PURPOSE OF PROVIDING OFFICE SPACE FOR THE SUPERIOR AND THE PROBATE COURTS IN THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Plymouth county are hereby authorized to purchase a certain parcel of land, with the

building thereon and to make such improvements to the building as is necessary to provide office space for the superior and the probate courts.

The land, with all buildings and improvements thereon, is situated in the city of Brockton within Plymouth county and is bounded and described as follows:

Beginning at the intersection of the south side of Belmont Street with the easterly side of Cottage Street at the northwest corner of the said premises to be conveyed; thence running

Southerly by said Cottage Street ninety and $12/100$ (90.12) feet to Lot B as shown on plan hereinafter mentioned; thence running

Easterly by a fence separating Lots B and C from the conveyed premises by three courses measuring respectively one hundred fourteen and $15/100$ (114.15) feet; forty-four and $28/100$ (44.28) feet; and sixty-nine and $1/10$ (69.1) feet to said Wales Avenue; thence running

Northerly by said Wales Avenue one hundred twelve (112.) feet to said Belmont Street; thence running

Westerly by said Belmont Street two hundred thirty-five and $58/100$ (235.58) feet to the point of beginning.

All of the above dimensions are to be taken as more or less, being shown as Lot A on a "Plan of Land in Brockton surveyed by Peoples Savings Bank dated June 5, 1941, Hayward and Hayward, Surveyors" filed in the Plymouth County Registry of Deeds, Plan Book 6, Page 320, and owned by the Fall River Five Cents Savings Bank under deed recorded in Plymouth County Registry of Deeds, Book 3877, Page 176.

SECTION 2. For the purposes authorized by section one, the treasurer of Plymouth county, with the approval of the county commissioners thereof, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars for the purchase of the parcel with the building thereon, and necessary renovation of the building for court purposes, and may issue bonds or notes of the county therefore, which shall bear on their face the words "Superior and Probate Court Addition, Act of 1977". Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their date. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The said county treasurer may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par

value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved July 11, 1977.

Chap. 392. AN ACT AUTHORIZING THE COMMISSIONERS OF PLYMOUTH COUNTY TO PAY THE UNFUNDED PORTIONS OF CERTAIN COLLECTIVE BARGAINING CONTRACTS FOR EMPLOYEES AT THE PLYMOUTH COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The treasurer of Plymouth county is hereby authorized to pay, with the approval of the county commissioners, the unfunded portions of collective bargaining contracts between the Plymouth County Hospital, the Massachusetts Nurses Association, and the American Federation of State, County and Municipal Employees, and to raise from available Plymouth County Hospital funds said unfunded portions in the amount of sixty-seven thousand and sixty-five dollars.

Approved July 11, 1977.

Chap. 393. AN ACT AUTHORIZING THE APPOINTMENT OF KEVIN P. FITZGIBBONS TO THE POLICE FORCE OF THE TOWN OF SOUTHBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of certifying names from the current eligible list provided to the appointing authority for the town of Southbridge for appointment to the police force of said town pursuant to section forty-eight A of chapter thirty-one of the General Laws, the personnel administrator shall treat and consider Kevin P. Fitzgibbons, who resides in the town of Southbridge, as though said Kevin P. Fitzgibbons had in fact resided in the town of Southbridge for one year next preceding the date of the examination which resulted in the establishment of said list.

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

(The foregoing was laid before the Governor on the twenty-ninth day of June, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 394. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT FOR THE MAINTENANCE OF THE COUNTY OF DUKES COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the county of Dukes County, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, for the fiscal year nineteen hundred and seventy-eight.

DUKES COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$5,500 00
2. For reduction of county debt		30,000 00
3. For county commissioners, salaries and expenses		17,809 85
1. Personal services	\$16,009 85	
2. Contractual services	600 00	
3. Supplies and materials	1,200 00	
4. For transportation and expenses of county and acting commissioners		300 00
5. For clerk of courts, salaries and expenses		14,651 08
1. Personal services	12,371 08	
2. Contractual services	1,170 00	
3. Supplies and materials	1,100 00	
4. Current charges and obligations	10 00	
6. For county treasurer, salaries and expenses		11,622 20
1. Personal services	10,332 20	
2. Contractual services	450 00	
3. Supplies and materials	550 00	
4. Current charges and obligations	55 00	
5. Equipment	235 00	
7. For sheriff, salary and expenses		13,239 00
1. Personal services	11,589 00	
2. Contractual services	650 00	
3. Supplies and materials	1,000 00	

Item	Subtotal	Total
8. For registry of deeds, salaries and expenses		\$41,743 40
1. Personal services	\$30,403 40	
2. Contractual services	6,550 00	
3. Supplies and materials	3,050 00	
4. Current charges and obligations	40 00	
5. Equipment	1,700 00	
8a. For registry of probate, salaries and expenses		4,700 00
2. Contractual services	3,200 00	
3. Supplies and materials	600 00	
4. Current charges and obligations	200 00	
5. Equipment	700 00	
9. For law library, salaries and expenses		2,825 00
1. Personal services	500 00	
3. Supplies and materials	25 00	
4. Current charges and obligations	2,300 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		43,700 00
2. Contractual services	43,700 00	
13. For civil expenses in probate court		7,100 00
2. Contractual services	7,100 00	
14. For district courts, salaries and expenses		
District Court of Edgartown		129,880 07
1. Personal services	115,802 90	
2. Contractual services	8,690 32	
3. Supplies and materials	3,760 00	
4. Current charges and obligations	635 00	
5. Equipment	991 85	
15. For medical examiners and commitments of insane		1,700 00
18. For court houses and registry buildings, maintenance and operation		21,135 80
1. Personal services	9,835 80	
2. Contractual services	10,000 00	
3. Supplies and materials	1,000 00	
4. Current charges and obligations	300 00	
19. For construction of county buildings and purchase of land		15,000 00
20. For agricultural school or county cooperative extension service		37,351 30
1. Personal services	26,813 30	
2. Contractual services	5,405 00	
3. Supplies and materials	1,178 00	

Item	Subtotal	Total
4. Current charges and obligations	\$960 00	
5. Equipment	1,220 00	
6. All other	1,775 00	
21. For state reservation, maintenance and operation (Indian Burial Ground)		\$1,000 00
23a. For mental health program		4,000 00
23c. For public health program		5,000 00
24. For noncontributory pensions		13,500 00
25. For contributory retirement system and supervisory expenses		41,298 15
26. For miscellaneous and contingent expenses		67,134 03
27. For unpaid bills of previous years		5,600 00
28. For reserve fund		12,000 00
28a. For reserve for salary increases		60,737 50
29. For advertising recreational, industrial and agricultural advantages of the county		44,077 60
33. For police training school		750 00
38. For county airport, maintenance and operation		135,995 75
1. Personal services	91,740 75	
2. Contractual services	16,900 00	
3. Supplies and materials	17,000 00	
4. Current charges and obligations	8,100 00	
5. Equipment	2,255 00	
39. For group insurance		47,800 00
42. For rodent control		15,080 20
44. For communication system		54,304 20
Total amount of appropriations		\$910,535 13
Less estimated amount available for reduction of county tax		152,375 00
And the county commissioners of the county of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		\$758,160 13

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	Subtotal
16. For jail and house of correction	
1. Personal services	\$39,588 20
2. Contractual services	18,100 00
3. Supplies and materials	1,525 00
5. Equipment	2,528 00
	\$61,741 20

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

(The foregoing was laid before the Governor on the twenty-ninth day of June, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 395. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight.

BERKSHIRE COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$54,950 00
3. For county commissioners, salaries and expenses		47,424 72
1. Personal services	\$36,485 72	
2. Contractual services	9,264 00	
3. Supplies and materials	1,025 00	
4. Current charges and obligations	650 00	
4. For transportation and expenses of county and acting commissioners		500 00

Item	Subtotal	Total
5. For clerk of courts, salaries and expenses		\$91,289 80
1. Personal services	\$79,775 80	
2. Contractual services	2,875 00	
3. Supplies and materials	7,650 00	
4. Current charges and obligations	889 00	
6. For county treasurer, salaries and expenses		58,082 60
1. Personal services	50,625 10	
2. Contractual services	5,150 00	
3. Supplies and materials	1,300 00	
4. Current charges and obligations	598 00	
5. Equipment	409 50	
7. For sheriff, salary and expenses		17,688 00
1. Personal services	16,638 00	
2. Contractual services	950 00	
4. Current charges and obligations	100 00	
8. For registry of deeds, salaries and expenses		
Northern District		74,852 20
1. Personal services	62,167 20	
2. Contractual services	5,375 00	
3. Supplies and materials	2,650 00	
4. Current charges and obligations	1,160 00	
5. Equipment	3,500 00	
Middle District		100,721 75
1. Personal services	84,721 75	
2. Contractual services	8,000 00	
3. Supplies and materials	7,800 00	
4. Current charges and obligations	200 00	
Southern District		34,201 20
1. Personal services	28,351 20	
2. Contractual services	3,600 00	
3. Supplies and materials	1,650 00	
4. Current charges and obligations	55 00	
5. Equipment	545 00	
8a. For registry of probate, salaries and expenses		9,650 00
2. Contractual services	4,950 00	
3. Supplies and materials	2,950 00	
4. Current charges and obligations	1,000 00	
5. Equipment	750 00	
9. For law library, salaries and expenses		26,299 25
1. Personal services	10,629 25	
2. Contractual services	1,170 00	
3. Supplies and materials	500 00	
4. Current charges and obligations	14,000 00	
10. For highways, including state highways, bridges and land damages		138,754 07
1. Personal services	117,254 07	
2. Contractual services	6,000 00	
3. Supplies and materials	5,400 00	
4. Current charges and obligations	2,150 00	
5. Equipment	7,950 00	

Item	Subtotal	Total
12. For superior court costs		\$522,896 95
1. Personal services	\$128,865 95	
2. Contractual services	382,316 00	
3. Supplies and materials	6,700 00	
4. Current charges and obligations	3,000 00	
5. Equipment	2,015 00	
13. For civil expenses in probate court		12,650 00
1. Personal services	5,000 00	
2. Contractual services	7,650 00	
14. For district courts, salaries and expenses		
District Court of Northern Berkshire		101,218 35
1. Personal services	87,389 35	
2. Contractual services	3,775 00	
3. Supplies and materials	7,290 00	
4. Current charges and obligations	2,764 00	
District Court of Central Berkshire		298,393 13
1. Personal services		263,976 13
2. Contractual services	21,450 00	
3. Supplies and materials	6,650 00	
4. Current charges and obligations	1,680 00	
5. Equipment	4,637 00	
District Court of Southern Berkshire		46,430 54
1. Personal services	40,591 54	
2. Contractual services	3,563 00	
3. Supplies and materials	1,340 00	
4. Current charges and obligations	936 00	
Fourth District Court of Berkshire		105,567 62
1. Personal services	100,217 62	
2. Contractual services	2,525 00	
3. Supplies and materials	1,825 00	
4. Current charges and obligations	800 00	
5. Equipment	200 00	
District Court of Lee		118,985 02
1. Personal services	106,804 02	
2. Contractual services	3,200 00	
3. Supplies and materials	5,450 00	
4. Current charges and obligations	3,531 00	
District Court of Williamstown		55,832 15
1. Personal services	50,431 15	
2. Contractual services	800 00	
3. Supplies and materials	1,725 00	
4. Current charges and obligations	2,876 00	
District Court - Juvenile Division		90,978 10
1. Personal services	82,208 10	
2. Contractual services	7,650 00	
3. Supplies and materials	950 00	
4. Current charges and obligations	60 00	
5. Equipment	110 00	
District Court - Volunteer Probation		6,425 00
1. Personal services	6,000 00	
3. Supplies and materials	275 00	
4. Current charges and obligations	150 00	
15. For medical examiners and commitments of insane		31,000 00

Item	Subtotal	Total
16. For jail and house of correction, maintenance and operation		\$448,660 98
1. Personal services	\$436,570 98	
4. Current charges and obligations	3,950 00	
5. Equipment	8,140 00	
18. For court houses and registry buildings, maintenance and operation		145,591 07
1. Personal services	57,941 07	
2. Contractual services	80,625 00	
3. Supplies and materials	6,475 00	
4. Current charges and obligations	450 00	
5. Equipment	100 00	
20. For county cooperative extension service		123,828 25
1. Personal services	96,543 25	
2. Contractual services	13,550 00	
3. Supplies and materials	4,250 00	
4. Current charges and obligations	7,190 00	
5. Equipment	2,295 00	
23a. For tuberculosis clinic		72,725 88
23c. For mental health association		12,000 00
23d. For northern Berkshire mental health association		9,000 00
24. For noncontributory pensions		23,200 00
25. For contributory retirement system and supervisory expenses		137,835 89
26. For miscellaneous and contingent expenses		51,400 00
27. For unpaid bills of previous years		15,000 00
28. For reserve fund		50,000 00
28a. For reserve for salary increases		195,500 00
28d. For reserve for counsel for indigent defendants		30,000 00
28e. For reserve for child care		1,000 00
28f. For special reserve for judges		30,168 00
29. For advertising recreational, industrial and agricultural advantages of the county		60,000 00
31. For radio system for fire protection		11,895 75
31a. For radio system for police protection		10,744 13
32. For forest development		3,846 55
33. For police training		2,000 00
35. For industrial development commission		68,600 85

Item	Subtotal	Total
36. For Dutch elm disease		\$5,000 00
37. For human services		72,500 00
39. For group insurance		120,000 00
45. For community action council		20,000 00
Total amount of appropriations		\$3,765,287 80
Less estimated amount available for reduction of county tax		377,413 73
And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		\$3,387,874 07

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.

2. For reduction of county debt	\$160,000 00
16. For jail and house of correction	
2. Contractual services	28,900 00
3. Supplies and materials	111,275 00
	\$300,175 00

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

(The foregoing was laid before the Governor on the twenty-ninth day of June, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 396. AN ACT PROVIDING THAT THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF WALPOLE SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Walpole 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 12, 1977.

Chap. 397. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN CERTAIN GENERAL LAWS.

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

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out sections 12H to 12R, inclusive, inserted by section 1 of chapter 706 of the acts of 1974, and inserting in place thereof the following eleven sections:-

Section 12K. As used in section twelve L to section twelve U, inclusive, 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.

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 within the commonwealth.

Pregnancy, the condition of a mother carrying an unborn child.

Unborn child, the individual human life in existence and developing from fertilization until birth.

Section 12L. 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 12M. 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 12N. Any person who violates the provisions of sections twelve L or twelve M 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 sections 12K to 12U, inclusive, or under such other applicable criminal laws.

Section 12O. If an abortion is performed pursuant to section twelve M, 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 12P. If an abortion is performed pursuant to section twelve M, 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 12Q. Except in an emergency requiring immediate action, no abortion may be performed under sections twelve L or twelve M unless 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 S; and 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 M unless performed in a hospital duly authorized to provide facilities for obstetrical services.

Section 12R. If the physician performing the abortion is not the physician who made the medical judgment required by section twelve M, before performing the abortion he shall obtain from the physician making such judgment a written statement setting forth the exception contained in section twelve M 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 M, the exception contained in said section 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, the name and address of the physician from whom he received the written statement required by this section and the exception contained in said section twelve M 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 12S. 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. 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 U.

Section 12T. Any person who commits an act in violation of sections twelve O or twelve P 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 O or twelve P 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 Q or twelve R shall be punished by a fine of not less than one hundred dollars nor more than two thousand dollars.

Section 12U. The attorney general or any person whose consent is required either pursuant to section twelve S 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 section twelve L to twelve T, inclusive.

Approved July 12, 1977.

Chap. 398. AN ACT AUTHORIZING MUNICIPAL LIGHT COMMISSIONS TO PURCHASE OIL AND OTHER FUEL SUPPLIES WITHOUT BIDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for municipal light commissions to take advantage of savings in the purchase of fuel, therefore 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 208 of the acts of 1975 is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. This act shall cease to be operative on July first, nineteen hundred and eighty.

Approved July 12, 1977.

Chap. 399. AN ACT REGULATING THE CONSTRUCTION OF CONTAINERS IN WHICH SOFT DRINKS AND MALT BEVERAGES ARE SOLD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by adding the following section:-

Section 319. No person shall distribute, sell, or offer for sale any malt beverage or carbonated soft drink for consumption within the commonwealth in a metal can so constructed that in order to open the can a part may be moved which, by design, is not intended to remain attached to the open can. Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

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

Approved July 12, 1977.

Chap. 400. AN ACT ALLOWING AN ABANDONED SPOUSE TO SELL, CONVEY OR RECEIVE CERTAIN PROPERTY.

Be it enacted, etc., as follows:

Chapter 209 of the General Laws is hereby amended by striking out section 30, as amended by section 43 of chapter 400 of the acts of 1975, and inserting in place thereof the following section:-

Section 30. After the filing of a libel for divorce, or for nullity of marriage or of a petition for separate support or maintenance, and during the pendency thereof, or upon the filing of a separate petition, a probate court may upon motion of a person whose spouse has abandoned him or her and thereby left the abandoned spouse and his or her dependents without sufficient means to maintain themselves may, after giving the respondent spouse notice and an opportunity to be heard, authorize the moving party to sell, convey, mortgage, receive or receipt for any real or personal property of the opposing party which remains in the commonwealth undisposed of by him or her, any property in the name of the opposing party which is beneficially owned by the moving party or by the moving party's minor dependents and any property within the commonwealth held by both spouses jointly, as tenants by the entirety or as tenants in common, and to use and dispose of the same or the proceeds thereof during the absence of the opposing party as if the moving party were sole. Such petition may be filed, heard and determined in the probate

court for the county in which the moving party resides. The opposing party shall be given notice as provided for divorce libels when the libelee cannot be located within the commonwealth. Such petition may be filed to satisfy, in whole or in part, an outstanding support order, or to provide for the future support and maintenance of the moving party and his or her dependents. The court shall have jurisdiction in rem of the aforementioned property to enforce an order for support and maintenance. Upon approval of the petition, the court shall transfer to the moving party or shall authorize him or her to sell, convey, mortgage or otherwise use or control such property as is needed for the present and future support and maintenance of, or for use by, the moving party and his or her dependents, including but not limited to residences, motor vehicles and furniture and furnishings. Any deed or mortgage given pursuant to this section shall first be approved by the court and such approval shall constitute conclusive evidence in favor of any purchaser that the authority of the grantor has not terminated.

For the purposes of this section, abandonment shall mean that the opposing party has left the moving party and does not intend to return. Proof that the moving party has not known the whereabouts of the opposing party for the previous twelve months shall constitute prima facie evidence of abandonment. The court may, upon petition of the opposing party, retransfer to him or her so much of the transferred property or the proceeds thereof as remains in the hands of the moving party to which the opposing party may be entitled when such petition is filed.

Approved July 12, 1977.

Chap. 401. AN ACT AUTHORIZING CITIES AND TOWNS TO PROVIDE BY ORDINANCE OR BY-LAW FOR NONCRIMINAL DISPOSITION OF CERTAIN VIOLATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 40 of the General Laws is hereby amended by striking out the first and second sentences and inserting in place thereof the following three sentences:— Towns may, for the purposes hereinafter named, make such ordinances and by-laws, not repugnant to law, as they may judge most conducive to their welfare, which shall be binding upon all inhabitants thereof and all persons within their limits. They may, except as herein provided, affix penalties for breaches thereof, not exceeding two hundred dollars for each offense,

which shall enure to the town or to such uses as it may direct. Notwithstanding the provisions of any special law to the contrary, fines shall be recovered by indictment or on complaint before a district court, or by noncriminal disposition in accordance with section twenty-one D.

SECTION 2. Said chapter 40 is hereby further amended by inserting after section 21C the following section:-

Section 21D. Any town may by ordinance or by-law not inconsistent with this section provide for noncriminal disposition of violations of any ordinance or by-law or any rule or regulation of any municipal officer, board or department the violation of which is subject to a specific penalty.

Any such ordinance or by-law shall provide that any person taking cognizance of a violation of a specific ordinance, by-law, rule or regulation which he is empowered to enforce, hereinafter referred to as the enforcing person, as an alternative to initiating criminal proceedings shall, or, if so provided in such ordinance or by-law, may, give to the offender a written notice to appear before the clerk of the district court having jurisdiction thereof at any time during office hours, not later than twenty-one days after the date of such notice. Such notice shall be in triplicate and shall contain the name and address, if known, of the offender, the specific offense charged, and the time and place for his required appearance. Such notice shall be signed by the enforcing person, and shall be signed by the offender whenever practicable in acknowledgement that such notice has been received.

The enforcing person shall, if possible, deliver to the offender a copy of said notice at the time and place of the violation. If it is not possible to deliver a copy of said notice to the offender at the time and place of the violation, said copy shall be mailed or delivered by the enforcing person, or by his commanding officer or the head of his department or by any person authorized by such commanding officer, department or head to the offender's last known address, within fifteen days after said violation. Such notice as so mailed shall be deemed a sufficient notice, and a certificate of the person so mailing such notice that it has been mailed in accordance with this section shall be prima facie evidence thereof.

At or before the completion of each tour of duty, or at the beginning of the first subsequent tour of duty, the enforcing person shall give to his commanding officer or department head those copies of each notice of such a violation he has taken cognizance of during such tour which have not already been delivered or mailed by him as aforesaid. Said commanding of-

ficer or department head shall retain and safely preserve one copy and shall, at a time not later than the next court day after such delivery or mailing, deliver the other copy to the clerk of the court before which the offender has been notified to appear. The clerk of each district court and of the Boston municipal court shall maintain a separate docket of all such notices to appear.

Any person notified to appear before the clerk of a district court as hereinbefore provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to such clerk with the notice such specific sum of money not exceeding two hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall if mailed be made only by postal note, money order or check. The payment to the clerk of such sum shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. No person so notified to appear before the clerk of a district court shall be required to report to any probation officer, and no record of the case shall be entered in any probation records.

If any person so notified to appear desires to contest the violation alleged in the notice to appear and also to avail himself of the procedure established pursuant to this section, he may, within twenty-one days after the date of the notice, request a hearing in writing. Such hearing shall be held before a district court judge, clerk, or assistant clerk, as the court shall direct, and if the judge, clerk, or assistant clerk shall, after hearing, find that the violation occurred and that it was committed by the person so notified to appear, the person so notified shall be permitted to dispose of the case by paying the specific sum of money fixed as a penalty as aforesaid, or such lesser amount as the judge, clerk or assistant clerk shall order, which payment shall operate as a final disposition of the case. If the judge, clerk, or assistant clerk shall, after hearing, find that violation alleged did not occur or was not committed by the person notified to appear, that finding shall be entered in the docket, which shall operate as a final disposition of the case. Proceedings held pursuant to this paragraph shall not be deemed to be criminal proceedings. No person disposing of a case by payment of such a penalty shall be required to report to any probation office as result of such violation, nor shall any record of the case be entered in the probation records.

If any person so notified to appear before the clerk of a district court fails to pay the fine provided hereunder within the time specified or, having appeared, does not confess the offense before

the clerk or pay the sum of money fixed as a penalty after a hearing and finding as provided in the preceding paragraph, the clerk shall notify the enforcing person who issued the original notice, who shall determine whether to apply for the issuance of a complaint for the violation of the appropriate ordinance, by-law, rule or regulation.

As used in this section the term "district court" shall include, within the limits of their jurisdiction, the municipal court of the city of Boston and the housing courts of the city of Boston and the county of Hampden.

The notice to appear provided for herein shall be printed in such form as the chief justice of the municipal court of the city of Boston shall prescribe for said court, and as the chief justice of the district courts shall prescribe for the district courts. Said notice may also include notice of violations pursuant to section eleven C of chapter eighty-five, sections eighteen A, twenty A or twenty C of chapter ninety and section sixteen A of chapter two hundred and seventy. Any fines imposed under the provisions of this section shall be distributed in accordance with section two of chapter two hundred and eighty.

Approved July 12, 1977.

EMERGENCY LETTER — July 13, 1977 @ 12:04 P. M.

Chap. 402. AN ACT RELATIVE TO THE CONSTRUCTION OF AN ARMORY
IN THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

Item 0431-8771 in section 2 of chapter 481 of the acts of 1976 is hereby amended by striking out the wording and inserting in place thereof the following:-

For the purchase of certain land and for the construction of an armory in Springfield, including the cost of furnishings and equipment; provided that expenditures from this item other than for the cost of preliminary plans shall be contingent upon assurance by proper federal authorities that the federal allocation for the cost of the project will be not less than seventy-five per cent of the cost of the armory structure, and that the contribution of the commonwealth for this project shall not exceed four hundred and fifty thousand dollars to which amount any land acquisition and construction costs not eligible for federal participation may be charged. Said armory shall be designed in accordance with criteria of the National Guard Bureau.

Approved July 12, 1977.

Chap. 403. AN ACT ESTABLISHING THE MIDDLESEX CANAL COMMISSION AND AUTHORIZING THE DEVELOPMENT OF THE MIDDLESEX CANAL HERITAGE PARK.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established the Middlesex Canal Commission, hereinafter called the commission, to consist of one member of the house of representatives to be appointed by the speaker of the house; one member of the senate to be appointed by the president of the senate; one person to be appointed by the chief administrative official of each of the municipalities of Lowell, Chelmsford, Billerica, Wilmington, Woburn, Winchester, Medford, Somerville, and Boston; the director of the office of state planning or his designee, ex officio; the commissioner of environmental management or his designee, ex officio; the executive director of the Metropolitan Area Planning Council; and the executive director of the Northern Middlesex Area Commission. Persons appointed from the membership of the general court and from said municipalities shall be appointed for two-year terms. In selecting a person from each of the said municipalities, the respective said municipal administrative official shall give preference to residents who are members of historic commissions or other nonprofit organizations concerned with the preservation and use of the former Middlesex canal.

SECTION 2. The general purpose of the commission shall be the restoration of public use of the Middlesex canal. Said commission is hereby authorized to develop plans for the establishment of a Middlesex Canal Heritage park by acquisition of land, rights-of-way, existing structures and related facilities and land areas of the former Middlesex canal, located in the municipalities of Lowell, Chelmsford, Billerica, Wilmington, Woburn, Winchester, Medford, Somerville, and Boston, as may become available to the commission from time to time by option, purchase, lease or otherwise of the fee in such land or of easements or other contractual rights, including conveyances as may be necessary. In pursuance of said purpose the commission shall have the following powers and duties:

The commission may assess and evaluate remaining features and related structures of the former Middlesex canal for their use in the Middlesex Canal Heritage park, hereinafter called the heritage park.

The commission may prepare, adopt, and implement plans for the restoration of portions of the Middlesex canal and related structures for use in the heritage park. With the approval of the

municipalities named in this section, the commission may establish the boundaries of heritage park within those municipalities. Within said boundaries of heritage park the commission may restore and develop such land and water areas and structures as may be available to the commission for recreational and educational uses. Such development may include the placing of descriptive and directional signs on or near the Middlesex canal right-of-way, on private property with the written permission of the owners of said property, on municipal property with the written permission of the respective municipality, on state-owned property with the written permission of the state agency which has jurisdiction over such property, or on property under the jurisdiction of the commission.

The commission shall consider the feasibility and make recommendations to the commissioner of environmental management regarding the establishment, ownership, and operation of a Middlesex Canal State Heritage park.

In accordance with its purposes, powers, and duties, the commission may accept gifts from any source, including gifts of real property or less than fee simple interests in real property, staff services, and other in kind services. The commission may apply for and receive grants or loans from any federal or state agency or any other public or private entities.

The commission shall choose annually from its number a chairman, a vice-chairman, a secretary, a treasurer and an assistant treasurer who shall comprise the executive committee. During the periods of time between regular meetings of the commission, the executive committee shall be empowered to act on behalf of the commission. The full commission shall meet annually and at other times as determined by the executive committee. The executive committee shall meet quarterly, at the call of the chairman or at the call of the majority of the members of the executive committee. A quorum of the full commission or of the executive committee shall be a majority of the members of the commission or executive committee, respectively. All matters shall be decided by a majority vote.

The commission shall report annually, and at such other times it may choose, to the general court, the governor, and the chief administrative official of each municipality named in this section on its activities and plans for heritage park.

Approved July 12, 1977.

Chap. 404. AN ACT ESTABLISHING THE GRANBY WATER DISTRICT IN THE TOWN OF GRANBY.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Granby, liable to taxation in said town and residing within the territory, bounded and described as follows:- Beginning at a point located approximately 25 feet southerly of the intersection of the southerly street line of West State Street in the Town of Granby and the southerly street line of Granby Road in the Town of South Hadley, said point lying at the intersection of the westerly boundary line of the Town of Granby and the easterly boundary line of the Town of South Hadley at $42^{\circ} 14' 25''$ N latitude; thence running in an easterly direction along $42^{\circ} 14' 25''$ N latitude to a point located at $72^{\circ} 32' 00''$ W longitude; thence running in a northerly direction along $72^{\circ} 32' 00''$ W longitude to a point located at $42^{\circ} 15' 07''$ N latitude; thence running in an easterly direction along $42^{\circ} 15' 07''$ N latitude to a point located at $72^{\circ} 29' 26''$ W longitude; thence running in a northerly direction along $72^{\circ} 29' 26''$ W longitude to a point located at $42^{\circ} 16' 12''$ N latitude; thence running in a westerly direction along $42^{\circ} 16' 12''$ N latitude to a point located at $72^{\circ} 31' 08''$ W longitude; thence running in a southerly direction along $72^{\circ} 31' 08''$ W longitude to a point located at $42^{\circ} 15' 37''$ N latitude; thence running in a westerly direction along $42^{\circ} 15' 37''$ N latitude to a point located at $72^{\circ} 32' 37''$ W longitude; thence running in a southerly direction along $72^{\circ} 32' 37''$ W longitude to a point located at $42^{\circ} 15' 11''$ N latitude; thence running in a westerly direction along $42^{\circ} 15' 11''$ N latitude to a point located at the westerly boundary line of the Town of Granby and the easterly boundary line of the Town of South Hadley; thence running in a southerly direction along the said boundary line to the point of beginning.; shall constitute a water district and are hereby made a body corporate by the name of the Granby water district, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

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

ways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Granby. The district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

The district is empowered and authorized to sell and distribute water to any adjacent town, district or any part thereof on such terms and conditions and for such consideration as the commissioners may determine.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water course, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding that debt limit defined by and authorized under section ten of chapter forty-four of the General Laws, and may issue bonds or notes therefor, which shall bear on their face the words Granby Water District Loan, Act of 1977. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further

vote be assessed upon the district by the assessors of said town of Granby annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner, in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act, if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 7. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district at least fourteen days before the time of the meeting. Such justice

of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a moderator, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the

district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

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

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

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the

question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section" one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district by section one present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage.

Approved July 12, 1977.

Chap. 405. AN ACT PROVIDING FOR AN APPEAL FROM THE GRANTING OR DENIAL OF A PRELIMINARY INJUNCTION.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by striking out section 118, as appearing in section 202 of chapter 1114 of the acts of 1973, and inserting in place thereof the following section:-

Section 118. A party aggrieved by an interlocutory order of a justice of the superior court or the judge of the housing court of the city of Boston or the judge of the housing court of the county of Hampden, may file a petition in the appropriate appellate court seeking relief from such order. The appellate court may, in its discretion, grant the same relief as an appellate court is authorized to grant pending an appeal under section one hundred and seventeen.

A party aggrieved by an interlocutory order of a justice of the superior court or the judge of the housing court in the city of Boston or the judge of the housing court of the county of Hampden granting, continuing, modifying, refusing or dissolving a preliminary injunction, or refusing to dissolve a preliminary injunction may appeal therefrom to the appeals court or, subject to the provisions of section ten of chapter two hundred and eleven, to the supreme judicial court, which shall affirm, modify, vacate, set aside, reverse the order or remand the cause and direct the entry of such appropriate order as may be just under the circumstances. Pursuant to action taken by the appeals court

the cause shall be remanded to the trial court for further proceedings.

The filing of a petition hereunder shall not suspend the execution of the order which is the subject of the petition, except as otherwise ordered by the appellate court.

Approved July 12, 1977.

Chap. 406. AN ACT DIRECTING THE ESSEX COUNTY RETIREMENT BOARD TO INCREASE THE RETIREMENT ALLOWANCE OF ADA BOUTCHIE, A RETIRED EMPLOYEE OF THE TOWN OF ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section ninety-six of chapter thirty-two of the General Laws, the Essex county retirement board is hereby authorized and directed to increase the retirement allowance payable to Ada Boutchie, a retired employee of the town of Essex, to twelve hundred dollars per annum.

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

Approved July 13, 1977.

Chap. 407. AN ACT TO GRANT TO CITY AND TOWN LICENSING BOARDS OR OFFICERS THE AUTHORITY TO ISSUE SPECIAL LICENSES RELATING TO TRANSIENT SALES FOR CHARITABLE PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize cities and towns to issue special licenses relating to transient sales for charitable 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:

Chapter 101 of the General Laws is hereby amended by inserting after section 12 the following section:-

Section 12A. The selectmen in a town or in a city such board or officer as may be designated by ordinance, may, under such conditions as they may deem proper, grant to any organization engaged in charitable work or to a post of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection a special

license authorizing it, for a particular time period not to exceed a total of four days to be stated in such license, and for a charitable purpose stated in such license, to conduct under their control a temporary or transient business in which transient vendors participating in such sales shall not be subject to the provisions of sections three to twelve, inclusive. Cities and towns may regulate such sales by ordinance, by-law or by local rules and regulations as may be made in a city by the mayor and city council and in a town by the selectmen. The exercise of the licenses hereby provided for shall be subject to the provisions of all statutes, ordinances, by-laws, rules and regulations not inconsistent herewith.

Approved July 13, 1977.

Chap. 408. AN ACT PROVIDING FOR THE EARLY DETECTION OF CERTAIN TYPES OF CANCER IN WOMEN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide early detection of certain types of cancer in women, therefore 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 71 of the General Laws is hereby amended by striking out the sixth sentence, inserted by chapter 753 of the acts of 1974, and inserting in place thereof the following two sentences:- In connection with physiology and hygiene, 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, as to detection and prevention of breast and uterine cancer, and as to fire safety, including instruction in the flammable qualities of certain fabrics, and as to 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. No pupil shall be required to take or participate in instruction on disease, its symptoms, development and treatment, whose parent or guardian shall object thereto in writing on the grounds such instruction conflicts with his sincerely held religious beliefs, and no pupil so exempt shall be penalized by reason of such exemption.

Approved July 13, 1977.

Chap. 409. AN ACT PROVIDING THAT WILLIAM LEE, ROBERT MERRIAM AND JAMES LONG, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS FIRE FIGHTERS IN THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law or any civil service rule to the contrary regulating the maximum age of applicants for appointment as fire fighters, William Lee, Robert Merriam and James Long, of the city of Springfield, shall be eligible to take the next open competitive examination for fire fighters in said city and, provided that any such applicant meets all other requirements, he shall be eligible for certification and appointment as a fire fighter in said city.

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

Approved July 13, 1977.

Chap. 410. AN ACT AUTHORIZING THE TOWN OF REHOBOTH TO EXPEND CERTAIN FUNDS FOR CERTAIN EXPENSES INCURRED AT THE PALMER RIVER SCHOOL IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The school committee of the town of Rehoboth is hereby authorized to expend a sum not to exceed twenty thousand eight hundred ninety-two dollars and forty-four cents in the aggregate from the unused balance of a loan issued for the construction of the Middle school June first, nineteen hundred and sixty-nine, for the replacement of boilers and accessories in the Palmer River school in said town.

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

Approved July 13, 1977.

Chap. 411. AN ACT AUTHORIZING THE UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT TO RENEW CERTAIN FEDERAL AND STATE AID ANTICIPATION NOTES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of section three of chapter seventy-four of the acts of nineteen hundred and forty-five to the contrary, the treasurer of the Upper Blackstone Water Pollution Abatement District, with the approval of the district's board, is hereby authorized to issue federal aid anticipation notes of the district in the amount of two million two hundred and fifty

thousand dollars, payable in not more than two years from their dates, in order to pay the federal aid anticipation notes of the district in the same amount dated April twenty-second, nineteen hundred and seventy-five and payable April twenty-second, nineteen hundred and seventy-seven; dated August twentieth, nineteen hundred and seventy-five and payable August twentieth, nineteen hundred and seventy-seven; dated September twenty-second, nineteen hundred and seventy-five and payable September twenty-second, nineteen hundred and seventy-seven; dated March twenty-second, nineteen hundred and seventy-six and payable March twenty-second, nineteen hundred and seventy-eight; and dated July sixteenth, nineteen hundred and seventy-six and payable July sixteenth, nineteen hundred and seventy-eight.

SECTION 2. Notwithstanding any provisions of section six A of chapter forty-four of the General Laws to the contrary, the treasurer of the Upper Blackstone Water Pollution Abatement District with the approval of the district's board, is hereby authorized to issue state aid anticipation notes of the district in the amount of one million two hundred thousand dollars, payable in not more than two years from their dates, in order to pay the water pollution control reimbursement notes of the district in the same amount dated April twenty-second, nineteen hundred and seventy-five and payable April twenty-second, nineteen hundred and seventy-seven; and dated August twentieth, nineteen hundred and seventy-five and payable August twentieth, nineteen hundred and seventy-seven; dated September twenty-second, nineteen hundred and seventy-five and payable September twenty-second, nineteen hundred and seventy-seven; dated March twenty-second, nineteen hundred and seventy-six and payable March twenty-second, nineteen hundred and seventy-eight; and dated July sixteenth, nineteen hundred and seventy-six and payable July sixteenth, nineteen hundred and seventy-eight.

SECTION 3. Notes issued under this act for a period of not 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 any original note issued under this act to the maturity of any note issued to renew or pay the same debt shall not exceed two years.

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

Approved July 13, 1977.

Chap. 412. 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 to pay to Roger G. Peabody, former chief of police of said town, three thousand dollars annually as a retirement allowance notwithstanding the receipt by said Roger G. Peabody of any sum of money from any source as a pension, retirement allowance, or otherwise. Nothing in this act shall be deemed to affect the pension or retirement rights of said Roger G. Peabody under chapter thirty-two of the General Laws.

SECTION 2. Chapter three hundred and eighty-seven of the acts of nineteen and seventy-four is hereby repealed.

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

Approved July 13, 1977.

Chap. 413. AN ACT GRANTING CERTAIN EASEMENTS FOR SEWER PURPOSES TO THE TOWN OF GRAFTON ON LAND OWNED BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The town of Grafton is hereby granted permanent easements for sewer purposes on land owned by the commonwealth under the control of the division of waterways within the department of environmental quality engineering containing three thousand seven hundred twenty-five square feet of land, more or less, which is shown as P.E.-1 on a plan entitled "Plan of Sewer Easement through land of the Commonwealth of Massachusetts, located Northerly of Worcester Street, dated October 22, 1976, Engineering Department, Grafton, Massachusetts, No. 23-76," by John W. Connor, Registered Land Surveyor, on file in the selectmen's and town clerk's offices, and which is filed in the Worcester district registry of deeds in Worcester county in Plan Book 436, Plan 81, and any revisions thereof, together with the temporary right to use in addition a strip of land twelve and one-half feet in width adjoining the easterly and westerly sidelines, as owned by the commonwealth, of the easement for the purpose of storing excavated materials, construction equipment, to travel over same and work required in connection therewith for a

period of three years from the date of the easement, or take any other action in relation thereto.

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

Approved July 13, 1977.

Chap. 414. AN ACT REQUIRING THE COURT TO DECIDE WHETHER TWO OR MORE ARBITRATION PROCEEDINGS SHOULD BE CONSOLIDATED FOR HEARING AND DECISION.

Be it enacted, etc., as follows:

Chapter 251 of the General Laws is hereby amended by inserting after section 2 the following section:-

Section 2A. A party aggrieved by the failure or refusal of another to agree to consolidate one arbitration proceeding with another or others, for which the method of appointment of the arbitrator or arbitrators is the same, or to sever one arbitration proceeding from another or others, may apply to the superior court for an order for such consolidation or such severance. The court shall proceed summarily to the determination of the issue so raised. If a claimant under section twenty-nine of chapter one hundred and forty-nine applies for an order for consolidation or severance of such proceedings, the issue shall be decided under the applicable provisions of said section twenty-nine of said chapter one hundred and forty-nine governing consolidation or severance of such actions; otherwise the issue shall be decided under the Massachusetts Rules of Civil Procedure governing consolidation and severance of trials and the court shall issue an order accordingly. No provision in any arbitration agreement shall bar or prevent action by the court under this section.

Approved July 13, 1977.

Chap. 415. AN ACT REGULATING THE SELECTION AND MANAGEMENT OF JURORS FOR MIDDLESEX COUNTY.

Be it enacted, etc., as follows:

SECTION 1. the purposes of this act are as follows:-

a. To guarantee that each grand and trial jury is selected from a fair and randomly drawn cross-section of the population;

b. To eliminate all statutory exemptions from the duty to perform grand and trial juror service;

c. To eliminate all discretion in the qualification of prospective jurors;

d. To eliminate or reduce the possibility of economic coercion of jurors by employers and to eliminate or reduce the possibility of economic penalty or hardship upon jurors;

e. To implement the strict policy that juror service is a solemn public duty which every citizen must perform in accordance with this act;

f. To spread the duty of juror service over the broadest possible base and thereby to maximize the participation and education of the citizenry in the judicial branch;

g. To improve the system of selecting and managing jurors, to improve the utilization of trial jurors in the juror pools, to authorize the use of modern data processing methods and equipment, and to make the entire system more accessible to the public;

h. To determine the feasibility of this act for application in all counties of this commonwealth by enactment first in Middlesex county.

SECTION 2. The General Laws are hereby amended by inserting after chapter 234 the following chapter:-

Chapter 234A.

Selection and Management of Jurors for Middlesex County.

Section 1. All persons selected for juror service on grand and trial juries in Middlesex county shall be selected at random from a fair and randomly drawn cross-section of the population of the particular judicial district in which they reside. All citizens shall have equal opportunity to be considered for juror service. All citizens shall be legally obligated to serve as jurors when selected and summoned for that purpose. No citizen shall be excluded or exempted from serving as a grand or trial juror in Middlesex county because of race, color, religion, sex, national origin, economic status, or occupation.

Section 2. An office of jury commissioner shall be established for Middlesex county. This office shall be within the judicial branch and under the supervision and control of the supreme judicial court. The office shall be composed of the jury commissioner, and such other positions as the jury commissioner, with the approval of the chief justice of the supreme judicial court, shall find necessary to assist in the proper execution of the duties of the office. The jury commissioner shall be appointed by the justices of the supreme judicial court for a term of five years. The salary of the jury commissioner shall be equivalent to ninety per

cent of the salary of a full-time justice of the district courts of the commonwealth. The cost of the operation of the office of jury commissioner, including all reasonable expenses incurred by the jury commissioner and the staff in the proper execution of their duties, shall be paid by the commonwealth. The commonwealth shall be reimbursed for the entire cost of the operation of the office of jury commissioner by all counties in which jurors are summoned for service under the provisions of this chapter; each such county shall contribute its pro-rata share of the entire cost based upon the populations of the participating counties. The jury commissioner shall devote full time efforts to his duties and responsibilities.

Section 3. The supreme judicial court may make and amend rules of court, not inconsistent with this chapter, regulating all aspects of the selection and management of grand and trial jurors in Middlesex county. The jury commissioner, with the approval of the supreme judicial court, shall promulgate regulations in furtherance of the governing procedures for the selection and management of all grand and trial jurors in Middlesex county. Boards of election commissioners in cities having such boards, boards of registrars of voters in other cities, and boards of selectmen in towns, hereinafter referred to in this chapter as "local boards," shall be bound by the rules of the supreme judicial court and the regulations of the jury commissioner made under the authority of this chapter and duly promulgated. On or before the first day of February of each year, the office of jury commissioner shall send by certified or first class mail a copy of its regulations to the local board of each city and town of Middlesex county. Not later than fifteen days after the enactment of a rule or regulation made under the authority of this chapter, the office of jury commissioner shall send by certified or first class mail or by personal delivery a copy of such rule or regulation to the local board of each city and town of Middlesex county.

Section 4. The judicial districts of the commonwealth for the purposes of this chapter shall be the counties unless modified by the supreme judicial court, which may, by rule of court, define judicial districts of lesser geographical area and population than a county for the purpose of drawing jurors for civil and criminal trials in the district courts of the commonwealth.

Section 5. On or before the first day of June of each year, the local board of each city and town of Middlesex county shall make a sequentially numbered list of the names and addresses of all persons who were seventeen years of age or older as of January first of the current year and who reside as of January first of the

current year in the city or town in which the local board is situated. This list shall be determined by the most recent annual census list and any other reasonable supplementary lists. The names of residents shall be listed and numbered, preferably in alphabetical order, one name to each number, along with such other information and in such format as shall be specified in the regulations of the jury commissioner. There shall be no duplication of names on the list. On or before the first day of June of each year, each local board shall make a copy of this list available for inspection by members of the public. On or before the first day of June of each year, each local board shall send by personal delivery or by registered mail two copies of this list to the office of jury commissioner. At all times, each local board shall keep in a secure place a duplicate of the latest copy of this list. For the purposes of this chapter, this list will be hereinafter referred to as the "local resident list," and a particular individual on such list will be hereinafter referred to as a "numbered resident."

Section 6. On or before the first day of July of each year, the office of jury commissioner shall determine the number of prospective jurors to be drawn from each city and town of Middlesex county based on the following formula: the number of prospective jurors to be drawn from each city and town shall be as nearly as possible equal to the ratio of the population of the city or town to the entire population of the judicial district in which the particular city or town is situated, multiplied by the total number of prospective jurors required for the judicial district. The total number of prospective jurors required for each judicial district shall be determined by the jury commissioner. In making these determinations, the jury commissioner shall take into consideration the experience of each judicial district in regard to the number of jurors required to be summoned in order to ensure that the judicial affairs of that district will be reasonably conducted without delay. The jury commissioner shall consider the anticipated workloads of each judicial district and other relevant factors. The population of the cities, towns, judicial districts, and counties required under this section shall be determined by the office of jury commissioner from the current local resident lists received from the local boards. The office of jury commissioner shall keep such records and data as are reasonably necessary for making rational determinations of the experience and other factors stated in this section.

Section 7. On or before the first day of August of each year, the office of jury commissioner shall generate a sequence or list of random numbers for each city and town of Middlesex county.

On or before the first day of August, the office of jury commissioner shall send by certified or first class mail or by personal delivery to each city and town the particular sequence of random numbers generated for that city or town. The number of random numbers in each sequence shall be equal to the number of prospective jurors to be drawn from the corresponding city or town. No random number shall appear twice in the same sequence. No random number in any sequence shall be greater than the highest number or total number of residents on the local resident list for the corresponding city or town. The method of generation of random numbers shall be approved by the jury commissioner and shall be specified in the regulations of the jury commissioner. Technical data on the integrity of the random number generation method used under this section shall be compiled by the office of the jury commissioner. Such data shall be available to members of the public upon request. A summary of this data shall be published by the jury commissioner in his annual report.

Section 8. On or before the first day of September of each year, the local board of each city and town having a population in its current local resident list of greater than twenty-five thousand inhabitants shall prepare data processing records. One data processing record shall be prepared for each number in the said sequence of random numbers for the particular city or town. Each number in the sequence shall correspond to the numbered resident having the identical number on the local resident list. The data processing records, so prepared, shall correspond to each numbered resident on the local resident list whose number also appears in the corresponding sequence of random numbers. The data processing records shall be of such kind, and in such format, and shall contain such information as are specified in the regulations of the jury commissioner. On or before the first day of September of each year, each local board acting under this section shall send the prepared data processing records to the office of jury commissioner by personal delivery or by certified or first class mail. The cost for the preparation of such data processing records under this section shall be paid by the city or town.

Section 9. The local boards of each town of Middlesex county having a population in its current local resident list of twenty-five thousand or less inhabitants may comply with all steps specified in section eight, or alternatively, it may comply with the steps specified hereinafter in this section, but each such board must comply with either section eight or section nine. The local board shall request from the office of jury commissioner special forms suitable for the preparation of data processing records.

These forms shall be supplied without cost. The content and format of these forms shall be specified in the regulations of the jury commissioner. The local board shall prepare and complete these forms in lieu of the data processing records required in section eight. In an analagous manner as set forth in section eight, the specified information shall be provided on these forms pertaining to each numbered resident on the local resident list whose number also appears in the corresponding sequence of random numbers. On or before the first day of September of each year, each local board acting under this section shall send the completed forms to the office of jury commissioner by certified or first class mail or by personal delivery. On or before the first day of October of each year, the office of jury commissioner shall prepare the appropriate data processing records from these forms at no cost to the towns.

Section 10. On or before the first day of October of each year, the office of jury commissioner shall make a list for each city and town of Middlesex county; this list shall be in alphabetical order, and it shall contain all of the names, and certain related information with each name, which are contained in the data processing records of the particular city or town. The list shall hereinafter be referred to as the "prospective juror list" of a city or town. The content and format of the prospective juror lists shall be specified in the regulations of the jury commissioner. On or before the first day of October of each year, the office of jury commissioner shall send by certified or first class mail or by personal delivery to each local board two copies of the corresponding prospective juror list. Each local board shall make this list available for inspection by members of the public. A local board may publish this list at the expense of the city or town. The office of jury commissioner shall make the prospective juror lists for all cities and towns of Middlesex county available for inspection by members of the public. The aggregate of prospective juror lists from all cities and towns of Middlesex county shall be known, and hereinafter referred to, as the "master juror list" for Middlesex county.

Section 11. Any inhabitant of Middlesex county, whether or not a registered voter, shall be competent to serve as a grand or trial juror unless:-

1. such person is not qualified to vote for representatives to the general court;
2. such person is not able to read, speak, and understand the English language;

3. such person is under eighteen years of age on the first day of January in the calendar year for which he is being considered for juror service;

4. such person has been convicted of a felony within seven years of the first day of January in the calendar year for which he is being considered for juror service; or such person is a defendant in a pending felony case; or such person is in the custody of a correctional institution at the time of the mailing of the juror summons;

5. such person is incapable, by reason of a physical or mental disability, of rendering satisfactory jury service, but any person claiming this disqualification shall be required to submit a letter from a registered physician or an accredited Christian science practitioner, in which such physician or practitioner shall state the nature of the disability and his opinion that such disability will substantially interfere with the person's ability to render satisfactory juror service, and such physician or practitioner shall be subject to inquiry by the court at its discretion; or

6. such person has served as a grand or trial juror in any court of the commonwealth within three years of the first day of January in the calendar year for which he is being considered.

Section 12. At least seventy days prior to the time when the services of grand or trial jurors are required, the clerk of each court in Middlesex county requiring such jurors shall notify the jury commissioner by means of a letter of venire sent by certified or first class mail or by personal delivery. The letter of venire shall state the numbers of jurors required for grand jury service or for trial jury service, the court, and the judicial district. In the case of grand juror service, the letter shall state the beginning date and the estimated length of the term. In the case of a special grand jury, the letter of venire may require the jury commissioner to summon jurors to appear for service forthwith or within a lesser period than would otherwise be required under this section. In the case of trial juror service, the letter shall state the period or periods of juror service to which the letter applies, and the number of jurors required during each period. The letter shall contain any further information which the jury commissioner deems appropriate. The form and content of the letter of venire shall be specified in the regulations of the jury commissioner.

Section 13. At least sixty days prior to the commencement of any term of grand or trial juror service, the jury commissioner shall determine, as a matter of discretion, the numbers of prospective jurors to be summoned from each judicial district of

Middlesex county for grand and trial juror service. In making these discretionary determinations, the jury commissioner shall consider the following factors as well as any other relevant factors: the requirements for jurors by the courts within each judicial district as expressed in the letters of venire; the experience of each judicial district in regard to the numbers of grand and trial jurors who actually serve versus the numbers of jurors who are summoned for service; and the experience of each judicial district in regard to the number of jurors required in the juror pool or pools of that district in order to insure that the judicial affairs of that district will be reasonably conducted without delay. The office of jury commissioner shall keep such records and data as are reasonably necessary for making rational determinations of the experience and other factors stated in this section.

Section 14. At least sixty days prior to the commencement of any term of grand or trial juror service, the office of jury commissioner shall select for each judicial district of Middlesex county those prospective jurors to be summoned for service during such term. A random method of selection shall be used by which grand and trial jurors shall be drawn or selected from the total number of prospective jurors of a judicial district from the master juror list. The particular method of random selection shall be approved by the jury commissioner and shall be specified in the regulations promulgated by him. Technical data on the integrity of the random number generation method used under this section shall be compiled by the office of jury commissioner. Such data shall be available to members of the public upon request. A summary of this data shall be published by the jury commissioner in the annual report.

Section 15. At least sixty days prior to the commencement of any term of grand or trial juror service, the office of jury commissioner shall summon by certified or first-class mail each prospective grand and trial juror selected under section fourteen to appear for juror service. The summons shall state whether the anticipated service is that of a grand or trial juror, the beginning date of the term; the name, address, hour, and room number, if any, of the courthouse or office to which the prospective juror is directed to report on the first day of service; the fact that a prospective trial juror has the right to one postponement of his term of juror service for not more than ten months; the fact that a knowing failure to obey the summons without justifiable excuse is a crime, which, upon conviction thereof, may be punished by a fine of not more than one thousand dollars; and such other infor-

mation and instructions as are deemed appropriate by the jury commissioner. The form and content of the juror summons shall be specified in the regulations of the jury commissioner.

Section 16. Enclosed with the summons shall be a notice of juror competency requirements. A copy of section eleven of this chapter shall be included in said notice. Said notice shall contain any further information and directions that the jury commissioner deems appropriate. The form and content of the notice of juror competency requirements shall be specified in the regulations of the jury commissioner.

Section 17. Enclosed with the summons shall be a juror confirmation form. When completed by the prospective juror, this form shall indicate whether or not the prospective juror is competent to serve as a trial or grand juror, and, if so, whether the prospective juror intends to appear as directed in the summons, or, in the case where a prospective trial juror has had no previous postponement of his term of service and elects to postpone such service, the month and day, and an alternate month and day, designated by him, on which he elects to perform his juror service, and such other information as the jury commissioner deems appropriate. The juror confirmation form shall contain a place for the signature of the prospective juror. The form and content of the juror confirmation form shall be specified in the regulations of the jury commissioner.

Section 18. Enclosed with the summons shall be a juror questionnaire. The information elicited by the questionnaire shall be such information as is ordinarily raised in voir dire examinations of jurors, including the juror's name, sex, age, residence, marital status, number and ages of children, education level, occupation, employment address, spouse's occupation, spouse's employment address, previous service as a juror, present or past involvement as a party to civil or criminal litigation, spouse's present or past involvement as a party to civil or criminal litigation, relation to a police or law enforcement officer, spouse's relation to a police or law enforcement officer, and such other information as the jury commissioner deems appropriate. The questionnaire shall contain the prospective juror's declaration that the information he has supplied in the completed questionnaire is true to the best of his knowledge and that he understands that a wilful misrepresentation of a material fact therein is a crime, which, upon conviction thereof, may be punished by a fine of not more than one thousand dollars. Immediately below such declaration, the questionnaire shall contain a place for the signature of the prospective juror. The form and content of the juror question-

naire shall be specified in the regulations of the jury commissioner. Unless the court orders otherwise, the clerk of court or an assistant clerk shall provide copies of the appropriate completed questionnaires to the trial judge and counsel for use during voir dire. Except for disclosures made during voir dire or unless the court orders otherwise, the information inserted by prospective jurors in the questionnaires shall be held confidential by the court, the clerk or assistant clerk, the parties, trial counsel, and their authorized agents. Upon completion of voir dire, the parties and their counsel shall return all copies of the completed questionnaires to the clerk or the assistant clerk. The clerk of court shall retain in a secure place all original completed questionnaires for each impanelled jury and alternate jurors until final disposition of the case. Said completed questionnaires shall not constitute a public record. All copies of juror questionnaires, other than the copy retained by the trial judge and the original retained by the clerk, shall be destroyed by the clerk or assistant clerk as soon as practicable after the completion of voir dire. A notice of the confidentiality of the completed questionnaire shall appear prominently on the face of the questionnaire.

Section 19. Every prospective juror who has been summoned for grand or trial juror service shall return the juror confirmation form, duly completed and signed, within ten days after its receipt by him. The office of jury commissioner shall provide a prepaid and addressed envelope for this purpose. If the prospective juror is unable to complete and sign the form, another person may do it for him, and shall indicate thereon the reasons for doing so. A notice of the prospective juror's duty to return the completed confirmation form within ten days of its receipt by him shall appear prominently on the face of the confirmation form.

Section 20. If it appears that there is an omission, ambiguity, or error in a returned juror confirmation form, the office of jury commissioner shall return the form to the prospective juror with specific instructions for correcting the defect or defects therein. The prospective juror shall return the corrected form within five days after its receipt by him.

Section 21. Any prospective juror who has failed to return a completed juror confirmation form or who has failed to return a duly corrected juror confirmation form by the thirtieth day preceding the term of service for which such juror was summoned shall be summoned a second time by the jury commissioner. The second summons shall have the same content and form as the first summons, except the words "Second Summons" shall appear prominently on the face of the summons, and the second sum-

mons shall be sent by first-class mail or registered mail or served by a sheriff or constable. A juror confirmation form and questionnaire shall be enclosed with the second summons. A prospective juror who is summoned under this section shall return a duly completed and signed juror confirmation form within five days of its receipt by him.

Section 22. On or before the thirtieth day preceding any term of grand or trial juror service, the office of jury commissioner may summon additional grand or trial jurors if it appears from the returned juror confirmation forms that the number of previously summoned jurors who will report for service will be inadequate for the needs of the court. A prospective juror who is summoned under this section shall return a duly completed and signed confirmation form within ten days of its receipt by him.

Section 23. The jury commissioner or the court may impose a standby status condition on any trial or grand juror before or during his term of service. A juror on whom such condition has been imposed shall be referred to as a standby juror. The standby juror shall be prepared to serve on each day of his term of service, but he shall not appear for service unless directed to do so in the following manner. The standby juror shall make telephone inquiry to a local office designated by the jury commissioner or the court after three o'clock in the afternoon on the day preceding his term of service in order to obtain specific instructions as to whether or not he should appear for juror service on the following day. A juror may be continued on standby status from day to day, but his term of service shall not be enlarged because of the standby condition unless the juror has been impanelled on a case or unless ordered by the court. A standby juror shall not be compensated by the county for any day during which such juror did not appear for service as directed. The designated local office may use an automatic telephone answering device for the purpose of giving instructions to and receiving messages from standby jurors. A notice of standby status may be enclosed with the juror summons. The form and content of this notice shall be specified in the regulations of the jury commissioner. Any other form of standby notice reasonably contemplated to give actual notice may be used. The court shall have discretionary authority to excuse a juror from the standby condition upon a showing of unusual hardship caused by the condition, but such juror shall serve or be available to serve without the standby condition unless further excused by the court. The court may order a standby juror to serve or to appear for service upon a date and time certain without the necessity of telephone inquiry by the standby

juror. The court may make further modifications of the standby conditions as are reasonably contemplated to facilitate the management of cases before the court provided that such modifications do not impose unusual hardships upon any juror.

Section 24. On the first day of his term of grand or trial juror service, a prospective juror shall bring to court and present to the clerk of court, assistant clerk, or officer in charge of jurors his summons, his duly completed and signed juror questionnaire, and his notice of postponement, if applicable. Notices of these duties shall appear prominently on the faces of the summons, questionnaire, and notice of postponement, respectively.

Section 25. Any prospective juror or other person who wilfully misrepresents a material fact in a juror questionnaire for the purpose of either avoiding or securing service as a grand or trial juror shall be guilty of a crime, and, upon conviction thereof, may be punished by a fine of not more than one thousand dollars.

Section 26. The court, the office of jury commissioner, and the clerk of court shall have authority to inquire into the criminal history records of prospective grand and trial jurors for the limited purpose of corroborating and determining the competence of prospective jurors. The court, the office of jury commissioner, and the clerk of court shall be authorized to request and receive such criminal history records and information from the criminal offender record information system as is necessary for the purpose of carrying out the provisions of this chapter. All criminal offender record information obtained under this section shall be held confidential by persons authorized hereunder.

Section 27. A prospective juror who has been summoned for trial juror service shall have the right to one postponement of his term of juror service for not more than ten months. The prospective trial juror must exercise this right by duly completing and returning the juror confirmation form in which his election to postpone shall be indicated. The month and date, and an alternate month and date, to which the service is postponed shall be indicated in the confirmation form. The office of jury commissioner shall have the authority to effectuate such first postponements. If the postponement date designated by a prospective trial juror is improper or inconvenient for the court, the office of jury commissioner shall assign the alternate postponement date unless that date is also improper or inconvenient in which case the office of jury commissioner shall assign a date of service which is reasonably close to the postponement date selected by the prospective juror.

Section 28. Not later than ten days after the receipt of an election to postpone, the office of jury commissioner shall send by certified or first-class mail a notice of postponement to the prospective trial juror. This notice shall state the date of postponement effectuated by the office of jury commissioner. The prospective juror shall appear for service on the date of postponement without further summoning. The notice of postponement shall state prominently on its face the fact that the prospective juror has a duty to appear for service on the postponement date without further summoning. The content and form of the notice of postponement shall be specified in the regulations of the jury commissioner.

Section 29. The legislative, executive, and judicial departments of the commonwealth shall not be impeded by the provisions of this chapter from freely exercising their independent powers and duties. Any of the following persons who is a juror or a prospective juror and who certifies in writing to the court that there is important business of the commonwealth which requires his presence away from the court during his term of service shall be granted as a matter of right an immediate postponement of his term of service as a grand or trial juror: the governor, the lieutenant-governor, councillors, and other constitutional officers, senators, representatives, and justices of the supreme judicial court. In the certificate to the court, the person requesting the postponement shall state a period of time reasonably contemplated for the completion of such official business. The length of the postponement granted by the court shall not be less than the period stated in the certificate. Any person who qualifies under this section may request and shall receive any number of postponements.

Section 30. A grand or trial juror may be permitted by the court to be available for juror service or continued juror service upon telephone notice. A juror who agrees to be available on telephone notice shall provide to the court a telephone number and a named individual by which he may be notified with certainty during court hours to begin or resume his juror service not more than one hour after such notice has been given. Such juror shall conduct his affairs during court hours so that he shall insure his compliance with the conditions of telephone notice. A juror on telephone notice shall not be compensated by the county for juror service for days during which he did not appear for service as directed.

Section 31. The court shall have discretionary authority to excuse or postpone a prospective grand juror from juror service, in

part or in full, upon a showing of hardship, inconvenience, or public necessity with regard to the expected length of the term of grand juror service. The court shall have discretionary authority to excuse or postpone a prospective trial juror from juror service, in part or in full, or to excuse a trial juror during the trial, upon a showing of severe hardship, extreme inconvenience, or peculiar public necessity. Notwithstanding the fact that a prospective juror has been summoned as a grand or trial juror, with or without right of postponement of service, the court shall have the discretionary authority to require such prospective juror to serve either as a grand or trial juror, immediately or at a future date. The court may impose reasonable conditions upon a term of juror service. The court may exercise this authority at all times before or during the juror's term of service. The court shall have the discretionary authority to dismiss a prospective juror or juror at any time in the best interest of justice. In the event that a trial is expected by the court to last more than five trial days, the trial judge shall announce this fact to the jurors before the jury is impanelled. The trial judge shall have discretionary authority to excuse a juror from performing his juror service on such an extended trial upon a showing of hardship, inconvenience, or public necessity with regard to the expected length of the extended trial, but any juror so excused shall otherwise complete his term of service.

Section 32. A prospective grand or trial juror who fails to appear for service as summoned, or as duly postponed, or who fails to complete his term of service as directed shall be ordered by the court to appear forthwith and show cause for his failure to perform his juror service. If such juror fails to appear or does appear but fails to show good cause for his failure to perform or complete his juror service, he shall be guilty of criminal contempt, and, upon conviction thereof, may be punished by a fine of not more than one thousand dollars.

Section 33. The length of the term of service for trial jurors shall not be greater than two days unless a juror is sitting on an incompleated trial when the term ends or unless the court orders otherwise. The length of the term of service for grand jurors shall be as set forth by statute or within the discretion of the court.

Section 34. If a shortage of available grand or trial jurors occurs in a judicial district or there is a strong likelihood that such shortage will occur so that the court is or will be prevented from the convenient dispatch of its business, the chief justice of such court may order in writing the jury commissioner to summon a designated number of prospective jurors to appear forthwith for

juror service in the particular judicial district for such term as is ordered by the chief justice. Prospective jurors summoned under this section shall not have the right of first postponement. The jury commissioner shall use the form of summons and means of notice or service which he deems appropriate under the circumstances.

Section 35. Nothing in this section shall limit the authority of the court to supervise jurors and jury officers in the furtherance of justice and the convenient dispatch of the court's business. The office of jury commissioner shall perform studies and, when necessary, implement new procedures which are reasonably contemplated toward the improvement of the administration of jurors; the reduction of the costs of selection, management, and compensation of jurors; the monitoring and improvement of the integrity of jury pools and jury panels; the more effective utilization of jurors in the jury pools; the improved understanding by jurors of their duties and of the court's charge and instructions; and providing for the reasonable comfort and convenience of jurors during their terms of service. The jury commissioner shall annually prepare and submit to the supreme judicial court a comprehensive budget for the administration and compensation of jurors itemized by judicial district and for Middlesex county.

Section 36. On the first day of April of each year, the jury commissioner shall submit a comprehensive report for the previous calendar year to the supreme judicial court. This report shall be itemized for grand and trial jurors and for each judicial district and for the commonwealth. The report shall contain a narrative of significant developments in the administration of jurors in the commonwealth during the previous year. The report shall contain recommendations, including suggested new legislation where appropriate, for the improvement of the system of administration, utilization, and education of jurors and potential jurors in the commonwealth. The report shall contain an analysis of the costs of administering and compensating jurors. The report shall contain a statistical analysis of all of the significant steps in the selection, summoning, and management of jurors, including, but not limited to, the numbers of jurors who respond to the juror questionnaires and the several summonses, the numbers of jurors who postpone their terms of service, and whose terms are postponed, excused, or dismissed by the court, and the grounds therefor. Insofar as the jury commissioner can reasonably determine, the report shall contain statistical measurements of the integrity or the property of representing a fair cross-section of the population, of the jury pools and jury

panels in the commonwealth. Insofar as the jury commissioner can reasonably determine, the report shall contain statistical measurements of the degree of effectiveness of the utilization of jurors from the jury pools, such as, but not limited to, the ratio of the number of juror hours spent in trial sessions divided by the total number of juror service hours. The report shall contain any further narratives, financial accounts, statistical analyses, and data as deemed appropriate by the jury commissioner. Said report shall be a public document.

Section 37. Each trial juror who is regularly employed shall be compensated by his employer for the first three days, or part thereof, of juror service. The amount of such compensation shall be determined by multiplying the average daily income or salary of the juror-employee by the number of days of juror service performed. A trial juror who is self-employed shall compensate himself for the first three days, or part thereof, of juror service. A trial juror who is unemployed shall not be compensated by the county for the first three days, or part thereof, of juror service, but any unemployed person who is receiving benefits under the laws of employment security of this commonwealth shall not lose such benefits on account of his service as a trial juror during the first three days, or part thereof, of juror service. A trial juror who serves more than three days shall be compensated for the fourth day of service and each day of service thereafter by the county at the rate of forty dollars per day of service. Each grand juror shall be compensated by the county at the rate of forty dollars per day of service. Trial and grand jurors shall not receive reimbursement or additional compensation for travel. A juror who is absent from service because of serious illness or other compelling reason, as determined by the office of jury commissioner or by the court, shall be compensated therefor, by his employer or by the county, whichever is applicable under this section.

Section 38. The court shall have the authority to excuse, in part or in full, an employer from the duty to compensate the juror-employee for the first three days, or part thereof, of trial juror service upon a showing of extreme financial hardship. The court shall have the authority to excuse, in part or in full, a self-employed juror from the duty to compensate himself for the first three days, or part thereof, of trial juror service upon a showing of extreme financial hardship. The court shall have the authority to compensate an unemployed juror for the first three days, or part thereof, of trial juror service upon a showing of extreme financial hardship caused by the performance of juror service. The court shall have the authority to reimburse a juror who is not

receiving compensation for juror service for travel and other out-of-pocket expenses reasonably incurred during the first three days, or part thereof, of trial juror service. The hearing on any matter under this section shall be held not later than thirty days after the termination of the juror's term of service. If an employer or juror is so excused or reimbursed, the juror shall be compensated by the county for his service or reimbursed by the county for his travel and expenses in the amount determined by the court, but such compensation or reimbursement shall not exceed forty dollars per day of juror service. The office of jury commissioner shall record each such excuse and reimbursement, the reasons therefor, and the amounts of compensation or reimbursement awarded by the court.

Section 39. The juror service certificate shall contain the name, address, and the social security number of the juror, if available; the name and address of the juror's employer; the name, address and judicial district of the court in which the juror service was performed; the period in which each certificate applies; the number of days of juror service performed by the juror within the period, and the specific dates thereof; the total compensation received from the county by the juror during the period; a declaration of the right of an employer to be excused from the duty to compensate a juror-employee for the first three days of trial juror service, or part thereof, upon a showing of extreme financial hardship; and any other information which the jury commissioner deems appropriate. The form and content of the juror service certificate shall be specified in the regulations of the jury commissioner. The county shall issue juror service certificates on a weekly basis to all grand and trial jurors. The office of jury commissioner shall provide an ample supply of blank juror service certificates to each county. A trial juror who seeks compensation from his employer for the first three days of juror service, or part thereof, shall present the applicable juror service certificate to his employer within thirty days after the termination of his term of juror service. A notice of this duty shall appear prominently on the face of the certificate.

Section 40. Any employer who refuses to compensate a trial juror-employee for a just claim under section thirty-seven and who has not been excused from such payment under section thirty-eight shall be liable in tort to the juror-employee. After tender by the juror of the applicable juror service certificate and upon the expiration of thirty days after the termination of the juror's term of service, the juror may commence an action in any district court of the commonwealth having civil jurisdiction over

the parties. Extreme financial hardship shall not be a defense to this action. The court may award to the plaintiff treble damages and reasonable attorney's fees.

Section 41. An employer shall not deprive an employee of his employment, or threaten or otherwise coerce him with respect thereto, because the employee receives a summons, responds thereto, or serves as a grand or trial juror. Any employer who violates this section shall be guilty of a crime, and, upon conviction thereof, may be punished by a fine of not more than one thousand dollars. If an employer discharges an employee in violation of this section, the employee, within ninety days of such discharge, may bring a civil action in the superior court for recovery of wages lost and other damages as a result of the violation and for an order requiring the reinstatement of the employee. The court may award to the plaintiff treble damages and reasonable attorney's fees.

Section 42. Not later than ten days prior to the beginning of each grand and trial juror's term of service, the office of jury commissioner shall send to each juror by first-class mail a copy of the juror's handbook. The juror's handbook shall inform prospective jurors in lay terminology of the nature and extent of their forthcoming duties as grand or trial jurors. The handbook may introduce and orient prospective jurors to basic trial procedures and legal terminology. The handbook shall not include any material which would be regarded by jurors as instructions of law to be applied in any case or any material which may prejudice any party. The full text of the juror's handbook shall be specified in the regulations of the jury commissioner. Each prospective grand or trial juror shall read the juror's handbook before he reports for service as a juror. The juror's handbook shall be a public document. The jury commissioner may distribute copies of the juror's handbook, and related educational materials, to public and private schools, civic organizations, the press, etc., in order to promote citizen awareness and understanding of all aspects of the juror system of this commonwealth. The jury commissioner may, with the approval of the chief justice of the supreme judicial court, distribute or exhibit to jurors and prospective jurors further educational materials, recordings, films, videotapes, lectures, and the like, as he deems appropriate to assist such persons in understanding and fulfilling their duties and obligations as jurors.

Section 43. Not later than ten days in advance, the office of jury commissioner shall send by first class mail or personal delivery to the clerk of court of each judicial district a list of the

prospective grand and trial jurors who were summoned and are expected to appear for service on a designated day in the particular court. This list shall contain the name and address of each prospective juror, and such other information as the jury commissioner shall by regulation stipulate. The form and content of this list shall be specified in the regulations of the jury commissioner. This list shall be in a form which is capable of being duplicated on office equipment. Unless the court orders otherwise, the clerk shall make copies of current trial lists available to members of the public upon request. These lists shall not be used by members of the public for purposes other than determining the integrity of the juror selection system under this chapter.

Section 44. If a civil or criminal case to be tried with a jury of twelve persons is expected by the court to last more than twenty trial days, sixteen jurors shall be impanelled. If a civil or criminal case to be tried with a jury of twelve persons is expected by the court to last more than five trial days but less than twenty trial days, fourteen jurors shall be impanelled. In every other civil and criminal case to be tried with a jury of twelve persons, thirteen jurors shall be impanelled. If a civil or criminal case to be tried with a jury of six persons is expected by the court to last more than five trial days, eight jurors shall be impanelled. In every other civil and criminal case to be tried with a jury of six persons, seven jurors shall be impanelled. The court shall have jurisdiction and authority to try the case with the number of jurors heretofore stipulated subject to the following provisions of this section. Before the case has been submitted by the court to the jury for its deliberation upon a verdict, the court shall have discretionary authority to excuse and discharge a juror upon a showing of severe hardship, extreme inconvenience, or peculiar public necessity. After the case has been submitted by the court to the jury for its deliberation upon a verdict, the court shall have discretionary authority to excuse and discharge a juror upon a showing of an emergency or other very compelling reason. If, at the time of the submission of the case by the court to the jury for its deliberation upon a verdict, more than the number of jurors required for deliberation are available, the court shall direct the clerk to place the names of all of the available jurors except the foreman into a box or drum and to select at random the names of the appropriate number of jurors necessary to reduce the jury to the proper number of members required for deliberation in the particular case. The jurors so selected shall not be discharged, but shall be known as alternate jurors. The alternate jurors shall be kept separate from the jury in some convenient location, sub-

ject to the same rules and regulations as govern the jury during its deliberations, until the jury has agreed upon a verdict or has been otherwise discharged. If, at any time after the submission of the case by the court to the jury for its deliberation upon a verdict, a juror is discharged by the court for any reason, the court shall direct the clerk to place all of the names of the alternate jurors in a box or drum and to select at random the name of an alternate juror. The alternate juror so selected shall take the place of the discharged juror on the jury. The jury, so constituted, shall then renew its deliberations with full authority to render a verdict in the case. The court shall have jurisdiction to receive the verdict of the jury, as constituted under the provisions of this section, and shall have jurisdiction and full authority to render judgment in the case. Whenever it is appropriate for the court to direct a verdict, the court may do so without first reducing the number of jurors to the proper number required for deliberation in the case. Upon a finding of cause, the trial judge may impanel a greater or lesser number of jurors than specified under this section. Nothing in this section shall prevent the court from rendering a valid judgment based upon a verdict rendered by fewer jurors than required under this section where all parties have by stipulation agreed to this procedure.

Section 45. Upon motion of either of the parties, or whenever the court in its discretion deems it appropriate, the court shall include in its charge to the jury an instruction which in substance states that no duly impanelled trial juror is better qualified to determine the truth of the facts in controversy or to deliberate upon a verdict solely because of his occupation or reputation. The court shall have discretion to express this instruction in whatever language it deems appropriate and to supplement, elaborate, or explain this instruction to the jury with reference to the particular case being submitted to it. This section shall not be construed as a limitation in any way upon the court's authority to make such further charges as are appropriate.

Section 46. Whoever is guilty of fraud in the processing or selecting of jurors or prospective jurors, either by causing any name to be inserted into any list wrongfully, or by causing any name to be deleted from any list wrongfully, including the altering of any data processing machine or any set of instructions or programs which control data processing equipment for such wrongful purpose, shall have committed the crime of jury tampering, and, upon conviction thereof, may be punished by a fine of not more than ten thousand dollars, or imprisonment of not more than two years, or both.

Section 47. All official records and papers compiled and maintained by the office of jury commissioner shall be preserved for four years after the calendar year to which they apply.

Section 48. Either of the parties may challenge the array by a motion for appropriate relief. A challenge to the array may be made only on the ground that the prospective jurors were not selected or drawn according to law. Challenges to the array shall be made and decided before any individual juror is examined, unless otherwise ordered by the court. A challenge to the array shall be in writing, supported by affidavit, and shall specify the facts constituting the ground of the challenge. Challenges to the array shall be tried by the court and may, within the discretion of the court, be decided on the basis of the affidavits filed with the challenge. Upon the trial of a challenge to the array, the witnesses may be examined on oath by the court and may be so examined by either party. If the challenge to the array is sustained, the court shall discharge the panel. No irregularity in any letter of venire, or any list of jurors or prospective jurors, or in the selecting, summoning, managing, or impanelling of jurors, or in any other procedure performed under the authority of this chapter, shall be sufficient to set aside a verdict unless the objection is made seasonably and before the verdict and the objecting party is substantially injured or prejudiced thereby.

Section 49. The use of electronic data processing equipment and methods by the office of jury commissioner and local boards for the implementation of this chapter is hereby specifically authorized. The jury commissioner may, with the approval of the chief justice of the supreme judicial court, enter into contracts for the purchase of data processing services and supplies which are reasonably necessary for the implementation and operation of this chapter, provided that such purchases shall be paid from funds appropriated for said purposes.

Section 50. The jury commissioner, with the approval of the chief justice of the supreme judicial court, may enter into contracts and agreements with, and accept gifts, grants, contributions, and bequests of funds from, any department, agency, or subdivision of federal, state, county, or municipal government, and any individual, foundation, corporation, association, or public authority for the purpose of providing or receiving services, facilities, staff assistance, equipment, and supplies in connection with any provisions of this chapter or for the general improvement of the jury system. Such funds shall be deposited with the state treasurer and may be expended by the jury commissioner or his authorized agent in accordance with the conditions

of such gift, grant, contribution, or bequest, without specific appropriation.

SECTION 3. If any provision of this act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provisions or application, and, to this end, the provisions of this act are severable.

SECTION 4. Notwithstanding any other provision of law to the contrary, the provisions of this act shall apply in Middlesex county in accordance with the effective dates set forth in this act. Any other provisions of law which conflict with the application or implementation of this chapter in Middlesex county are hereby repealed insofar as they apply in Middlesex county, but such provisions shall nevertheless continue to be valid, effective, and applicable in all counties of this commonwealth except Middlesex county.

SECTION 5. The following sections of chapter two hundred and thirty-four A of the General Laws, inserted by section two of this act, shall take effect on January first, nineteen hundred and seventy-eight: one to eleven, inclusive, forty-six, forty-seven, forty-nine, fifty and fifty-one.

The following sections of said chapter two hundred and thirty-four A, as so inserted, shall take effect on October first, nineteen hundred and seventy-eight: twelve to twenty-three, inclusive, twenty-five to twenty-nine, inclusive, thirty-one, thirty-two, thirty-four, forty-one, forty-two and forty-three.

The following sections of said chapter two hundred and thirty-four A, as so inserted, shall take effect on January first, nineteen hundred and seventy-nine: twenty-four, thirty, thirty-three, thirty-five to thirty-nine, inclusive, forty, forty-four, forty-five and forty-eight.

SECTION 6. The justices of the supreme judicial court shall have the authority to appoint the jury commissioner on or after the first day of October, nineteen hundred and seventy-seven. The jury commissioner shall have the authority to appoint, and the chief justice of the supreme judicial court shall have the authority to approve, such staff members as are necessary for the implementation of this act.

SECTION 7. Section fifty-eight of chapter thirty-three of the General Laws is hereby repealed.

SECTION 8. The provisions of sections one, two, three A, four to twelve, inclusive, seventeen to twenty-four B, inclusive, twenty-six B, thirty-two, thirty-six and forty-one of chapter two hundred and thirty-four of the General Laws shall become inap-

plicable as to Middlesex county upon the applicable provisions covering the same subject matter in the various sections of chapter two hundred and thirty-four A becoming effective as otherwise provided in this act.

SECTION 9. Section 25 of chapter 262 of the General Laws is hereby amended by adding the following two sentences:- This section shall not apply in Middlesex county. The compensation of grand and trial jurors who serve in Middlesex county shall be governed by the applicable provisions of chapter two hundred and thirty-four A.

SECTION 10. Section 2A of chapter 277 of the General Laws is hereby amended by adding the following sentence:- In Middlesex county, the clerk of the courts shall send a letter of venire to the jury commissioner as set forth in section twelve of chapter two hundred and thirty-four A.

SECTION 11. Said chapter 277 is hereby further amended by striking out section 2B and inserting in place thereof the following section:-

Section 2B. The clerk of courts in Middlesex county shall, not less than seventy days before the first Monday of January and July, respectively, issue letters of venire to the jury commissioner for thirty-five prospective grand jurors from whom the court shall select twenty-three grand jurors who shall serve in said court for each sitting thereof for six months and until another grand jury has been impanelled in their stead.

SECTION 12. Section 3 of said chapter 277 is hereby amended by adding the following sentence:- In Middlesex county, the selection and management of grand jurors shall be governed by chapter two hundred and thirty-four A and other applicable provisions of the General Laws.

SECTION 13. Section 4 of said chapter 277 is hereby amended by adding the following sentence:- In Middlesex county, letters of venire shall be issued to the jury commissioner as set forth in chapter two hundred and thirty-four A.

SECTION 14. Section four of this act shall take effect on October first, nineteen hundred and seventy-seven. Sections seven and eight shall take effect on January first, nineteen hundred and seventy-eight. Sections ten to thirteen, inclusive, shall take effect on October first, nineteen hundred and seventy-eight. Section nine shall take effect on January first, nineteen hundred and seventy-nine.

Approved July 13, 1977.

Chap. 416. AN ACT PROVIDING THAT LOUIS J. BRIER SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A POLICE OFFICER IN THE TOWN OF WHITMAN.

Be it enacted, etc., as follows:

Notwithstanding any law, rule or regulation to the contrary, regulating the maximum age of applicants for appointment as a police officer, Louis J. Brier shall be eligible to take the next open competitive examination for police officer in the town of Whitman and, provided he meets all other requirements, shall be eligible for certification and appointment as a police officer in said town.

Approved July 13, 1977.

Chap. 417. AN ACT REQUIRING THAT CERTAIN MOTOR VEHICLES DISPLAY VEHICLE IDENTIFICATION NUMBERS.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 7Q the following section:-

Section 7R. All motor vehicles, and all trailer and semi-trailers manufactured for the model year nineteen hundred and seventy-nine and thereafter and registered under the provisions of sections two to five, inclusive, shall be equipped with and display a vehicle identification number, in accordance with such minimum requirements and design as the registrar may prescribe under rules and regulations made by him.

Approved July 13, 1977.

Chap. 418. AN ACT FURTHER REGULATING CERTAIN ACTIVITIES IN MOUNTAIN REGIONS OF BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by striking out section 39A, as most recently amended by section 236 of chapter 706 of the acts of 1975, and inserting in place thereof 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 conduct any regulated activity.

The term "base elevation" as used in this section shall mean the 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 "department" as used in this section shall mean the department of environmental management in the executive office of environmental affairs.

The term "commissioner" as used in this section shall mean the commissioner of environmental management.

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 within the county of Berkshire which has accepted the provisions of this section.

The term "mountain regions" as used in this section shall mean those highland areas within any city or town within the county of Berkshire which are made subject to the provisions of this section.

The term "owner" as used in this section shall mean the person appearing as the owner in the most recent records of the tax assessor.

The term "person" as used in this section shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the commonwealth or political subdivision thereof, administrative agency, public or quasi-public corporation or body, or any other legal entity or its legal representative, agents or assigns.

The term "regulated activities" as used in this section shall mean the removal, filling, excavation or other alteration of land

within mountain regions which is likely to have a significant adverse effect on watershed resources or natural scenic qualities because of the pollution or diminution of ground or surface water supply, public or private; erosion; flooding; substantial changes in topographic features or substantial destruction of vegetation.

The term "regulations" as used in this section shall mean reasonable rules and regulations, adopted by the hearing authority pursuant to chapter thirty A, and approved by the commissioner in consultation with the office of state planning, to carry out the provisions of this section for the protection of watershed resources and the preservation of natural scenic qualities of mountain regions.

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.

After drafting proposed boundaries for mountain regions, the hearing authority shall submit a map and text delineating the proposed boundaries to the board of health, to the planning board, and to the city council or board of selectmen of said city or town, and to the department of environmental management in this section called the department. After submission of the map and text the city council or board of selectmen may, after a hearing of which notice shall have been published at least seven days in advance in a newspaper of general circulation in the city or town, adopt, or amend and adopt, in each case by a two-thirds vote, final boundaries of the mountain regions. The hearing authority shall file the map and text delineating the location of final boundaries of mountain regions so adopted with the city or town clerk, and simultaneously shall send verified copies of such map and text to the commissioner and to the register of the registry of deeds for the district in which the land lies. The provisions of this section governing regulated activities shall take effect with respect to land within such boundaries upon such filing or upon approval of the regulations by the commissioner, whichever shall last occur. The location of such boundaries of

mountain regions may be amended, changed, or repealed by a two-thirds vote of the city or town in the same manner as they were adopted. No regulated activities shall be conducted on land within any mountain region after the provisions of this section take effect with respect to such land except in accordance with the provisions of this section.

Any person who believes that any land is not within the boundaries of a mountain region or that any proposed work is subject to an exemption specifically provided for hereinafter in this section may file with the hearing authority by certified mail a request for an exemption determination. The hearing authority shall within twenty-one days make the determination requested and send a copy thereof to the person making the request and to the owner of the land in question if other than such person.

Any person who proposes to remove, fill, excavate, or alter any land within a mountain region and who believes such proposed work is not a regulated activity may request a preliminary determination as provided in this paragraph. Such person shall file by certified mail notice thereof with the hearing authority together with such information or plans as may be necessary to describe in general terms the nature and scope of the proposed activity and its effect upon the watershed and scenic resources sought to be protected by this section; provided, however, that any plans need not be detailed engineering or architectural plans so long as the nature and scope of the proposed activity is reasonably described. 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 applied for. Upon receipt of such notice the hearing authority shall designate a file number for such notice and within twenty-one days, shall make a preliminary determination whether or not the proposed work is a regulated activity. If the hearing authority finds that the activity is not a regulated activity, then it shall issue a written order which states that finding, and send a copy thereof to the applicant and to the owner of the land in question if other than the applicant. If the hearing authority finds that the activity is a regulated activity, then it shall hold a public hearing as provided in this section. Whether the hearing authority finds the proposed activity a regulated activity or not, it shall post a notice of its finding in its customary place of general public notice within one day of making its finding.

The hearing authority may rescind an order issued after a preliminary determination and hold a public hearing as provided in the following paragraph if any owner of land abutting the

land upon which the proposed activity is to be conducted or any ten residents of the city or town where the land is located request by certified mail a hearing within ten days of the issuance of the order. If an applicant is not notified within fourteen days after an order issues that the hearing authority has rescinded the order, then the applicant may perform the proposed activity.

Before performing any regulated activities, or in the case of a public hearing ordered under the preceding paragraph, an applicant shall pay a filing fee of twenty-five dollars to the city or town and file notice of the regulated activities to be performed together with such information as may be reasonably required by regulation to describe the nature and scope of the proposed activities and their effect on the watershed or scenic resources protected under the provisions of this section; provided, however, that any environmental impact statement filed with any state or federal agency shall be sufficient information with respect to such activity for purposes of complying with this section. The hearing authority shall hold a public hearing on the proposed activity within twenty-one days of receipt of such notice, and shall give notice of such hearing at the expense of the applicant at least five days prior thereto by publication in a newspaper of general circulation in the city or town where the activity is proposed and mailing by certified mail a copy of the published notice to the applicant, to the board of health, and to the planning board of said city or town, if any.

Within twenty-one days after the hearing, the hearing authority shall issue a written order which may impose on the proposed activity such reasonable conditions as may be necessary to protect watershed resources or natural scenic qualities against any significant adverse effect because of the pollution or diminution of ground or surface water supply, public or private; erosion; flooding; substantial changes in topographic features or substantial destruction of vegetation. The order shall be signed by a majority of the hearing authority and a copy thereof shall be sent by certified mail to the applicant, to the owner if other than the applicant, and to the department of environmental management. The order shall be posted within one day of its issuance in the hearing authority's customary place of general public notice.

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 is to be conducted, or any ten residents of the city or town where such land is located may request the department to determine if other reasonable conditions should be imposed, or if such conditions should be modified in

order to protect against a significant adverse effect on watershed resources or natural scenic qualities, or if conditions can be modified or eliminated without any loss of protection against any significant adverse effect on watershed resources or scenic qualities. Such request may also 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 owner and applicant, to the owner and to the applicant. Upon receiving a copy of such request, the hearing authority shall within seven days forward the file on the matter to the department. Within ten days after receipt of such file, the department shall notify the applicant if the application is not in the proper form or is lacking information necessary to make the determination. Within twenty-one days after receipt of such request, the department shall make the determination requested and shall issue a written order, signed by the commissioner, imposing such reasonable conditions as may be necessary to protect the resources described herein, or modifying or eliminating conditions that may reasonably be so changed without any loss of protection of the resources described herein; provided, however, that if within such time the department finds the matter is of such size or complexity that additional time is needed, such twenty-one day period may by order be extended up to an additional sixty days. Any order of the department shall supersede any prior order of the hearing authority and all work shall be done in accordance therewith. A copy of the order shall be sent by certified mail to the applicant, to the owner, to the hearing authority, and to the party who requested the order if not the applicant. Any action by the department under this section shall not be considered an action subject to the provisions of sections sixty-one and sixty-two of chapter thirty.

If the applicant is not notified of a request of the department within fourteen days after the issuance of an order by the hearing authority, or upon the issuance of an order by the department, said applicant may conduct any regulated activities in accordance with the terms of the order, issued by the hearing authority.

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.

Any order issued under the provisions of this section may be recorded in the registry of deeds for the district in which the land lies, and, upon completion of the activity in compliance with the order, the applicant may obtain a certificate of compliance from the agency which issued the order which may be recorded in like manner.

Any person except a bona fide purchaser for value without notice who purchases or otherwise acquires 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 commence the proposed activity within one year following the date of issuance of an order, and thereafter prosecute diligently such activity to completion, such inaction shall constitute an abandonment of the project and the hearing authority, after reasonable notice to the applicant, may revoke the order. 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, and the commissioner, and 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 seven 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 shall be enforced by officers of the executive office of environmental affairs.

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 of this chapter.

This section shall not apply to any activity which is 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, or to the maintenance, repair, reconstruction, replacement, enlargement which is not of a substantial nature, or change in use of any lawfully located and constructed structure, nor 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, nor to the construction or maintenance of any electric distribution facilities required to serve a building or structure whose construction has been approved hereunder.

SECTION 1A. Sections two hundred and thirty-two, two hundred and thirty-three, two hundred and thirty-four, two hundred and thirty-five and two hundred and thirty-six of chapter seven hundred and six of the acts of nineteen hundred and seventy-five are hereby repealed.

SECTION 2. Section two of chapter eight hundred and forty-two of the acts of nineteen hundred and seventy-four, as amended by section three hundred and eleven of said chapter seven hundred and six, is hereby repealed.

SECTION 3. Section four of said chapter eight hundred and forty-two is hereby repealed.

SECTION 4. Section thirty-nine A of chapter one hundred and thirty-one of the General Laws, as amended by section one of this act, shall not apply to any structure with respect to which construction was substantially commenced or for which permits, variances, approvals, including subdivision approvals pursuant to sections eighty-one K to eighty-one GG, inclusive, of chapter

forty-one of the General Laws, have been granted prior to the effective date of this act with respect to land within a mountain region.

SECTION 5. If any of 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, 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.

Approved July 13, 1977.

EMERGENCY LETTER — July 20, 1977 @ 10:52 A. M.

Chap. 419. AN ACT RELATIVE TO THE OPERATION OF BICYCLES ON COMMERCIAL STREET, A PUBLIC WAY WITHIN THE TOWN OF PROVINCETOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section eleven B of chapter eighty-five of the General Laws or any other law to the contrary, the town of Provincetown is hereby authorized to adopt rules providing for the operation of bicycle traffic on Commercial street in said town relative to the direction of travel and passing on said street.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at its next annual or special town meeting in the form of the following question, which shall be placed on the official ballot to be used at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act relative to the operation of bicycles on Commercial Street, a public way within the town of Provincetown', 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 July 13, 1977.

Chap. 420. AN ACT FURTHER REGULATING THE SOUTH ESSEX SOLID WASTE DISPOSAL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 770 of the acts of 1975 is hereby amended by striking out sections 1 and 2 and inserting in place thereof the following two sections:-

Section 1. In order to eliminate the nuisances attendant upon the disposal of solid waste in the cities and the towns who are members in good standing of the Southern Essex Solid Waste Council there is hereby created a body politic and corporate to be known as the South Essex Solid Waste Disposal District, hereinafter called the district. Members in good standing, hereinafter referred to as Southern Essex Solid Waste Council member municipalities, shall mean all cities and towns who on the effective date of this act have paid all outstanding per capita assessments for the Southern Essex Solid Waste Council for support of the administrative and professional services related to the structuring of a workable solid waste management program to be implemented by the district. The director of the Southern Essex Solid Waste Council shall file with the state secretary a certificate noting the members in good standing of the Southern Essex Solid Waste Council on the effective date of this act as provided herein. The district shall be composed of the cities and towns which accept the provisions of this act as herein provided.

The district is hereby constituted a public instrumentality; and the performance by it of the duties imposed and the exercise by it of the powers conferred by this act shall be deemed and held to be the performances of essential governmental functions. The district shall be deemed to be an instrumentality within the meaning of chapter one hundred and eighteen C of the General Laws. Chapter thirty-one of the General Laws and rules and regulations made thereunder shall not apply to any officer, agent or employee of the district.

Section 2. Any of the Southern Essex Solid Waste Council member municipalities whether contiguous or noncontiguous, shall become a member of the district, provided that it accepts the provisions of this act prior to December thirty-first, nineteen hundred and seventy-seven by a vote of a town meeting in a town or by a vote of the city council in a city, and provided further, that such vote of acceptance specifies the minimum number of tons of solid waste per year for the processing of which such city or town will be obligated to pay, whether such amount is delivered or not. Any city or town accepting the provisions of this act which certifies less than five-tenths of one ton per inhabitant of such city or town per year according to the most recent federal or state census shall, if so voted by said council, pay an additional charge, in an amount to be determined by said council, not to exceed ten per cent of the then current service charge per ton, for each ton of waste delivered in any year in excess of the tonnage certified; provided, however, that any city or town may deliver

in the first full year of operation of a district facility one hundred and ten per cent of the minimum amount of waste certified by it, and in each year thereafter, one hundred and one per cent of the amount of waste delivered by it in the next prior year without being subject to such additional charge. The vote of acceptance of this act and the amount of tons certified by each city and town shall be certified to the state secretary by the town clerk or city clerk, as the case may be, forthwith after the acceptance of this act. By the procedure set forth above, any other municipality in Essex, Middlesex or Suffolk county, except the city of Boston, may become a member of the district prior to December thirty-first, nineteen hundred and seventy-seven; provided, that no such other municipality may be admitted to membership during such period after the state secretary has received certification from any such other municipality which, when added to previously received certifications from such other municipalities, exceeds an amount of waste which is equal to two hundred and seventy-five thousand tons per year minus an amount equal to five-tenths of one ton per year multiplied by the population of the Southern Essex Solid Waste Council member municipalities according to the most recent federal or state census.

After December thirty-first, nineteen hundred and seventy-seven any municipality in either of the two categories named above may become a member of the district under the procedures set forth above provided that no municipality may be admitted to the district after the state secretary has received certification from a municipality which when added to all previously received certifications of municipalities makes the total tonnage so certified in excess of two hundred and seventy-five thousand tons per year. When the state secretary shall have received certifications from cities and towns certifying at least two hundred and seventy-five thousand tons per year, said state secretary shall issue a certificate of organization to the district stating the member cities and towns and the tonnage certified by each such member which certificate shall be conclusive as to the lawful and valid creation of the district. Thereafter no municipality may be admitted as a member of the district unless admitted by a vote of said council. If a certificate of organization is not issued before January second, nineteen hundred and eighty, then this act shall become void.

SECTION 2. Clause (t) of section 6 of said chapter 770 is hereby amended by striking out, in line 5, the word "ten" and inserting in place thereof the word:- twenty.

SECTION 3. Clause (u) of said section 6 of said chapter 770 is hereby amended by inserting after the word “reconstructing”, in line 2, the words:- sanitary landfills and improvements thereto,.

SECTION 4. Said section 6 of said chapter 770 is hereby further amended by adding the following clause:-

(v). To credit or refund (i) to the member cities and towns of the Southern Essex Solid Waste Council who are members of the district, monies for planning and administrative costs of said council paid by such member municipalities and incurred prior to the formation of the district, such credit or refund to be made from revenues provided for in subsection (t), and (ii) to the member municipalities of the district, monies received as provided for in clauses (c) and (f), such credits or refunds to be distributed in accordance with the per cent usage of the facility in total tons delivered by district members calculated at the end of each month of any calendar year, and (iii) to the member municipalities of the district, monies received as provided for in clause (t), such credits or refunds to be distributed in accordance with the per cent usage of the facility in total tons calculated at the end of each month of any calendar year, provided, however, that all claims under (i) above shall have been paid.

SECTION 5. The second paragraph of section 9 of said chapter 770 is hereby amended by inserting after the word “hereof”, in line 20, the words:- ; provided, that the district shall grant a temporary or permanent reduction of or credit to the minimum commitment of any or all member cities and towns for any period during which the actual waste delivered to any facility exceeds the aggregate of the minimum commitments of all such member cities and towns. Any obligation of any city or town which has become a member of the district or which has contracted with the district to receive disposal services to pay for services provided by a private operator, including the obligation to pay for a minimum amount of tonnage as provided in this section, shall, unless otherwise provided in the contract between the district and such private operator, be absolute and unconditional so long as such services are provided, and the city or town treasurer shall pay to the district or the private operator, as the case may be, the amounts billed for such services or minimum tonnage at the times specified by vote of said council or in the contract between the district and the private operator.

SECTION 6. Section 14 of said chapter 770 is hereby amended by inserting after the word “filling”, in line 7, the words:- preparation improvement,.

SECTION 7. Section 16 of said chapter 770 is hereby amended by striking out the first and second sentences and inserting in place thereof the following two sentences:- In order to accomplish any of the purposes set forth in section six, including the acquisition or construction of solid waste disposal facilities for lease or license to private operators or the making of loans to private parties for the cost of such facilities, the district may from time to time issue revenue bonds and notes in anticipation of such bonds. Loans to private parties for the cost of facilities may be made to refinance prior debt incurred or internal advances made by such private party for such cost, and the cost of a facility may include reimbursement to such private party for expenditures made for the facility prior to the time of the loan by the district.

Approved July 13, 1977.

Chap. 421. AN ACT ALLOWING TOWNS TO CONTRACT FOR MAINTENANCE SERVICES FOR SCHOOL PROPERTY FOR PERIODS NOT EXCEEDING THREE YEARS.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by adding the following paragraph:-

For the maintenance of grounds and snow removal on school properties for periods not exceeding three years.

Approved July 13, 1977.

Chap. 422. AN ACT RELATIVE TO THE TAXATION OF THE COMMON LANDS WITHIN A CLUSTER DEVELOPMENT.

Be it enacted, etc., as follows:

The first sentence of section 11 of chapter 59 of the General Laws, as appearing in chapter 175 of the acts of 1939, is hereby amended by inserting after the word "person", in line 17, the words:- ; and provided, further, that in cluster developments or planned unit developments, as defined in section nine of chapter forty A, the assessment of taxes on the commonland, so called, the beneficial interest in which is owned by the owners of lots or residential units within the plot, may be included as an additional assessment to each individual lot owner in the cluster if authorized in writing by the commissioner and in such manner as prescribed by him.

Approved July 13, 1977.

Chap. 423. AN ACT RELATIVE TO THE SALARIES OF CLERKS AND ASSISTANT CLERKS OF SUPERIOR COURTS.

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, as amended by section 1 of chapter 726 of the acts of 1974, and inserting in place thereof the following two subdivisions:-

**Superior Court for Criminal Business
in the County of Suffolk**

Clerk.- The sum of twenty-seven thousand nine hundred and ninety-nine dollars.

First Assistant Clerk (so designated by the clerk).- The sum of twenty-two thousand five hundred and sixty-nine dollars and twenty cents.

Second Assistant Clerk (so designated by the clerk).- The sum of twenty-one thousand two hundred and eleven dollars and seventy-five cents.

All other Assistant Clerks.- The sum of nineteen thousand eight hundred and fifty-four dollars and thirty cents.

**Superior Court for Civil Business
in the County of Suffolk**

Clerk.- The sum of twenty-seven thousand nine hundred and ninety-nine dollars.

First Assistant Clerk (so designated by the justices of said court).- The sum of twenty-two thousand five hundred and sixty-nine dollars and twenty cents.

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).- The sum of twenty-two thousand five hundred and sixty-nine dollars and twenty cents, of which the sum of two thousand five hundred dollars shall be paid by the commonwealth.

All other Assistant Clerks.- The sum of nineteen thousand eight hundred and fifty-four dollars and thirty cents.

In all counties, the salaries of the clerks of courts shall be as follows:-

Middlesex.

Clerk.- The sum of twenty-seven thousand nine hundred and ninety-nine dollars.

First Assistant Clerk.- The sum of twenty-two thousand five hundred and sixty-nine dollars and twenty cents.

Second Assistant Clerk.- The sum of twenty-one thousand two hundred and eleven dollars and seventy-five cents.

All other Assistant Clerks.- The sum of nineteen thousand eight hundred and fifty-four dollars and thirty cents.

Essex, Worcester and Norfolk.

Clerk.- The sum of twenty-six thousand two hundred and two dollars.

First Assistant Clerk.- The sum of twenty-one thousand one hundred and thirty-one dollars and sixty cents.

Second Assistant Clerk.- The sum of nineteen thousand eight hundred and sixty-four dollars.

All other Assistant Clerks.- The sum of eighteen thousand five hundred and ninety-six dollars and forty cents.

Hampden and Bristol.

Clerk.- The sum of twenty-four thousand three hundred and ninety-six dollars.

First Assistant Clerk.- The sum of nineteen thousand six hundred and eighty-six dollars and eighty cents.

Second Assistant Clerk.- The sum of eighteen thousand five hundred and nine dollars and fifty cents.

All other Assistant Clerks.- The sum of seventeen thousand three hundred and thirty-two dollars and twenty cents.

Plymouth.

Clerk.- The sum of twenty-three thousand nine hundred and eighty dollars.

First Assistant Clerk.- The sum of nineteen thousand three hundred and fifty-four dollars.

Second Assistant Clerk.- The sum of eighteen thousand one hundred and ninety-seven dollars and fifty cents.

All other Assistant Clerks.- The sum of seventeen thousand forty-one dollars.

Berkshire and Hampshire.

Clerk.- The sum of twenty-one thousand two hundred and ninety-three dollars.

First Assistant Clerk.- The sum of seventeen thousand two hundred and four dollars and forty cents.

Second Assistant Clerk.- The sum of sixteen thousand one hundred and eighty-two dollars and twenty-five cents.

All other Assistant Clerks.- The sum of fifteen thousand one hundred and sixty dollars and ten cents.

Barnstable and Franklin.

Clerk.- The sum of eighteen thousand nine hundred and fifty-seven dollars.

First Assistant Clerk.- The sum of fifteen thousand three hundred and thirty-five dollars and sixty cents.

Second Assistant Clerk.- The sum of fourteen thousand four hundred and thirty dollars and twenty-five cents.

All other Assistant Clerks.- The sum of thirteen thousand five hundred and twenty-four dollars and ninety cents.

Dukes and Nantucket.

Clerk.- The sum of nine thousand six hundred and eleven dollars.

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

Approved July 13, 1977.

Chap. 424. AN ACT RELATIVE TO CHANGING THE NAME OF THE NORTH ADAMS INDUSTRIAL DEVELOPMENT COMMISSION AND INCREASING THE MEMBERSHIP OF SAID COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 548 of the acts of 1953 is hereby amended by striking out, in line 2, the words "North Adams" and inserting in place thereof the words:- Northern Berkshire.

SECTION 2. Said section 1 of said chapter 548 is hereby further amended by striking out the second and third paragraphs, as amended by chapter 352 of the acts of 1973, and inserting in place thereof the following five paragraphs:-

The Northern Berkshire Industrial Development Commission shall consist of twelve persons: the president of the North Adams city council, or such member of the city council as may be designated by said president; four members to be appointed by the mayor of the city of North Adams, subject to approval by a majority vote of its city council; three members to be appointed by the selectmen of the town of Adams; two members to be appointed by the selectmen of the town of Williamstown; one member to be appointed by the selectmen of the town of Clarksburg; and one member to be appointed by the selectmen of the town of Florida. All terms except that of the president of the North Adams city council, or designee, shall be for three years.

Commissioners in office on the effective date of this act shall continue until their terms expire. Vacancies in the commission caused by any reason shall be filled by appointment by the mayor of the city of North Adams, or by the selectmen of the towns, as the case may be, for the unexpired term.

For the purpose of covering operating expenses, including advertising, travel and related costs, the commission may establish a per capita assessment to all member communities based on the most recent state or federal census. In no case shall the per capita assessment exceed one dollar and fifty cents per resident except by a vote of the majority in attendance at the annual town meeting in the case of the towns and by a majority of the city council in the case of North Adams. Said per capita assessment shall be established by January thirty-first of each year for the fiscal year beginning the following July first.

Payments shall be made quarterly in July, October, January and April.

The member towns may withdraw from the Northern Berkshire Industrial Development Commission at any time through a resolution by the selectmen notifying the Northern Berkshire Industrial Development Commission to that effect prior to January first of any year, to be effective June thirtieth of said year and confirmed by a vote of the town at the annual town meeting. The city of North Adams may withdraw from the Northern Berkshire Industrial Development Commission at any time through a resolution by the city council and approved by the mayor, notifying the Northern Berkshire Industrial Development Commission to that effect prior to January first of any year, to be effective June thirtieth of said year.

At the annual meeting the commission shall elect a chairman, a vice chairman, a secretary and a treasurer and such other officers as it may deem necessary and desirable. The terms of the chairman and other officers shall be one year or until their successors shall be elected. There shall be an executive committee which shall consist of the chairman, vice chairman, secretary, treasurer and one other member of the commission who shall be elected at the same meeting at which the chairman, vice chairman, secretary and treasurer are elected. Six members of the full commission shall constitute a quorum for the transaction of business. Between meetings of the full commission the business of the commission shall be performed and questions of policy shall be determined by the executive committee. Vacancies in the office of chairman, or other office, if any, shall be filled by the full commission at its next meeting, and the person elected shall serve

until the next annual meeting of the commission, which annual meeting shall be in May of each year. Meetings of the full commission shall be fixed by the by-laws of the commission, but there shall be at least four meetings of the full commission within each fiscal year.

SECTION 3. Section 2 of said chapter 548 is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:- The Northern Berkshire Industrial Development Commission, hereinafter called the commission, shall become familiar with and study the problems of northern Berkshire county. It shall do whatever is within its power to maintain the industries where it is possible to do so, and for the purpose of maintaining the industries already located in said northern Berkshire county, and in order to diversify its industries and to invite and attract additional industries to said northern Berkshire county, the commission shall have the power and authority to cause buildings to be erected or otherwise provided for the housing of said industries.

SECTION 3A. Said section 2 of said chapter 548 is hereby further amended by striking out subsection:- (a) and inserting in place thereof the following subsection:-

(a) To make studies, surveys and plans of existing buildings and factory space in northern Berkshire county, to determine what resources are presently available for housing the present industries and the additional ones which may be brought to northern Berkshire county, and to arrange for and to acquire additional buildings, factories and other space for housing such new industries as may be arranged for by the Northern Berkshire Industrial Development Commission.

SECTION 4. Clause (f) of said section 2 of said chapter 548 is hereby amended by striking out, in line 7, the words "North Adams" and inserting in place thereof the words:- Northern Berkshire.

SECTION 5. This act shall take effect for the city of North Adams upon acceptance by vote of the city council of said city, and shall take effect in the towns of Adams, Williamstown, Clarksburg and Florida upon its acceptance by vote of an annual or special town meeting in the respective towns; provided, however, that said act shall be null and void unless accepted by both the city of North Adams and the town of Adams.

Approved July 13, 1977.

Chap. 425. AN ACT AUTHORIZING CITIES AND TOWNS TO REIMBURSE CERTAIN EMPLOYEES FOR CERTAIN PERSONAL PROPERTY LOSS OR DAMAGE.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (70), added by section 1 of chapter 232 of the acts of 1977, the following clause:-

(71) For the purpose of reimbursing an employee of a city or town for the loss or damage to personal property owned by said employee while it is in the care, custody or control of such city or town, to an amount of not less than one thousand dollars in value or more than two thousand dollars in value.

Approved July 13, 1977.

Chap. 426. AN ACT ALLOWING VOTERS TO VOTE BY ABSENT VOTING BALLOT IF THEY ARE UNABLE TO CAST THEIR VOTE IN PERSON ON THE DAY OF AN ELECTION FOR REASONS OF RELIGIOUS BELIEFS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide absent voting ballots for certain persons unable to vote for religious reasons, therefore, 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 86 of chapter 54 of the General Laws, as most recently amended by chapter 719 of the acts of 1975, is hereby further amended by striking out the first sentence and inserting the following sentence:- Any voter who during the hours that polling places are open on the day of a special state election or the biennial state election or of any special or regular state primary or of a presidential primary is absent from the city or town where he is a voter by reason of his employment in another community or for any other reason or who will be unable to by reason of physical disability to cast his vote in person at the polling place or who for reasons of religious belief will be unable to cast his vote in person on the day of an election and whose application for an official absent voting ballot has been filed with the city or town clerk as provided in section eighty-nine, or with the state secretary, and certified under section ninety-one, may vote in accordance with sections eighty-seven to one hundred and three, inclusive; provided, that a voter who is in a penal institution under sentence

shall not be entitled or permitted to avail himself of the provisions of this and the seventeen following sections; and provided, further, that a voter who will be unable by reason of temporary physical disability to cast his vote in person at the polling place shall file with the city or town clerk an application attesting to that fact under the pains and penalties of perjury as provided in subsection (b) of section eighty-seven.

Approved July 15, 1977.

Chap. 427. AN ACT RELATIVE TO THE MOVEMENT OF CERTAIN VEHICLES OVER THE WAYS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit those agencies responsible for the administration and enforcement of certain provisions of the General Laws as they relate to mobile construction cranes to have additional time in which to prepare for their implementation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The effect and imposition of the fines and penalties relative to the gross vehicles weight limitations imposed by sections thirty A and thirty-two of chapter eighty-five and sections nineteen A, nineteen D and twenty of chapter ninety of the General Laws as they relate to mobile construction cranes, are hereby suspended until June thirtieth, nineteen hundred and seventy-eight.

SECTION 2. The provisions of this act shall take effect as of January first, nineteen hundred and seventy-seven.

Approved July 15, 1977.

Chap. 428. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF JOHN CARVER DAY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the observance of John Carver Day on the fourth Sunday in June, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15GG, inserted by chapter 265 of the acts of 1977, the following section:-

Section 15HH. The governor shall annually issue a proclamation setting apart the fourth Sunday in June as John Carver Day in memory of John Carver, the first Governor of the Plymouth Colony and recommending that said day be observed in an appropriate manner by the people.

Approved July 15, 1977.

Chap. 429. AN ACT FURTHER REGULATING 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 insure the continued conformity of the consumer credit laws of the commonwealth 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 10 of chapter 140C of the General Laws is hereby amended by inserting after subsection (g), as appearing in section 11 of chapter 592 of the acts of 1975, the following subsection:-

(h) There shall be no liability under this chapter or chapter ninety-three A for any failure to comply with any requirement imposed under this chapter or under any rule, regulation or advisory ruling issued pursuant to this chapter, if within fifteen days after discovering an error, and prior to the institution of an action under this section or the receipt of a written notice of error, the creditor notifies the person concerned of the error and makes whatever adjustments in the appropriate account are necessary to insure that the person will not be required to pay a charge in excess of the amount or percentage rate actually disclosed.

Approved July 15, 1977.

Chap. 430. AN ACT VALIDATING THE ACTION TAKEN BY THE TOWN OF HUDSON IN AUTHORIZING THE USE OF CERTAIN CEMETERY LAND IN SAID TOWN FOR HIGHWAY PURPOSES AND THE CONVEYANCE OF CERTAIN PORTIONS OF SAID LAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Hudson, by a two-thirds vote as defined in section one of chapter forty-four of the General Laws, and with the approval of the board of selectmen, is hereby authorized to abandon the use of certain portions of the southernmost part of Forestvale cemetery for cemetery purposes, and to use the same directly for the location and relocation of Reed road, a public way, and indirectly for the same purpose by the conveyance of certain portions thereof to private persons, all as set forth in Article 36 in the warrant for the annual town meeting held in May, nineteen hundred and seventy-seven, and in the plan for the relocation of Reed road referred to in said Article.

SECTION 2. Any action taken pursuant to section one is hereby validated and is effective as though said section were in effect at the time of the posting of the warrant of the annual town meeting of the town of Hudson held in May, nineteen hundred and seventy-seven.

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

Approved July 15, 1977.

Chap. 431. AN ACT REQUIRING APPEALS OF JUVENILES ADJUDGED DELINQUENTS IN THE DISTRICT COURTS OF SUFFOLK COUNTY TO BE HEARD BY THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

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

SECTION 2. The second paragraph of section 56 of chapter 119 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 336 of the acts of 1971, and inserting in place thereof the following sentence:- Any child adjudged a delinquent in any district court in Suffolk county or in the Boston Juvenile Court, shall appeal to the Boston Juvenile Court and claim a jury of twelve in said court, if he so desires.

Approved July 15, 1977.

Chap. 432. 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-eight 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 July 15, 1977.

Chap. 433. AN ACT EXTENDING THE PROVISIONS FOR TEMPORARY SERVICE BY CERTAIN RETIRED JUDGES OF THE SUPERIOR AND PROBATE COURTS.

Be it enacted, etc., as follows:

SECTION 1. SECTION 65E OF CHAPTER 32 OF THE GENERAL LAWS IS HEREBY AMENDED BY STRIKING OUT PARAGRAPH (c), as amended by section 1 of chapter 864 of the acts of 1975, and inserting in place thereof the following paragraph:-

(c) A retired judge whose name has been placed on the list of retired judges shall be eligible for a term of not more than two years to perform judicial duties as provided in section three A of chapter two hundred and seventeen; provided, that he likewise shall be eligible to perform judicial duties for one succeeding two-year term upon his request, with the reapproval of the governor by and with the advice and consent of the council.

SECTION 2. Said chapter 32 is hereby further amended by striking out section 65E, inserted by section 1 of chapter 861 of the acts of 1975, and inserting in place thereof the following section:-

Section 65F. (a) A chief justice or any associate justice of the superior court, who is retired from his office may notify the governor in writing that he wishes his name to be placed upon the list of retired justices of the superior court. The governor, by and with the advice and consent of the council, may place the

name of any such chief justice or associate justice on the list of retired justices of the superior court. With respect to those whose names have been placed on such list upon retirement, any retired chief justice or associate justice or any widow of such chief justice or associate justice shall be entitled to the same pension and all other benefits which he or his widow would have been entitled to receive if he had retired without his name having been placed on such list, notwithstanding any other law to the contrary, and a vacancy shall exist in the office theretofore occupied by such retired chief justice or associate justice.

(b) A retired chief justice or associate justice whose name has been placed on a list of retired justices or judges shall be eligible, for a term of not more than two years, to perform judicial duties of the office from which he retired; provided, that he likewise shall be eligible to perform judicial duties for one succeeding two-year term upon his request, with the reapproval of the governor by and with the advice and consent of the council.

(c) If such retired chief justice or associate justice no longer wishes to be eligible to perform judicial duties pursuant to section fourteen F of chapter two hundred and twelve, he may at any time after having his name placed upon a retired list resign his office, and thereafter he or his widow shall be, and continue to be, entitled to receive the same pension and all other benefits which he or his widow would have been entitled to receive if he had not had his name placed on such list, notwithstanding any other law to the contrary.

(d) A retired chief justice or associate justice, while eligible to perform judicial duties shall not engage in the practice of law directly or indirectly, and shall not hold any office which is incompatible with holding the office of chief justice or associate justice of the superior court of which he is on the retired list under the provisions of Article II of Chapter VI of Part the Second of the Constitution of the Commonwealth or of Article VIII of the Amendments thereto.

Approved July 15, 1977.

Chap. 434. AN ACT AUTHORIZING THE BOARD OF SEWER COMMISSIONERS OF THE TOWN OF HINGHAM TO ACT OUTSIDE THE HINGHAM NORTH SEWER DISTRICT FOR THE SOLE PURPOSE OF PREPARING A WASTEWATER MANAGEMENT PLAN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the power and authority granted in chapter eighty-

two of the acts of nineteen hundred and forty-six to a board of sewer commissioners of the town of Hingham and as extended under chapter four hundred and fifty-four of the acts of nineteen hundred and fifty-five is hereby further extended to authorize said board to act without the north sewer district of said town, as described in section two of chapter five hundred and ninety-one of the acts of nineteen hundred and forty-five for the limited purpose of devising a wastewater management plan for the entire town of Hingham, including authorization to apply for, solicit and accept any federal or state grant or grants, or advances as may be available in connection therewith.

Approved July 15, 1977.

Chap. 435. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO BORROW MONEY TO ALTER, REPAIR, RENOVATE AND EQUIP THE COUNTY SUPERIOR COURT HOUSE IN THE CITY OF NEWBURYPORT.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to raise and expend a sum not exceeding three hundred and seventy-five thousand dollars for such repairs, alterations, renovations, landscaping and equipping of the county superior court house in the city of Newburyport, as they deem necessary and proper, including plans and specifications and architect's fees and expenses connected therewith, and fire and smoke detectors and burglar alarms. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount to be expended hereunder.

SECTION 2. For the purposes of section one, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, three hundred and seventy-five thousand dollars and may issue bonds or notes of the county therefor, which shall bear on their face the words, Essex County Court House Loan, Superior Court House in Newburyport, Act of 1977. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the

county commissioners may deem proper, but not for less than par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved July 18, 1977.

Chap. 436. AN ACT ESTABLISHING THE BOSTON WATER AND SEWER COMMISSION AND DEFINING THE POWERS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that for the benefit of the people of the city of Boston, in order that there be an increase in their commerce, welfare and prosperity and an improvement in their living conditions it is essential that the city maintain a sound, economical and efficient water supply and distribution system and sanitary sewerage system; that it is essential that fees, rates and charges for water and sewerage service within the city be established on just and equitable standards and that all consumers, public and private, taxpayer and tax exempt, resident and commuter, pay their fair share of the costs of such services based on their actual use; that it is essential that the water and sewerage systems of the city be operated in a modern, efficient and financially self-sustaining manner in order to avoid the continued deterioration of the financial situation and physical condition of such systems; that it is essential to encourage conservation of increasingly scarce water sources, to provide for the improvement of the quality of water supplies and to protect the natural resources available to the people of the city; and that it is the purpose of this act to provide a means to the city for the improvement of its water and sewerage systems and to insure the continued availability of their services at fair but sufficient rates in order to accomplish the policies of this act, all to the public benefit and good, to the extent and manner provided herein.

This act may be referred to and cited as the "Boston Water and Sewer Reorganization Act of 1977".

SECTION 2. The following words as used in this act shall, unless the context otherwise requires, have the following meanings:

"Bonds" or "bond", bonds, notes and other evidences of indebtedness of the commission issued under the provisions of this act.

"City", the city of Boston.

“Commission”, the Boston Water and Sewer Commission created by section three of this act or, if said commission shall terminate as provided in section nineteen, the board, body or commission succeeding to the principal functions thereof or to whom the powers given by this act to the commission shall be given by law.

“Cost”, as applied to any extension, improvement or enlargement of the water works system or the sewerage works system or to any other project of the commission financed under the provisions of this act, all or any part of the cost of construction, acquisition, alteration, reconstruction and remodeling, including, without limiting the generality of the foregoing, all labor, materials, machinery and equipment, all lands, structures, real and personal property, rights, rights of way, water rights, air rights, franchises, easements and interests acquired or used by the commission in connection with such work, the cost of any demolitions or relocations necessary in connection therewith, financing charges, interest prior to, during and for a period after completion of such work, reserves for debt service and other capital and current expenses, the cost of removal or relocation of any public utilities facilities, the cost of architectural, engineering, financial and legal services, plans, specifications, appraisals, surveys, inspections, estimates of costs and revenues, and other expenses necessary or incident to determining the feasibility or practicality of such work, organizational, administrative, operating and other expenses prior to the commencement of and during such work, costs of equipment and supplies and advance training of operating personnel and other expense of completing such work and placing the same in operation, working capital, and such other expenses as may be necessary or incidental to the construction or acquisition of such work, the financing thereof and placing the same in operation.

“Current expenses”, the commission’s current expenses of maintaining, repairing and operating the water works system, the sewerage works system and any other properties of the commission, including, without limiting the generality of the foregoing, administrative, general and commercial expenses, wages, salaries, and other employee benefits, engineering expenses relating to operation and maintenance, legal, financial and auditing expenses, insurance and surety bond premiums, payments to pension, retirement, health and hospitalization funds including payments to the commonwealth, Boston retirement system as provided in section five, fees and expenses of trustees and paying agents, payments to the metropolitan district

commission on account of assessments payable by the commission pursuant to section six, payments to others for services rendered to the commission, taxes which may be lawfully imposed upon the commission or its income or operations or the property under its control, and other current expenses required to be paid by the commission under the provisions of this act or by agreement with the holders of its bonds.

“Revenues”, all revenues, rates, fees, charges, rents and other receipts derived from the operation of the water works system, the sewerage works system and all other properties of the commission; including, without limiting the generality of the foregoing, investment earnings and the proceeds of insurance, condemnation, sale or other disposition of properties.

“Sewerage works system”, the existing sewerage works system in the possession of and under the jurisdiction, ownership, control and regulation of the city and the department of public works thereof, including, without limiting the generality of the foregoing, all plants, works, instrumentalities or parts thereof, lands, easements, rights in land and water rights, rights of way, contract rights, franchises, and privileges, all main, trunk, intercepting, connecting, lateral, outlet and other sewers, outfalls, storm water sewers including catch basins and surface drains, pumping and ventilating stations, disposal and treatment plants or works, structures, equipment, vehicles, appliances, and other adjuncts thereto, and any other property, real or personal, incidental to and included in such sewerage works system, and all facilities, betterments, extensions, improvements and enlargements thereto hereafter constructed or acquired. No building or land used only partially for maintenance of the sewerage works system shall be included in the definition thereof unless transferred to the commission by the city acting by the mayor and city council.

“Water works system”, the existing water supply and distribution system in the possession of and under the jurisdiction, ownership, control and regulation of the city and the department of public works thereof, including, without limiting the generality of the foregoing, all plants, works, instrumentalities or parts thereof, lands, easements, rights in land, water and flowage rights, approaches, water courses, rights of way, contract rights, franchises and privileges, all connections, dams, wells, reservoirs, water mains and pipe lines, pumping and filtration plants and equipment, buildings, structures, vehicles, standpipes, tanks, conduits, meters, hydrants, fire connections, fixtures, purification, filtration and treatment works and other adjuncts

thereto, and any other property, real or personal, incidental to and included in such water supply and distribution system, and all facilities, betterments, extensions, improvements and enlargements thereto and to or for the water supply therefor hereafter constructed or acquired. No building or land used only partially for maintenance of the water works system shall be included in the definition thereof unless transferred to the commission by the city.

SECTION 3. There is hereby created a body politic and corporate and political subdivision of the commonwealth to be known as the Boston Water and Sewer Commission. The commission is hereby constituted a public instrumentality and the exercise by the commission of the powers conferred by this act shall be deemed and held to be the performance of an essential public function. The commission shall not be subject to the supervision of the department of public works of the city or of any other department, commission, board, bureau or agency of the city except to the extent and the manner provided in this act.

The commission shall have power to hold property, to sue and be sued and to prosecute and defend all actions relating to its property and affairs. The commission shall be liable for its debts and obligations, but the property of the commission other than revenues pledged to the payment of bonds shall not be subject to attachment nor levied upon by execution or otherwise. Process may be served upon the executive director of the commission or, in the absence of the executive director, upon any member of the commission.

Except as otherwise provided in this act, the powers of the commission shall be exercised by a board of three members, each of whom shall be, and shall remain during his incumbency as a member, a resident of the city and who shall be appointed by the mayor subject to the approval of the city council. Such members shall include one member with extensive experience in the field of administration or business and one member with extensive experience in the field of finance or accounting. The members first appointed shall serve in office for terms expiring, in the case of one such, on the first Monday in January following the next biennial municipal election at which a mayor is elected, in the case of another, one year thereafter, and in the case of the third, on the first Monday in January following the next biennial municipal election at which a mayor is not elected, the term of each member to be designated by the mayor at appointment. Thereafter, members shall be appointed for a term of four years, or in the case of an appointment made to fill a vacancy, for the

unexpired term, and until their successor is appointed and qualified; provided, however, that should a vacancy exist for a period of more than sixty days, or should the mayor fail to appoint a successor within ninety days after the term of a member expires, the city council shall proceed forthwith to elect a member. Such an election shall be deemed a vote electing an official. Any member of the commission shall be eligible for reappointment. Any member of the commission may be removed at any time by the mayor for cause but only after reasonable notice and a public hearing unless the same are in writing expressly waived. For the purposes of chapter two hundred sixty-eight A of the General Laws, the members of the commission shall be deemed to be special municipal employees.

No vacancy in the membership of the commission shall impair the right of a quorum to exercise the powers of the commission. A majority of the full membership of the commission shall constitute a quorum and the affirmative vote of such majority shall be necessary for any action taken by vote of the commission. Any such action shall take effect immediately unless otherwise provided and need not be published or posted. The members of the commission shall not be entitled to compensation for their services as such, but they shall be reimbursed for actual expenses necessarily incurred in the performance of their duties.

The mayor shall designate one of the members as chairman of the commission who shall serve as such chairman during his term of office as a member. Upon the expiration of the term of office of any such chairman, the mayor shall designate one of the members as chairman, who shall serve as such chairman during the remainder of his term as a member. The commission shall annually elect one of its members as vice-chairman.

The provisions of sections twenty-three A to twenty-three C, inclusive, of chapter thirty-nine of the General Laws shall apply to all meetings of the commission and section ten of chapter sixty-six relating to the availability of public records as defined in clause twenty-sixth of section seven of chapter four of the General Laws shall apply to the commission.

SECTION 4. The commission shall from time to time appoint, employ and determine the compensation, duties and conditions of employment of an executive director, a treasurer, a chief engineer and such other senior officers as the commission shall deem necessary, who shall not be members of the commission and who shall serve at the pleasure of the commission; provided, however, that the commission may bind itself by contract to employ the executive director, treasurer, chief engineer and not

more than two other senior officers but no such contract shall be for a period of more than five years. The executive director shall be the chief executive officer of the commission and shall administer and direct its affairs as authorized or approved by the commission and shall have such of the powers, and perform such of the duties, of the commission as the commission may from time to time have delegated to him and not recalled. The executive director shall be the secretary of the commission and shall be custodian of all books, documents and papers filed with the commission, the minute book or journal of the commission and its official seal. The executive director or any assistant executive director appointed by the commission may cause copies to be made of all minutes and other records and documents of the commission and may give certificates under its official seal to the effect that such copies are true copies, and all persons dealing with the commission may rely upon such certificates. The duties of the treasurer and chief engineer shall be those appertaining to such offices and in addition such as may from time to time be prescribed by the commission. Before the issuance of any bonds under the provisions of this act the executive director and the treasurer shall each execute a surety bond in the sum of one hundred thousand dollars payable to the commission, or in lieu thereof the chairman of the commission shall obtain a blanket position bond covering the executive director and the treasurer in the sum of one hundred thousand dollars, such surety bonds to be conditioned upon the faithful performance of the duties of their offices, to be executed by a surety company authorized to transact business in the commonwealth as surety and approved by the commission.

In addition to his other duties under this act or as determined by the commission, the executive director shall be a member ex officio of the metropolitan area planning council established under section twenty-four of chapter forty B of the General Laws and shall be a member ex officio of the public improvements commission of the city.

The executive director, with the approval or authorization of the commission, may from time to time appoint or employ legal counsel, financial advisors and such other experts, engineers, agents, officers, accountants, clerks, and other employees and personnel as he deems necessary and determine their duties. Expenditures for personnel as provided in this paragraph by the commission shall be limited to one hundred thousand dollars unless otherwise approved by the mayor and the city council. Except as otherwise provided in section five with respect to

employees of the department of public works of the city transferred to the commission, the officers, employees and other personnel of the commission shall be exempt from the operation of chapter thirty-one of the General Laws.

The commission shall have the authority to bargain collectively with labor organizations representing employees of the commission and to enter into agreements with such organizations relative to wages, salaries, hours, working conditions, health benefits, pension and retirement allowances, and the submission of grievances and disputes to arbitration. Chapter one hundred and fifty E of the General Laws shall apply to the commission, to the extent the provisions of the same are apt, and for purposes of said chapter, the commission shall be considered an "employer" or "public employer" as defined therein. The commission may designate the designated employer representative of the city as its designated representative to act in its interest in dealing with employees of the commission.

The commission shall operate on a January first through December thirty-first fiscal year unless otherwise provided by the commission.

The executive director and all other officers and employees of the commission shall, notwithstanding any other provision of law, be subject to any residency or voting registration requirement now or hereafter applicable to employees or officers of the city, to the same extent, and subject to the same rules, regulations, exceptions, and penalties as would apply to such employee or officer if employed by the city; provided, that any duty in regard to such a requirement that would in the case of a city employee or officer, fall on a city official, shall be performed by the officer or employee of the commission, having the same or similar duties as such city employee or officer, and provided that any exception granted by the commission shall be ineffective unless the mayor and city council shall concur.

SECTION 5. Upon the issuance of the notes of the commission authorized pursuant to section eight, the water works system and the sewerage works system as then existing, together with all contracts, books, maps, papers and records of whatever description pertaining to subjects or matters relating to the design, construction, operation and affairs of the water works system and the sewerage works system shall be assigned, transferred and dedicated to the use of and shall thereafter be in the ownership, custody and control of the commission without any physical delivery thereof and the commission is empowered to take possession thereof for its uses and purposes; and all debts, liabilities and

obligations of the city pertaining to or on account of the water works system and the sewerage works system, including the obligation of the city to pay the interest and principal requirements on all bonds, notes and other evidences of indebtedness issued by the city for purposes pertaining to the water works system and the sewerage works system outstanding on June thirtieth, nineteen hundred and seventy-seven, shall be assumed by and imposed upon the commission; provided that, all liabilities of the city in tort, whether actual or contingent, pertaining to the water works system or the sewerage works system and arising out of actions or events which occur prior to the transfer of the systems to the commission as provided in this section shall not be assumed by or imposed upon the commission but shall continue to be the liabilities of the city. Except as above provided, all actions and proceedings duly pending before, all actions and proceedings duly pending against, and all actions and proceedings duly begun by the city or the department of public works thereof and pertaining to the water works system or the sewerage works system shall continue unabated and remain in full force and effect notwithstanding the passage of this act and the transfer of the water works system and the sewerage works system contemplated hereby and may, at the discretion of the court, commission, board or other body having jurisdiction, be completed before, against or by the commission. All orders, rules, regulations and ordinances duly promulgated by the city or the department of public works thereof pertaining to the water works system or the sewerage works system shall remain in full force and effect to the extent consistent with this act until superseded, revised or rescinded by the commission. All contracts, including collective bargaining agreements, leases, obligations and rights of the city and the department of public works thereof pertaining to the water works system and the sewerage works system shall continue in full force and effect in accordance with law and shall be transferred to, assumed by and imposed upon the commission by operation of law. Without limiting the generality of the foregoing, the liability of the city for the payment of assessments payable to the commonwealth pursuant to sections five through eight, inclusive, and section twenty-six of chapter ninety-two of the General Laws on account of water and sewerage service provided to the city by the metropolitan district commission for the calendar year ended December thirty-first, nineteen hundred and seventy-six and for any calendar year or part thereof thereafter shall be assumed by and imposed upon the commission. Notwithstanding the forego-

ing, no debts, obligations or liabilities of the city shall be assumed by and imposed upon the commission to the extent such debts, obligations or liabilities are considered by the auditor of the city in determining the deficit in the city water and sewer receipts accounts in accordance with the third paragraph of section eight.

Upon the issuance of the notes of the commission authorized pursuant to section eight, all unexpended balances of moneys in accounts of, for or on behalf of the city and the department of public works thereof, including accounts receivable and tax title accounts, pertaining to the water works system and the sewerage works system, including moneys and investments, if any, held for the payment of interest and principal of then outstanding bonds, notes and other evidences of indebtedness of the city as provided in this section, shall be deemed to be held in trust for and shall be transferred to the commission. Subsequent to such date, all moneys collected or received by the city from any source on account of the water works system and sewerage works system, including all rates, fees, charges, rents and other income derived from the operation thereof regardless of the date of assessment or billing of such rates, fees, charges or rents, shall be deemed to be held in trust for and shall be forthwith transferred and paid over to the commission; provided that all liens held by the city on such date for betterments to the water works system or the sewerage works system and all payments theretofore or thereafter received by the city on account of assessments for such betterments shall continue to be held by and be payable to the city and shall not be transferred to the commission. From the date the commission takes possession of the water works system and the sewerage works system until December thirty-first, nineteen hundred and seventy-seven, the commission may contract with the city acting by its collector-treasurer for the collection, administration, data processing and enforcement of all revenue payable to the commission under this act. Unless otherwise provided in such contract, the collector-treasurer of the city shall bill the commission for the current expenses of the city incurred in such collection, administration and enforcement; provided that the total of all such current expenses charged under such contract shall not exceed eight hundred twenty-five thousand dollars without the approval of the commission. All current expenses in excess of such amount and not approved by the commission shall be borne by the city.

From the date the commission takes possession of the water works system and the sewerage works system until December thirty-first, nineteen hundred and seventy-seven, the department

of public works of the city, including specifically the water and sewer divisions therein, shall continue to exercise supervision, at the direction of the commission, over the maintenance, repair and operation of the water works system and the sewerage works system and the employees of said department and divisions whose work is primarily related to such systems shall continue to perform the same duties and shall have all rights and privileges existing prior to such transfer. The commissioner of public works of the city shall continue to have supervision, at the direction of the commission, of such employees, who during such period shall be employees of the city, and shall continue to exercise control, at the direction of the commission, over the management and operations of the water works system and sewerage works system; provided, however, that said commissioner shall have no power to appoint or employ any person to or for a position, or transfer any employee to or from any position, classified under chapter thirty-one of the General Laws or under any other provision of law, general or special, as a position directly related to the work of the systems, or enter into any contracts relating to the systems or sell or transfer any property classified on the effective date of this act as property of the systems or otherwise obligate the commission to any person or governmental entity, without the express written consent of the executive director of the commission.

Unless otherwise agreed upon between the commission and the collector-treasurer of the city, the collector-treasurer shall bill the commission for the current expenses of the city and the department of public works thereof directly related to the operation and management of the water works system and the sewerage works system during the period herein provided; provided that the total of all such current expenses charged to the commission shall not exceed four million dollars without the approval of the commission. All current expenses in excess of such amount and not approved by the commission shall be borne by the city.

Effective January first, nineteen hundred and seventy-eight, the water and sewer divisions in the department of public works of the city are hereby abolished. Upon such date, the employees of said divisions whose work is primarily related to the water works system or the sewerage works system shall be transferred to the commission. All such employees who immediately prior to such date hold positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of the provisions of any general or special law, shall be transferred to a similar office or position under the commission; and by such

transfer, their rights under the provisions of chapter thirty-one of the General Laws and their rights, seniority, wages, salaries, hours, working conditions, health benefits, pensions and retirement allowances shall not be impaired and their term of office shall not be deemed to be interrupted within the meaning of said chapter thirty-one, notwithstanding any change in title or duties; provided that no permanent employee shall be involuntarily separated from his office or position except subject to and in accordance with sections forty-three and forty-five of said chapter thirty-one and provided, further, that such employees shall exercise all powers and perform all duties so transferred subject to the direction, control and supervision of the commission.

A veteran, as defined in section twenty-one of chapter thirty-one, who holds an office or position in the service of the city not classified under said chapter thirty-one and who is transferred to the commission in accordance with this section, and has held such office or position with the city or the commission for not less than three years, shall not be involuntarily separated from such office or position by the commission except subject to and in accordance with the provisions of sections forty-three and forty-five of said chapter thirty-one to the same extent as if said office or position were classified under said chapter. If the separation in the case of such unclassified offices or positions results from lack of work or lack of money, such a veteran shall not be separated from his office or position while similar offices or positions in the same group or grade, as defined in section forty-five of chapter thirty, exist unless all such offices or positions are held by such veterans, in which case such separation shall occur in the inverse order of their respective original appointments.

Every employee who immediately prior to being transferred to the commission by this section is a member of the commonwealth or Boston retirement system established under chapter thirty-two of the General Laws and chapter five hundred and twenty of the acts of nineteen hundred and forty-seven as amended, or predecessor retirement systems thereto, shall continue to be a member thereof and subject to the laws applicable thereto. All other employees of the commission shall be required to become members of the commonwealth or the Boston retirement system in the same manner and subject to the same laws, rules and regulations as persons entering the employ of the city. The commission shall deduct from the wages of its employees and pay over to the Boston retirement board such sums as the city would deduct and pay over if such person were an employee of the city.

The commission shall reimburse the city for its proportionate share of any amounts expended by the city under the provisions of chapter thirty-two of the General Laws for retirement allowances to or on account of employees of the commission.

SECTION 6. The commission shall have all the rights and powers necessary or convenient to carry out and effectuate the purposes and provisions of this act, including, but without limiting the generality of the foregoing, the rights and powers:

(a) to adopt by-laws for the regulation of the affairs and the conduct of its business, and to prescribe rules, regulations and policies in connection with the performance of its functions and duties;

(b) to adopt an official seal and alter the same at pleasure;

(c) to maintain an office at such place or places as it may determine;

(d) to receive, administer, expend and comply with the conditions and requirements respecting any gift, grant, donation or appropriation of any property or money;

(e) to acquire by purchase, lease, gift or devise, or to obtain options for the acquisition of, any water or water rights and any other property, real or personal, improved or unimproved, tangible or intangible, within the city, including any interest in land less than the fee thereof;

(f) to sell at public sale, lease, mortgage, exchange, transfer or otherwise dispose of, or to grant options for any such purposes with respect to, any water, water rights, real or personal property or interest therein; provided that prior to the sale or other disposition of any real or personal property or interest therein, the commission shall give not less than thirty days' written notice to the department of public works of the city specifying the property to be sold and the terms of such sale and shall afford the city an opportunity to purchase such property at such price deemed reasonable by the commission;

(g) to enter onto any land within the city to make surveys, borings, soundings and examinations thereon, provided that said commission shall make reimbursements for any injury or actual damage resulting to such lands and premises caused by any act of its authorized agents or employees and shall far as possible restore such lands to the same condition as prior to the making of such surveys, borings, soundings and examinations; and to acquire in the name of the commission by the exercise of the power of eminent domain in accordance with the provisions of chapter seventy-nine and chapter eighty A of the General Laws or any alternative method now or thereafter provided by general law,

insofar as such provisions may be applicable to public corporations or authorities, any property or interests therein within the city; provided the commission shall not acquire any property by the exercise of the power of eminent domain without the prior approval of the city council and mayor of the city; and provided, further, that before a taking is made or injury inflicted by the commission for which damages may be recovered under chapters seventy-nine or eighty A of the General Laws, the commission shall file with the collector-treasurer of the city security to the satisfaction of the collector-treasurer for the payment of all damages and costs which may be awarded for the property taken or damaged; and if, upon petition of the owner and notice to the commission, any security taken appears to the collector-treasurer to have become insufficient, the collector-treasurer shall require the commission to give further security to the satisfaction of the collector-treasurer.

(h) to exercise the powers and privileges of, and to be subject to the limitations upon, towns and cities provided by the provisions of sections thirty-eight to forty-two I, inclusive, of chapter forty and sections one to twenty-four, inclusive, and twenty-seven to twenty-nine, inclusive, of chapter eighty-three of the General Laws, insofar as such provisions may be applicable and are consistent with the provisions of this act; provided any requirement in said sections or chapter for a vote by the city council of a city or by the board of selectmen of a town, and for a ratification of such vote by the voters of such city or town, shall be satisfied by a vote or resolution duly adopted by the commission in accordance herewith;

(i) to purchase water in bulk or by volume and to contract for and purchase sewage disposal and treatment services from, and to sell water and provide sewage disposal and treatment services to, any person, private or public corporation or municipality, including the metropolitan district commission, the city, the commonwealth and the federal government, when necessary or convenient for the operation of the water works system or sewerage works system; provided, that the commission may sell water to a municipality only as authorized by subsection four of section ten of chapter ninety-two of the General Laws without limiting the generality of the foregoing, for purposes of this paragraph, the commission shall have all of the rights and powers, and shall be subject to the obligations and duties, of the city under sections one to thirty-two, inclusive, and sections fifty-nine A to one hundred and two, inclusive, of chapter ninety-two of the General

Laws, insofar as the same are applicable and are consistent with the provisions of this act;

(j) to pledge or assign any money, fees, charges, or other revenue of the commission and any proceeds derived by the commission from the sale of property, insurance or condemnation awards;

(k) to borrow money and incur indebtedness and issue its bonds as hereinafter provided;

(l) to make application for, receive, accept and expend any federal, commonwealth or city loans or grants for or in aid of the planning, construction, operation or financing of any facilities of the commission, and to receive and accept contributions from any source of either money, property, labor or other things of value;

(m) to make contracts of every name and nature and to execute and deliver all instruments necessary or convenient for carrying out any of its purposes;

(n) to do all things necessary, convenient or desirable to carry out the purposes of this act or the powers expressly granted or necessarily implied in this act;

(o) consistent with the constitution and laws of the commonwealth, the commission shall have such other powers, including all powers pertaining to the water works system and the sewerage works system held by the city on the effective date of this act not inconsistent herewith, as may be necessary for or incident to carrying out the foregoing powers and the accomplishment of the purposes of this act.

SECTION 7. In addition to its other powers enumerated in this act, the commission shall have the following powers and shall be subject to the following limitations:

(a) The commission shall have the power to construct or acquire any improvement, extension or enlargement or any alteration, reconstruction or remodeling of the water works system and sewerage works system and to pay the cost of any such work out of its revenues, the proceeds of bonds of the commission authorized by this act or out of any other moneys legally available to the commission. With respect to any such work, the provisions of sections twenty-six to twenty-nine, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine and sections thirty-nine F to thirty-nine M, inclusive, of chapter thirty of the General Laws shall be applicable to the commission. This commission shall be subject to the rules and regulations of the department of environmental affairs; any work, project or activity conducted by the commission the total

cost of which is in excess of one million dollars shall be subject to the provisions of section sixty-two of chapter thirty of the General Laws relating to the environmental impact of works, projects or activities conducted by authorities of political subdivisions of the commonwealth.

The long-range capital improvement program and plans of the commission for improvements, extensions or enlargements of the water works system and sewerage works system shall be prepared under the direction, control and supervision of the commission in consultation and cooperation with the department of public works of the city, the public facilities commission of the city, the Boston Redevelopment Authority, and such other agencies of the city, the commonwealth or the federal government as may, in the opinion of the commission, be concerned with said program and plans.

On or before November first, nineteen hundred and seventy-eight, and on or before November first of each year thereafter, the commission shall deliver to the mayor a proposed capital improvement program for the three succeeding fiscal years of the commission. Such program shall include a description of the proposed projects of the commission during such period, an estimate of the costs to be incurred on such projects, the financing of such costs and an estimate of the effect, if any, that such costs will have on the then existing fees, rates, rents and other charges of the commission. The commission shall hold a public hearing on its proposed capital improvement program within thirty days of its transmission to the city.

(b) The commission is hereby authorized to fix, revise, charge and collect fees, rates, rents, assessments and other charges for water, sewerage and other services, facilities and commodities furnished or supplied by it. Rates, fees, rents and other charges authorized by the commission for water supplied by the commission shall be established on a flat rate per volume of water consumed. This shall apply to owners and tenants alike in all buildings. The commission shall provide for a schedule of reduced rates or exemptions for persons sixty-five years of age or older and for fully disabled persons. The commission may combine its fees, rates and other charges for water supplied by it and sewerage service provided by it in a single schedule of charges. The fees, rates, rents, betterments, assessments and other charges established by the commission shall not be subject to supervision or regulation by any department, division, commission, board, bureau, or agency of the commonwealth or any of its political

subdivisions or the city of Boston or any of its political subdivisions.

(c) Subject to paragraph (d), the fees, rates, rents, assessments and other charges established by the commission in accordance with paragraph (b) shall be so fixed and adjusted in respect of the aggregate thereof so as to provide revenues at least sufficient (i) to pay the current expenses of the commission, (ii) to pay the principal of, premium, if any, and interest on all bonds issued by the commission under this act as the same become due and payable, (iii) to create and maintain such reasonable reserves as may be reasonably required by any trust agreement or resolution securing bonds, (iv) to provide funds for paying the cost of all necessary repairs, replacements and renewals of the water works system and the sewerage works system and (v) to pay or provide for any and amounts which the commission may be obligated to pay or provide for by law or contract including any resolution or contract with or for the benefit of the holders of its bonds.

(d) Notwithstanding the requirements of paragraph (c), the fees, rates and other charges for services and commodities supplied by the water works system and sewerage works system in effect on the effective date of this act shall be maintained by the commission without modification until December thirty-first, nineteen hundred and seventy-seven. Upon the transfer of the water works system and sewerage works system to the commission pursuant to section five, the commission shall undertake a study and examination of such fees, rates and other charges and its estimated current expenses and costs of maintaining, operating and improving the systems, and shall, prior to December thirty-first, nineteen hundred and seventy-seven, after public hearing duly held, conspicuously advertised for three successive weeks in newspapers of city-wide circulation, promulgate a schedule of fees, rates and other charges sufficient to thereafter satisfy the requirements of paragraph (c). Such new schedule of fees, rates and charges shall become effective on January first, nineteen hundred and seventy-eight for all services and commodities supplied by the commission thereafter and may be revised from time to time as deemed necessary by the commission. Such schedule shall provide for the metering of, and charging for, water and sewer service provided to all consumers in the city, including the city and the commonwealth and all agencies and authorities of either thereof, and any exemptions from such charges provided to the commonwealth or the city under any law, general or special, are hereby declared inapplicable as of the date such schedule shall be in force; provided, however, that

the commission shall not meter or charge the city for water consumed in the operation of the hydrant system of the city or otherwise used by the city in fighting fires or other disasters, nor, shall the commission charge the city for the connection of hydrants to the water works system or for the connection of surface drains to the sewer works system.

(e) In order to provide for the collection and enforcement of its fees, rates, rents, assessments and other charges, the commission is hereby granted all the powers and privileges with respect to such collection and enforcement held by the city on the effective date of this act or as otherwise provided in this act. Without limiting the generality of the foregoing, the commission shall have the powers and be subject to the limitations to the extent applicable and consistent with this act provided in section fifty-seven and sections fifty-nine to eighty-one, inclusive, of chapter fifty-nine and in chapter sixty of the General Laws. The commission shall also have the powers and may exercise the remedies to the extent consistent with this act provided in sections thirty-six to forty-seven, inclusive, of chapter fifty-eight and in chapter eighty and chapter eighty A of the General Laws. Notwithstanding the foregoing, except as otherwise provided herein with respect to betterments, the commission shall have no power of taxation under any law, general or special, of the commonwealth.

In addition to the other enforcement powers and remedies provided in this act, if any fees, rates, rents, assessments or other charges billed by the commission against any premises which are connected with the water works system or sewerage works system remain unpaid for a period of more than six months from the due date thereof, and following such period notice and demand has been posted on such premises and has been given to the owner and occupant of said premises, by registered or certified mail addressed to said premises and to the address of said owner as shown on the records of the assessor of the city, to pay the same within fifteen days from the date of mailing of said notice, and such fees, rates, rents, assessments or other charges remain unpaid, the commission shall have the power and is hereby authorized to shut off the supply of water to said premises until said fees, rates, rents, assessments or other charges are paid, together with interest thereon at the applicable rate and the standard charge of the commission for restoring water service to said premises.

(f) If at the end of any fiscal year, the commission shall have realized a surplus from operations for such fiscal year, after pay-

ment or provision for all current expenses, current debt service on all outstanding bonds of the commission, all reserves for debt service, repairs and replacements or other capital or current expenses as may be required by a trust agreement or resolution securing bonds or as may otherwise be maintained by the commission, and any and all other amounts which the commission may be obligated by law or contract to pay or provide for, the commission shall ~~either~~ apply such surplus in the next following fiscal year to a reduction in the rates, fees, rents, assessments or other charges established by the commission for services provided by the water works system and the sewerage works system, ~~or shall pay such surplus to the collector-treasurer of the city for application to such purposes as the city may appropriate.~~

SECTION 8. The commission is hereby authorized and empowered to provide by resolution for the issuance, at one time or from time to time prior to December thirty-first, nineteen hundred and seventy-nine, of notes of the commission in the aggregate principal amount of fifty million dollars outstanding at any one time, excluding notes refunded by the issue of notes under this section, for the purpose of providing funds for (i) paying the costs provided in clause (1) of paragraph (b) of this section, (ii) paying the cost of constructing or acquiring such improvements, extensions, enlargements, alterations, reconstruction or remodeling of the water works system and the sewerage works system as may be authorized by such resolution, and (iii) providing funds for paying the current expenses of the commission to the extent not paid out of its revenues from the effective date of this act until December thirty-first, nineteen hundred and seventy-seven.

Except as otherwise provided herein, notes issued by the commission in accordance with this section shall be issued in anticipation of bonds to be issued by the commission pursuant to section nine of this act and shall be authorized, issued and sold in the same manner as, and shall otherwise be subject to section ten and the other provisions of this act relating to, such bonds. Such notes shall mature at such time or times as provided by resolution of the commission and may be renewed from time to time, provided that all such notes and renewals thereof shall mature on or prior to December thirty-first, nineteen hundred and seventy-nine.

The proceeds of the notes authorized by this section shall be applied as follows:

(1) An amount of such proceeds equal to the amount certified to the commission by the auditor of the city as the estimated or

actual accumulated deficit in the water and sewer receipts accounts of the city as of June thirtieth, nineteen hundred and seventy-seven shall be paid over to the collector-treasurer of the city;

(2) Such amount of such proceeds as may be provided in the resolution of the commission for paying the current expenses of the commission to the extent not paid out of its revenues from the effective date of this act until December thirty-first, nineteen hundred and seventy-seven, including such amounts as may be payable by the commission to the metropolitan district commission on November twentieth, nineteen hundred and seventy-seven, shall be deposited with a corporate trustee in accordance with section ten of this act and disbursed in such manner and under such restrictions as may be provided in the resolution of the commission;

(3) The balance of such proceeds shall be deposited with the trustee to be used solely for the cost of improvements, extensions, enlargements, alterations, reconstruction or remodeling of the water works system and the sewerage works system and shall be disbursed in such manner and under such restrictions as may be provided in the resolution of the commission.

The city, acting by and through its collector-treasurer, shall, upon application of the commission, guarantee the principal of and interest on notes of the commission issued in accordance with this section. The collector-treasurer, with the approval of the mayor and the corporation counsel and without further authority, may approve the form, terms and conditions of, and may execute and deliver on behalf of the city such guaranty and any related agreements with or for the benefit of the holders of such notes containing such terms, conditions and covenants of the city as the collector-treasurer may deem reasonable including, at the discretion of the collector-treasurer and without limiting the generality of the foregoing, provision for the payment of notes not paid or refunded by the commission by application of the proceeds of the loan authorized in this paragraph and provision for the payment of such notes by the city over such period of time as the collector-treasurer may approve. The full faith and credit of the city shall be pledged for any such guaranty. The total principal amount of notes to be guaranteed under this section shall not exceed fifty million dollars in the aggregate, provided, however, that any note being refunded by the issuance of a guaranteed note shall not, and the refunding note shall, be included within such total amount. The total amount of notes to be guaranteed as aforesaid shall be reduced by the principal amount

of bonds issued by the commission to refund notes so guaranteed. Notes guaranteed by the city under the authority of this section shall not be included in determining the limit of indebtedness of the city as established by law. The guaranty of the city of such notes shall be executed on each note by the collector-treasurer. It shall be sufficient if the signature of the collector-treasurer upon such notes is an engraved, printed or stamped facsimile signature, provided that he has, by writing bearing his written signature filed with the commission, authorized his facsimile signature to be placed thereon. The facsimile signature of the collector-treasurer so engraved, printed or stamped shall have the same validity and effect as his written signature. If the collector-treasurer shall cease to be such officer before the delivery of such notes, such signature or facsimile shall nevertheless be valid and sufficient for all purposes as if he had remained in office until such delivery.

If the commission shall fail or otherwise be unable to refund or pay when due any guaranteed note or notes issued by the commission in accordance with this section, the collector-treasurer of the city with the approval of the mayor and without further authority is hereby authorized and empowered, for the purpose of refunding or paying such guaranteed notes, to borrow, at one time or from time to time, not exceeding in the aggregate the outstanding principal amount of and interest on such notes so guaranteed and not paid or refunded by the commission, and issue and sell bonds or notes of the city therefor, payable in not more than twenty years from their dates. Such bonds or notes shall bear on their face the words, City of Boston, Water and Sewer Works Loan, Act of 1977, shall be registered or with interest coupons attached, may be issued as serial bonds or term bonds or both, and may contain such provisions for the redemption of such bonds or notes prior to maturity at the option of the city and at such price or prices and under such terms and conditions as said collector-treasurer with the approval of the mayor of the city may determine prior to the issuance of such bonds or notes. Bonds or notes issued from time to time by the city under the authority of this section shall not be included in determining the limit of indebtedness of the city as established by law, but shall, except as herein provided, be subject to the provisions, applicable to the city, of chapter forty-four of the General Laws, including the provisions of section seventeen thereof relative to temporary loans in anticipation of the issue of bonds or notes.

SECTION 9. In addition to the notes issued under the provisions of section eight, the commission may provide by resolution for

the issuance from time to time of bonds of the commission for any of its corporate purposes or the borrowing of money in anticipation of the issuance of such bonds. Bonds may be issued hereunder as general obligations of the commission or as special obligations payable solely from particular funds. Without limiting the generality of the foregoing, such bonds may be issued to pay or refund notes issued by the commission pursuant to section eight, to pay the cost of constructing or acquiring any improvement, extension, enlargement, alteration, reconstruction or remodeling of the water works system or the sewerage works system, to provide such reserves for debt service, repairs and replacements or other capital or current expenses as may be required by a trust agreement or resolution securing bonds, or any combination of the foregoing.

The commission may also provide by resolution for the issuance from time to time of temporary notes in anticipation of the revenues to be collected or received by the commission in any year, or in anticipation of the receipt of federal, commonwealth or local grants or other aid. The issue of such notes shall be governed by the provisions of this act relating to the issue of bonds other than such temporary notes as the same may be applicable; provided that notes issued in anticipation of revenues shall mature no later than one year from their respective dates and notes issued in anticipation of federal, commonwealth or local grants or other aid and renewals thereof shall mature no later than the expected date of receipt of such grants or aid. Notes in anticipation of revenues issued to mature less than one year from their dates may be renewed by the commission from time to time by the issue of other temporary notes hereunder, provided the period from the date of an original note to the maturity of any note issued to renew or pay the same or the interest thereon shall not exceed one year.

SECTION 10. The principal of, premium, if any, and interest on all bonds issued under the provisions of this act, unless otherwise provided herein, shall be payable solely from the funds provided therefor from revenues as herein provided. The bonds of each issue shall be dated, shall bear interest at such rate or rates, shall mature at such time or times, as may be determined by the commission, and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issue of the bonds. The commission shall determine the form of the bonds, including interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix

the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until after such delivery. The commission may also provide for authentication of bonds by a trustee or fiscal agent. The bonds may be issued in coupon or in registered form, or both, and, if notes, may be made payable to bearer or to order, as the commission 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, for the reconversion into coupon bonds of bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. With respect to the issue of temporary notes under section nine, the commission may by resolution delegate to the executive director, treasurer or any member of the commission or any combination of them, the power to determine any of the matters set forth in this section including the power to award such notes to a purchaser or purchasers at public sale. The commission may sell its bonds in such manner, either at public or private sale, and for such price, as it may determine will best effect the purposes of this act.

The commission may issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The commission may also provide for the replacement of any bonds which shall have become mutilated or shall have been destroyed or lost.

In the discretion of the commission, any bonds issued hereunder may be secured by a resolution of the commission or by a trust agreement between the commission and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the commonwealth, and such trust agreement shall be in such form and executed in such manner as may be determined by the commission. Such trust agreement or resolution may pledge or assign, in whole or in part, the revenues and other moneys held or to be received by the commission, including the revenues from any facilities already existing when the pledge or assignment is made, and any contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether

then held or thereafter acquired by the commission, and the proceeds thereof, but shall not convey or mortgage the water works system or the sewerage works system. Such trust agreement or resolution may contain such provisions for protecting and enforcing the rights, security and remedies of the bondholders as may, in the discretion of the commission, 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 commission in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, use, operation, repair, insurance and disposition of the water works system, the sewerage works system or other property of the commission, the custody, safeguarding, investment and application of moneys, the issue of additional bonds, the fixing, revision and collection of fees, rates, rents, assessments or other charges, the use of any surplus bond proceeds, the establishment of reserves, and the making and amending of contracts.

It shall be lawful for any bank or trust company to act as a depository or trustee of the proceeds of bonds or of revenues or other moneys under any such trust agreement or resolution and to furnish such indemnifying bonds or to pledge such securities as may be required by the commission. Any such trust agreement or resolution may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action by bondholders. In addition to the foregoing, any such trust agreement or resolution may contain such other provisions as the commission may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement or resolution may be treated as current expenses. The pledge by any such trust agreement or resolution shall be valid and binding and shall be deemed continuously perfected for the purposes of the Uniform Commercial Code from the time when the pledge is made; the revenues, moneys, rights and proceeds so pledged and then held or thereafter acquired or received by the commission shall immediately be subject to the lien of such pledge without any physical delivery or segregation thereof or further act; and the lien of any such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the commission, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which

a pledge is created need be filed or recorded except in the records of the commission, and no filing need be made under the Uniform Commercial Code.

Any holder of bonds issued by the commission under the provisions of this act or of any of the coupons appertaining thereto and the trustee under a trust agreement or resolution securing the same, except to the extent the rights herein given may be restricted by such trust agreement or resolution, may bring suit upon the bonds or coupons and may, either at law or in equity, by suit, action, mandamus, or other proceedings, including proceedings for the appointment of a receiver to take possession and control of the business and properties of the commission, to operate and maintain the same, to make any necessary repairs, renewals and replacements in respect thereof and to fix, revise and collect fees and charges, protect and enforce any and all rights under the law of the commonwealth or granted hereunder or under such trust agreement or resolution, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the commission or by any officer thereof.

SECTION 11. The commission may issue refunding bonds for the purpose of paying any of its bonds at maturity or upon acceleration or redemption. The refunding bonds may be issued at such time prior to the maturity or redemption of the refunded bonds as the commission deems to be in the public interest. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by a trust agreement or resolution securing bonds. The issue of refunding bonds, the maturities and other details thereof, the security therefor, the rights of the holders thereof, and the rights, duties and obligations of the commission in respect of the same shall be governed by the provisions of this act relating to the issue of bonds other than refunding bonds insofar as the same may be applicable.

SECTION 12. Bonds and notes issued under the provisions of this act shall not be deemed to be a debt of the commonwealth or of any city or town or a pledge of the faith and credit of the commonwealth or of any city or town, unless and except any such notes bear the guaranty of the city pursuant to section eight, but

shall be payable solely from the revenues of the commission. All bonds and notes, except notes bearing such guaranty, shall contain on the face thereof a statement to the effect that neither the commonwealth nor any city or town shall be obligated to pay the same and that neither the faith and credit nor the taxing power of the commonwealth or of any city or town is pledged to the payment of the principal of or interest on the bonds or notes. Every bond and note shall also recite whether it is a general obligation of the commission or a special obligation thereof payable solely from particular funds pledged to its payment.

SECTION 13. All moneys received pursuant to the provisions of this act, whether as proceeds from the sale of bonds or notes or as revenues or otherwise, shall be deemed to be trust funds to be held and applied solely as provided in this act.

SECTION 14. 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, savings banks, co-operative banks, banking associations, investment companies, executors, administrators, trustees and other fiduciaries 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 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 obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 15. Notwithstanding any of the provisions of this act or any recitals in any bonds or notes issued under this act, all such bonds and notes shall be deemed to be investment securities under the Uniform Commercial Code.

SECTION 16. Bonds and notes may be issued under this act without obtaining the consent of the emergency finance board established under the provisions of chapter forty-nine of the acts of nineteen hundred and thirty-three and of any department, division, commission, board, bureau or agency of the city, and without any other proceedings or the happening of any other conditions or things than those proceedings, condition or things which are specifically required therefor by this act, and the validity of and security for any bonds and notes issued by the commission shall not be affected by the existence or non-existence of any such consent or other proceedings, conditions or things.

SECTION 17. The commission and all its revenues, income and real and personal property used solely by the commission in furtherance of the policy declared in section one shall be exempt from taxation and from betterments and special assessments and the commission shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions. Bonds and notes issued by the commission, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be exempt from taxation within the commonwealth.

SECTION 18. The commission shall at all times keep full and accurate accounts of its receipts, expenditures, disbursements, assets and liabilities, which shall be open to inspection by any officer or duly appointed agent of the commonwealth or the city. The commission shall submit an annual report in writing concerning its operations to the mayor and collector-treasurer of the city, the city council and the state auditor within one hundred and twenty days following the close of its fiscal year. Such report for the fiscal year ending December thirty-first, nineteen hundred and seventy-eight, and for each fiscal year thereafter, shall include financial statements relating to the operations and properties of the commission maintained in accordance with generally accepted accounting principals to the extent applicable and audited by an independent certified public accountant or firm of certified public accountants.

SECTION 19. Upon termination or dissolution of the commission, the title to all funds and other properties owned by it which remain after payment or the making of provision for payment of all bonds, notes and other obligations of the commission shall vest in the city. Notwithstanding the foregoing, if the commission shall fail on or before December thirty-first, nineteen hundred and seventy-nine to pay or refund or provide for the payment of all notes issued by the commission and guaranteed by the city pursuant to section eight, the commission shall thereupon terminate and be dissolved, and all funds, properties, assets and liabilities owned or controlled by it on such date shall immediately vest in and be assumed by the city by operation of law.

No law affecting the powers, rights, duties, or obligations of the commission shall be effective unless it shall apply to water and sewer districts generally or shall have been approved under the provisions of Article 2 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

SECTION 20. Upon title to the water works system and the sewerage works system becoming vested in the commission under

the provisions of section five of this act, chapter one hundred and sixty-seven of the acts of eighteen hundred and forty-six and all acts amendatory thereof, chapter four hundred and twenty-six of the acts of eighteen hundred and ninety-seven and all acts amendatory thereof, chapter five hundred and twenty-six of the acts of nineteen hundred and two and all acts amendatory thereof, chapter three hundred and twenty-four of the acts of nineteen hundred and fourteen, and all other special acts and parts of special acts and all ordinances of the city and parts of ordinances pertaining to the water works system and the sewerage works system and inconsistent with the provisions of this act shall be inoperative and cease to be effective.

SECTION 21. The provisions of this act shall be deemed to provide an exclusive, additional, alternative and complete method for the doing of the things authorized hereby and shall be deemed and construed to be supplemental and additional to, and not in derogation of, powers conferred upon the commission by law, provided, however, that insofar as the provisions of this act are inconsistent with the provisions of any general or special law, administrative order or regulation or any limitation imposed by a corporate or municipal charter, the provisions of this act shall be controlling.

SECTION 22. This act, being necessary for the welfare of the city and its inhabitants, shall be liberally construed to effect the purposes hereof.

Section 23. The provisions of this act are severable, and if any provision hereof shall be held invalid in any circumstances, such invalidity shall not affect any other provisions or circumstances. This act shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute.

SECTION 24. This act shall take effect upon its passage.

Approved July 18, 1977.

Chap. 437. AN ACT PROVIDING THAT AN INSURED'S FAILURE TO SEASONABLY NOTIFY AN INSURER OF A CLAIM SHALL NOT PREVENT INSURANCE COVERAGE UNLESS THE INSURER HAS BEEN PREJUDICED THEREBY.

Be it enacted, etc., as follows:

Section 112 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the

following sentence:- An insurance company shall not deny insurance coverage to an insured because of failure of an insured to seasonably notify an insurance company of an occurrence, incident, claim or of a suit founded upon an occurrence, incident or claim, which may give rise to liability insured against unless the insurance company has been prejudiced thereby.

Approved July 18, 1977.

Chap. 438. AN ACT INCREASING THE PROBATIONARY PERIOD FOR CERTAIN FIREFIGHTERS.

Be it enacted, etc., as follows:

Section 20D of chapter 31 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 62 of the acts of 1976, and inserting in place thereof the following sentence:- Except as otherwise expressly provided in this chapter or in section thirty-six of chapter forty-eight, no person shall be regarded as holding office or employment on a full-time basis until he has been appointed to a permanent, full-time position in the official or labor service and has actually performed the duties of the office or position thereof for a probationary period of six months; provided, however, in the case of a person appointed as a regular police officer in any city or town, the metropolitan district police force, or the Massachusetts Bay Transportation Authority police force or as a capitol police officer or as a firefighter, the probationary period shall be twelve months.

Approved July 18, 1977.

Chap. 439. AN ACT PROVIDING FOR THE DESIGNATION OF AN ASSISTANT CLERK OF COURTS FOR THE COUNTY OF BRISTOL TO PERFORM THE DUTIES OF CLERK PERTAINING TO THE CRIMINAL PROCEEDINGS IN THE SUPERIOR COURT FOR SAID COUNTY.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by inserting after section 6L the following section:-

Section 6M. The clerk of the courts for the county of Bristol may designate, subject to removal by the court or by the clerk, one of the assistant clerks for said county, appointed under section five, to perform, under the direction of said clerk, the duties

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

Approved July 18, 1977.

Chap. 440. AN ACT AUTHORIZING 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 thirty-five dollars and fifty cents to The Jordan Hospital, for services rendered to the jail and house of correction of the county of Plymouth in the year nineteen hundred and seventy-five, which bill is legally unenforceable against said county by reason of their having been incurred in excess of available appropriations.

SECTION 2. No bills 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 said county treasurer, stating under penalties of perjury that the services for which said bill was submitted were ordered by an official or an employee of said county and that such services were performed 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 received 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 18, 1977.

Chap. 441. AN ACT AUTHORIZING THE COUNTY TREASURER OF PLYMOUTH COUNTY TO PAY CERTAIN EMPLOYEES OF THE PLYMOUTH COUNTY HOSPITAL FOR CERTAIN SERVICES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of the law, the county treasurer of Plymouth county, with the approval of the county commissioners, shall pay, subject to appropriation,

the sum of thirty-nine dollars and seventy-five cents to Leroy M. Anderson and the sum of thirty-nine dollars and nine cents to Russell L. Pittsley, both employees at the Plymouth County Hospital, for compensation due them in accordance with the negotiated contract between the American Federation of State, County and Municipal Employees, AFL-CIO Council 41 and the Plymouth County Hospital for work performed in a higher grade in the fiscal year ending June thirtieth, nineteen hundred and seventy-five.

SECTION 2. No bills 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 said county treasurer stating, under penalties of perjury, that the services for which said bills have been submitted were ordered by an official or an employee of said county and that such services were performed and were actually received by said county.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby received payment for services which were not rendered to said 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 18, 1977.

Chap. 442. AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF MARBLEHEAD TO SELL A CERTAIN PARCEL OF LAND.

Be it enacted, etc., as follows:

The board of selectmen in the town of Marblehead is hereby authorized to sell and convey a certain strip of land hereinafter described, surrounding the Crowinshield-Dewey House, 57 Orne Street, being a portion of Fountain Park, to the owners of said property upon such terms and conditions as the board of selectmen may determine.

Said parcel of land is bounded and described as follows:

A certain parcel of land with a portion of a building thereon being shown as "Proposed parcel 520 ± square feet" on a plan entitled "Marblehead, Mass. Proposed Subdivision Fountain Park" dated April 21, 1977, W. T. Foss Co. Engineers, being bounded and described as follows:

Northeasterly, by land of the Town of Marblehead "Fountain Park" 14 feet, more or less:

Southwesterly, by said land of the Town of Marblehead 52 feet, more or less;

Westerly, by said land of the Town of Marblehead 7 feet, more or less;

Northwesterly, by land formerly of Crowninshield now of Dewey 50 feet, more or less; or however the same may more particularly be bounded and described.

Approved July 18, 1977.

Chap. 443. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF ESSEX COUNTY MAY BORROW TO ALTER, REPAIR, RENOVATE AND EQUIP THE ESSEX COUNTY SUPERIOR COURTHOUSE, THE REGISTRY AND PROBATE BUILDING AND THE COUNTY COMMISSIONERS BUILDING IN THE CITY OF SALEM.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 468 of the acts of 1972 is hereby amended by striking out, in line 3, the word "dollars" and inserting in place thereof the words:- five hundred and ninety-four dollars and eighty-one cents.

SECTION 2. Section 2 of said chapter 468 is hereby amended by striking out, in line 4, the word "dollars" and inserting in place thereof the words:- five hundred and ninety-four dollars and eighty-one cents.

Approved July 18, 1977.

Chap. 444. AN ACT AUTHORIZING THE TOWN OF LYNNFIELD TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO SOUTH LYNNFIELD PHARMACY, INC.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the town of Lynnfield is hereby authorized to raise and appropriate, by a vote pursuant to the provisions of section sixty-four of chapter forty-four of the General Laws, a sum not to exceed \$1345.50, for personal property taxes erroneously paid to said town by the South Lynnfield Pharmacy, Inc. in the tax years nineteen hundred and seventy to nineteen hundred and seventy-five, inclusive, and after such appropriation the treasurer of said town is hereby authorized and directed to pay said sum to said South Lynnfield Pharmacy, Inc.

Approved July 18, 1977.

Chap. 445. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL ASSISTANT CLERK IN THE FOURTH DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 148 of the acts of 1974, is hereby amended by striking out the line reading "fourth district court of Plymouth".

SECTION 2. The second paragraph of said section 10 of said chapter 218, as so appearing, is hereby amended by inserting after the line reading "third district court of Plymouth" the following line:-

fourth district court of Plymouth.

SECTION 3. Prior to the original appointment of any person authorized by this act, the clerk of the Plymouth district court shall post such position for thirty days in at least three locations in Plymouth county, one of which shall be the county seat and the other two of which shall be a city or town municipal building.

(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 18, 1977, and, in concurrence, by the Senate, August 15, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 446. AN ACT PROVIDING FOR AN ASSISTANT CLERK IN THE DISTRICT COURT OF HOLYOKE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 148 of the acts of 1974, is hereby amended by inserting after the line reading "district court of western Hampden" the following line:-
district court of Holyoke.

SECTION 2. Prior to the original appointment of any person authorized by this act, the clerk of the Holyoke district court shall post such position for thirty days in at least three locations in Hampden county, one of which shall be the county seat and the other two of which shall be a city or town municipal building.

(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 18, 1977, and, in concurrence, by the Senate, August 15, 1977, 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 REGULATING THE TAKING OF SHELLFISH FROM CERTAIN CONTAMINATED AREAS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate the taking of shellfish from certain contaminated areas, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 130 of the General Laws is hereby amended by striking out subsection (3), as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following subsection:-

(3) Investigate questions relating to fish and personally or by assistants, institute and conduct inquiries pertaining to such questions, and conduct such biological research and assist cities and towns in the development of shellfish conservation and management plans as will, in his opinion, tend to conserve, improve and increase the supply of fish in the coastal waters.

SECTION 2. Section 52 of said chapter 130 is hereby amended by striking out the last paragraph, as so appearing, and inserting in place thereof the following paragraph:-

Nothing in this section shall be construed to authorize the aldermen, city council or selectmen to exercise any authority hereunder in areas declared under section seventy-four or under corresponding provisions of earlier laws to be contaminated unless such action is in accordance with a management plan developed by cities and towns with the assistance and approval of the director.

SECTION 3. The first paragraph of section 75 of said chapter 130, as so appearing, is hereby amended by inserting after the second sentence the following six sentences:- Any city or town may develop a shellfish conservation and management plan containing such information as the director may require and shall submit said plan to the director for his approval. Any city or

town having a plan approved by the director may require permits for the taking of shellfish from areas determined under section seventy-four to be contaminated, provided that all other permits and licenses required by law are obtained. Fees shall be reasonable and commensurate with the services provided by the city or town. If at any time the director finds any city or town in violation of any provision of its approved shellfish conservation and management plan he may forthwith withdraw his approval of such plan. No city or town permit shall be required by any master digger or subordinate on any mildly contaminated area where the director has withdrawn his approval of that city or town's shellfish conservation and management plan as provided herein until such plan is deemed approved by the director. In evaluating the plan for approval, the director shall take into consideration the city or town's efforts to fairly administer the distribution of, and fees for, local permits to be issued to residents and nonresidents.

Approved August 17, 1977.

Chap. 448. AN ACT PROHIBITING TRAVEL BY CERTAIN VEHICLES ON RIVERSIDE AVENUE IN THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

SECTION 1. The city of Medford, with the approval of the department of public works, shall prohibit the operation on Riverside avenue in said city of motor trucks weighing more than two and one-half tons; provided, however, that any person, partnership or corporation with a place of business on said Riverside avenue or on another street, access to which is over Riverside avenue, may operate such trucks on said Riverside avenue.

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

Approved August 17, 1977.

Chap. 449. AN ACT DIRECTING THE EXPENDITURE OF CERTAIN FUNDS FOR THE RESTORATION OF THE WEST BEACH SEA WALL IN THE CITY OF NEW BEDFORD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to restore the West Beach sea wall in the city of New Bedford, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 822 of the acts of 1973 is hereby amended by inserting after section 1 the following section:-

Section 1A. Pursuant to the provisions of section one, the department of environmental quality engineering, through its division of waterways, is hereby authorized and directed to expend funds of the commonwealth in an amount not to exceed four hundred thousand dollars for the design and construction of the restoration of the West Beach sea wall in the city of New Bedford.

Approved August 18, 1977.

Chap. 450. AN ACT AUTHORIZING THE TOWN OF ROYALSTON TO RENEW CERTAIN STATE AND 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 town of Royalston, with the approval of the board of selectmen of said town, is hereby authorized to renew eighteen thousand six hundred and fifty dollars federal aid anticipation notes, and forty-three thousand three hundred and eighty dollars state aid anticipation notes of the town, payable in not more than one year from their dates, in order to pay the federal and state aid anticipation notes of the town, dated July nineteenth, nineteen hundred and seventy-four, which were renewed on June fifteenth, nineteen hundred and seventy-six, July nineteenth, nineteen hundred and seventy-six, October nineteenth, nineteen hundred and seventy-six, January nineteenth, nineteen hundred and seventy-seven, April nineteenth, nineteen hundred and seventy-seven, and which were most recently renewed on July nineteenth, nineteen hundred and seventy-seven. Notes issued under this act 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 issued under this act 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 August 22, 1977

Chap. 451. AN ACT PROVIDING THAT THE POSITION OF EXECUTIVE SECRETARY TO THE FISHERIES COMMISSION OF THE CITY OF GLOUCESTER AND SECRETARY TO SAID EXECUTIVE SECRETARY SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The positions of executive secretary to the fisheries commission of the city of Gloucester and the secretary to the executive secretary to said fisheries commission 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 August 22, 1977.

Chap. 452. AN ACT PROVIDING THAT THE POSITION OF SEALER OF WEIGHTS AND MEASURES OF THE CITY OF TAUNTON SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of sealer of weights and measures of the city of Taunton 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 August 22, 1977.

Chap. 453. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO PAY CERTAIN MEDICAL EXPENSES TO DAVID STAGNONE, A FIREFIGHTER IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Somerville is hereby authorized to appropriate and after such appropriation the treasurer of said city is hereby authorized to reimburse David Stagnone for hospital, medical and related expenses arising from an injury sustained by him while in the performance of his duties on April fifth, nineteen hundred and sixty-nine, notwithstanding the provisions of section one hundred B of chapter forty-one of the General Laws, or any other law to the contrary.

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

Approved August 22, 1977.

Chap. 454. AN ACT AUTHORIZING THE CITY OF LOWELL TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totaling one hundred and eighty thousand three hundred eighty-one dollars and forty-three cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, and the services thereunder having been fully performed and the materials delivered, and the city solicitor has rendered an opinion that said services were, in fact, performed and the materials delivered, and could not be paid because said obligations were not incurred in full conformity with the law, and as are certified for payment by the agency by which the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from otherwise available funds of the city.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under the authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

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

SECTION 4. This act shall take effect upon its acceptance by the city of Lowell during the current year.

Approved August 22, 1977.

Chap. 455. AN ACT PROVIDING THAT THE TOWN OF CHATHAM SEWER COMMISSION SHALL BE DESIGNATED AND KNOWN AS THE TOWN OF CHATHAM WATER POLLUTION CONTROL BOARD.

Be it enacted, etc., as follows:

SECTION 1. The town of Chatham sewer commission shall be designated and known as the town of Chatham water pollution control board, which board shall be constituted and the members elected in the same manner as sewer commissioners and shall have the powers and duties as are from time to time conferred upon such sewer commissioners in accordance with the General Laws.

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

Approved August 22, 1977.

Chap. 456. AN ACT AUTHORIZING THE CITY OF TAUNTON TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN REWARDS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the Taunton municipal lighting plant is hereby authorized to appropriate the sum of five thousand dollars, and after such appropriation the treasurer of said plant is hereby authorized to pay, to William Gray the sum of one thousand six hundred and sixty-six dollars and sixty-six cents, to James Soule the sum of one thousand six hundred and sixty-six dollars and sixty-six cents and to Scott Simmons the sum of one thousand six hundred and sixty-six dollars and sixty-six cents, said payments being rewards due them for their information and testimony leading to the arrest and conviction of the individual who damaged certain electrical transformers of the Taunton municipal lighting plant on November twenty-fourth, nineteen hundred and seventy-four. The sums so appropriated shall be taken from the receipts of said municipal lighting plant.

Approved August 22, 1977.

Chap. 457. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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 nineteen hundred and seventy-eight.

FRANKLIN COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$4,000 00
3. For county commissioners, salaries and expenses		27,914 74
1. Personal services	\$26,139 74	
2. Contractual services	700 00	
4. Current charges and obligations	500 00	
4. For transportation and expenses of county and acting commissioners		700 00
5. For clerk of courts, salaries and expenses		52,100 90
1. Personal services	47,894 90	
2. Contractual services	2,500 00	
3. Supplies and materials	1,200 00	
4. Current charges and obligations	506 00	
6. For county treasurer, salaries and expenses		31,348 02
1. Personal services	28,156 02	
2. Contractual services	1,417 00	
3. Supplies and materials	1,135 00	
4. Current charges and obligations	545 00	
5. Equipment	95 00	
7. For sheriff, salary and expenses		16,079 00
1. Personal services	15,399 00	
2. Contractual services	450 00	
3. Supplies and materials	100 00	
4. Current charges and obligations	130 00	

Item	Subtotal	Total
8. For registry of deeds, salaries and expenses		\$96,771 60
1. Personal services	\$67,532 60	
2. Contractual services	22,875 00	
3. Supplies and materials	3,700 00	
4. Current charges and obligations	1,060 00	
5. Equipment	1,604 00	
8a. For registry of probate, salaries and expenses		8,595 00
2. Contractual services	5,025 00	
3. Supplies and materials	1,450 00	
4. Current charges and obligations	1,150 00	
5. Equipment	970 00	
9. For law library, salaries and expenses		24,584 69
1. Personal services	6,214 69	
2. Contractual services	785 00	
3. Supplies and materials	185 00	
4. Current charges and obligations	14,100 00	
5. Equipment	3,300 00	
10. For highways, including state highways, bridges and land damages		21,700 00
2. Contractual services	7,150 00	
3. Supplies and materials	50 00	
6. All other	14,500 00	
12. For superior court costs		211,741 13
1. Personal services	68,466 13	
2. Contractual services	123,215 00	
3. Supplies and materials	2,925 00	
4. Current charges and obligations	1,235 00	
5. Equipment	15,900 00	
13. For civil expenses in probate court		13,513 80
1. Personal services	2,958 80	
2. Contractual services	10,000 00	
3. Supplies and materials	400 00	
4. Current charges and obligations	105 00	
5. Equipment	50 00	
14. For district courts, salaries and expenses		
District Court of Greenfield		277,121 15
1. Personal services	245,195 65	
2. Contractual services	19,620 00	
3. Supplies and materials	6,525 00	
4. Current charges and obligations	2,890 00	
5. Equipment	2,890 50	
District Court of Orange		86,526 60
1. Personal services	74,668 60	
2. Contractual services	5,970 00	
3. Supplies and materials	1,663 00	
4. Current charges and obligations	3,925 00	
5. Equipment	300 00	

Item	Subtotal	Total
15. For medical examiners and commitments of insane		\$6,772 50
16. For jail and house of correction, maintenance and operation		128,499 20
1. Personal services	\$24,189 20	
2. Contractual services	17,275 00	
3. Supplies and materials	60,150 00	
4. Current charges and obligations	4,275 00	
5. Equipment	6,610 00	
6. All other	16,000 00	
18. For court houses and registry buildings, maintenance and operation		86,716 25
1. Personal services	34,884 25	
2. Contractual services	33,845 00	
3. Supplies and materials	17,195 00	
4. Current charges and obligations	175 00	
5. Equipment	617 00	
20. For agricultural school or county cooperative extension service		125,178 48
1. Personal services	107,438 48	
2. Contractual services	13,870 00	
3. Supplies and materials	2,475 00	
4. Current charges and obligations	525 00	
5. Equipment	870 00	
21. For Whately recreation area, maintenance and operation		9,125 00
1. Personal services	3,500 00	
2. Contractual services	2,025 00	
3. Supplies and materials	1,600 00	
4. Current charges and obligations	700 00	
5. Equipment	800 00	
6. All other	500 00	
24. For noncontributory pensions		23,401 44
25. For contributory retirement system and supervisory expenses		98,058 00
26. For miscellaneous and contingent expenses		11,480 00
27. For unpaid bills of previous years		2,500 00
28. For reserve fund		35,000 00
28a. For reserve for salary increases		111,000 00
28f. For reserve for architectural services		45,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		23,500 00
31. For radio system for fire protection		2,020 00
31a. For police radio system		1,550 00

Item	Subtotal	Total
31b. For medical service radio system		\$7,325 00
35. For county planning		59,661 29
37. For human services		161,403 93
39. For group insurance		55,000 00
42. For unemployment compensation		8,800 00
		<hr/>
Total amount of appropriations		\$1,874,687 72
Less estimated amount available for reduction of county tax		209,324 90
		<hr/>
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		\$1,665,362 82

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 \$227,498 46

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

(The foregoing was laid before the Governor on the tenth day of August, 1977, and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 458. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT FOR THE MAINTENANCE OF BARNSTABLE COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Barnstable county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for

interest and debt requirements, and to meet certain requirements of law, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, for the fiscal year nineteen hundred and seventy-eight.

BARNSTABLE COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$96,063 75
3. For county commissioners, salaries and expenses		74,972 42
1. Personal services	\$65,961 92	
2. Contractual services	3,227 50	
3. Supplies and materials	2,310 00	
4. Current charges and obligations	2,888 00	
5. Equipment	585 00	
4. For transportation and expenses of county and acting commissioners		1,200 00
5. For clerk of courts, salaries and expenses		76,706 59
1. Personal services	69,655 59	
2. Contractual services	1,450 00	
3. Supplies and materials	3,450 00	
4. Current charges and obligations	772 00	
5. Equipment	1,379 00	
6. For county treasurer, salaries and expenses		62,705 24
1. Personal services	44,235 40	
2. Contractual services	1,650 00	
3. Supplies and materials	5,050 00	
4. Current charges and obligations	11,419 84	
5. Equipment	350 00	
7. For sheriff, salary and expenses		22,955 00
1. Personal services	19,890 00	
2. Contractual services	525 00	
3. Supplies and materials	2,200 00	
4. Current charges and obligations	340 00	
8. For registry of deeds, salaries and expenses		590,259 83
1. Personal services	450,942 83	
2. Contractual services	70,860 00	
3. Supplies and materials	26,080 00	
4. Current charges and obligations	31,820 00	
5. Equipment	10,557 00	
8a. For registry of probate, salaries and expenses		21,884 90
2. Contractual services	15,830 00	
3. Supplies and materials	5,025 00	
4. Current charges and obligations	800 00	
5. Equipment	229 90	

Item	Subtotal	Total
9. For law library, salaries and expenses		\$27,273 49
1. Personal services	\$7,498 49	
3. Supplies and materials	75 00	
4. Current charges and obligations	16,000 00	
5. Equipment	3,700 00	
10. For highways, including state highways, bridges and land damages		54,200 00
2. Contractual services	9,200 00	
6. All other	45,000 00	
12. For superior court costs		319,606 40
1. Personal services		116,443 40
2. Contractual services	192,100 00	
3. Supplies and materials	5,525 00	
4. Current charges and obligations	3,800 00	
5. Equipment	1,738 00	
13. For civil expenses in probate court		29,745 40
1. Personal services	17,260 40	
2. Contractual services	11,200 00	
3. Supplies and materials	550 00	
4. Current charges and obligations	120 00	
5. Equipment	615 00	
14. For district courts, salaries and expenses		
First District Court of Barnstable		603,050 29
1. Personal services	553,783 29	
2. Contractual services	27,855 00	
3. Supplies and materials	15,851 00	
4. Current charges and obligations	3,145 00	
5. Equipment	2,416 00	
Second District Court of Barnstable		375,912 34
1. Personal services	324,437 34	
2. Contractual services	28,655 00	
3. Supplies and materials	18,330 00	
4. Current charges and obligations	1,925 00	
5. Equipment	2,565 00	
15. For medical examiners and commitments of insane		20,380 00
16. For jail and house of correction, maintenance and operation		904,296 60
1. Personal services	663,146 60	
2. Contractual services	59,800 00	
3. Supplies and materials	154,150 00	
4. Current charges and obligations	8,210 00	
5. Equipment	18,990 00	
18. For court houses and registry buildings, maintenance and operation		401,545 26
1. Personal services	153,777 01	
2. Contractual services	158,582 00	
3. Supplies and materials	80,860 00	
4. Current charges and obligations	4,708 80	
5. Equipment	2,697 45	

Item	Subtotal	Total
6. All other	\$920 00	
18a. For sewage system		\$5,417 82
20. For agricultural school or county cooperative extension service		111,291 72
1. Personal services	99,989 72	
2. Contractual services	5,449 00	
3. Supplies and materials	3,915 00	
4. Current charges and obligations	450 00	
5. Equipment	1,488 00	
22. For hospital		1,448,870 66
1. Personal services	1,045,405 66	
2. Contractual services	145,175 00	
3. Supplies and materials	220,715 00	
5. Equipment	34,825 00	
6. All other	2,750 00	
23. For health service		170,195 49
1. Personal services	143,354 24	
2. Contractual services	16,325 00	
3. Supplies and materials	3,925 00	
4. Current charges and obligations	1,200 00	
5. Equipment	5,391 25	
25. For contributory retirement system and supervisory expenses		296,083 29
26. For miscellaneous and contingent expenses		180,168 94
27. For unpaid bills of previous years		30,000 00
28. For reserve fund		50,000 00
28a. For reserve for salary increases		417,225 00
28b. For reserve for union contract		13,805 00
28d. For reserve for counsel for indigent defendants		55,000 00
28f. For reserve for judges of district courts		15,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		125,000 00
31. For police radio system		258,492 06
32a. For maintenance, forest fire apparatus		6,205 00
33. For police training school and bureau of criminal investigation		134,321 76
35. For Cape Cod planning and economic development commission		88,843 27
36. For police service building		15,570 00

Item	Subtotal	Total
37. For drug abuse information bureau		\$58,733 35
38. For county airplane		2,370 00
39. For group insurance		392,100 00
40. For advertising and promoting county fairs		500 00
41. For fire fighting training school		36,850 00
42. For Rural Transit Authority		125,000 00
Total amount of appropriations		\$7,719,800 87
Less estimated amount available for reduction of county tax		2,564,958 39
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		\$5,154,842 48

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 approval thereof.

2. For reduction of county debt	\$432,590 00
22. For hospital	116,636 00
4. Current charges and obligations	\$116,636 00
24. For noncontributory pensions	76,576 47
42. For home care	26,500 00
43. For retired senior volunteer program	13,060 00
	<u>\$665,362 47</u>

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

(The foregoing was laid before the Governor on the tenth day of August, 1977, and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 459. AN ACT FURTHER REGULATING CERTAIN ADMINISTRATIVE PROVISIONS RELATING TO STATE TAXATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to insure the orderly administration of state

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

Be it enacted, etc., as follows:

SECTION 1. Subsection (b) of section 21 of chapter 62C of the General Laws, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) the disclosure of information contained in inventories filed under section twenty-two of chapter sixty-five.

SECTION 2. Said subsection (b) of said section 21 of said chapter 62C is hereby further amended by striking out clause (3), as amended by section 5 of chapter 219 of the acts of 1977, and inserting in place thereof the following clause:-

(3) the disclosure of information contained in returns filed pursuant to subsections (a) and (j) of section sixteen and subsection (a) of section eighteen.

SECTION 3. Section 67 of said chapter 62C, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:-

The fees for licenses and each renewal thereof shall be as follows: distributors, one hundred dollars; unclassified importers, one hundred dollars; unclassified exporters, one hundred dollars; manufacturers, twenty-five dollars; wholesalers, one hundred dollars; vending machine operators, one hundred dollars; unclassified acquirers, one hundred and fifty dollars; transportation companies, five dollars; retailers, two dollars; user-sellers, one dollar; suppliers, one dollar; users of special fuels, one dollar; motor carriers or their vehicles, one dollar; except that in the case of a manufacturer, wholesaler or vending machine operator who maintains more than one place of business the fee for each additional place of business shall be one half of the fee prescribed above. No fee, nor part of any fee, shall be refunded by reason of relinquishment, suspension or revocation of a license.

SECTION 4. Chapter 65C of the General Laws is hereby amended by striking out section 13, as appearing in section 74 of chapter 684 of the acts of 1975, and inserting in place thereof the following section:-

Section 13. If any part of any underpayment of tax required to be shown on the return required by section seventeen of chapter sixty-two C is due to fraud, there shall be added to the tax an amount equal to fifty per cent of the underpayment. For pur-

poses of this section, the term “underpayment” means a deficiency assessed pursuant to subsection (b) of section twenty-six of chapter sixty-two C except that, for this purpose, the tax shown on a return referred to in subsection (a) of said section twenty-six shall be taken into account only if such return was filed before the last day prescribed for the filing of such return, determined with regard to any extension of time. If any penalty is assessed for fraud under this section for an underpayment of tax required to be shown on the return, no penalty under section thirty-three of chapter sixty-two C shall be assessed with respect to the same underpayment.

SECTION 5. The first sentence of section 24 of said chapter 65C, as so appearing, is hereby amended by striking out, in line 5, the word “eight” and inserting in place thereof the words:-seventeen of chapter sixty-two C.

SECTION 6. The first paragraph of section 97 of chapter 684 of the acts of 1975, as amended by section 97 of chapter 415 of the acts of 1976, is hereby further amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences:- Sections thirty to thirty-two, inclusive, sections seventy-three and seventy-four shall take effect on January first, nineteen hundred and seventy-six, and apply only with respect to estates of decedents dying on or after January first, nineteen hundred and seventy-six, and with respect to such estates the provisions of chapter sixty-five of the General Laws and all other provisions of law imposing any tax on legacies and successions are hereby suspended. With respect to any decedent dying prior to January first, nineteen hundred and seventy-six all provisions of law imposing taxes on legacies and successions or on the transfer of estates in effect at the time of the decedent’s death shall remain in force and effect; provided, that future interests in property subject to powers of appointment which are included in the Massachusetts gross estate of a decedent under chapter sixty-five C of the General Laws shall not be taxed under chapter sixty-five of the General Laws; provided, however, that the provisions of chapter sixty-five A of the General Laws shall remain in force and effect with respect to such estates.

SECTION 7. The provisions of sections one to five, inclusive, of this act shall take effect as of January first, nineteen hundred and seventy-seven.

Approved August 23, 1977.

Chap. 460. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ANNUAL ELECTION AND ANNUAL TOWN MEETING OF THE TOWN OF CHARLTON IN THE YEAR NINETEEN HUNDRED AND SEVENTY-SEVEN.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the town of Charlton taken at its annual town election held on May seventh, nineteen hundred and seventy-seven and at its annual town meeting for the transaction of business held on May fourteenth, nineteen hundred and seventy-seven, 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 election and annual town meeting for the transaction of business at least seven days before May seventh, nineteen hundred and seventy-seven.

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

Approved August 23, 1977.

Chap. 461. AN ACT AUTHORIZING THE WACHUSETT REGIONAL SCHOOL DISTRICT TO PROVIDE FOR THE WITHDRAWAL OF A MEMBER TOWN AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT IN THE TOWNS OF HOLDEN, PAXTON, PRINCETON, RUTLAND AND STERLING.

Be it enacted, etc., as follows:

SECTION 1. The Wachusett Regional School District may, by amendment to its regional school district agreement which was approved by a majority vote at town meetings in the member towns of Holden, Paxton, Princeton, Rutland and Sterling, provide for the withdrawal of a member town from the regional school district and may further provide for the duties to be performed by the boards of selectmen, clerks and other officials of said member towns with respect to said withdrawal provision.

SECTION 2. The amendment to the Wachusett Regional School District Agreement providing for the withdrawal of a member town from the regional school district and the duties to be performed by the boards of selectmen, clerks and other officials of said member towns with respect to the withdrawal provision and the proceedings taken by the regional district school committee of said district on February twenty-eighth, nineteen hundred and seventy-seven in recommending said amendment, and the proceedings taken at town meetings held in the town of Holden on April twelfth, nineteen hundred and seventy-seven, the town

of Paxton on April twelfth, nineteen hundred and seventy-seven, the town of Princeton on April twelfth, nineteen hundred and seventy-seven, the town of Rutland on April twelfth, nineteen hundred and seventy-seven, and the town of Sterling on May seventh, nineteen hundred and seventy-seven, in approving said amendment are hereby ratified, validated and confirmed to the same extent as though this act had been in full force and effect at the time of said proceedings.

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

Approved August 26, 1977.

Chap. 462. AN ACT AUTHORIZING THE WACHUSETT REGIONAL SCHOOL DISTRICT TO INCUR INDEBTEDNESS BY A TWO THIRDS MAJORITY DISTRICT WIDE VOTE AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT IN THE TOWNS OF HOLDEN, PAXTON, PRINCETON, RUTLAND AND STERLING.

Be it enacted, etc., as follows:

SECTION 1. The Wachusett Regional School District may, by amendment to its regional school district agreement which was approved by a majority vote at town meetings in the member towns of Holden, Paxton, Princeton, Rutland and Sterling, provide that the incurring of indebtedness pursuant to clause (n) of section sixteen of chapter seventy-one of the General Laws be approved by a two thirds majority of the registered voters in the participating towns voting on the question, and that the regional district school committee may authorize capital expenditures from surplus funds for those purposes cited in said section sixteen of said chapter seventy-one, not to exceed seventy-five thousand dollars in any fiscal year or for any single project, and may further provide for the duties to be performed by the clerks and other officials of said member towns.

SECTION 2. The amendment to the Wachusett Regional School District Agreement providing that the incurring of indebtedness pursuant to clause (n) of said section sixteen of said chapter seventy-one be approved by a two thirds majority of the registered voters in the participating towns voting on the question and that the regional district school committee may authorize capital expenditures from surplus funds for those purposes cited in said section sixteen of said chapter seventy-one, not to exceed seventy-five thousand dollars in any fiscal year or for any single project, and providing for the duties to be performed

by the clerks and other officials of said member towns and the proceedings taken by the regional district school committee of said district on February twenty-eighth, nineteen hundred and seventy-seven in recommending said amendment and the proceedings taken at town meetings held in the town of Holden on April twelfth, nineteen hundred and seventy-seven, the town of Paxton on April twelfth, nineteen hundred and seventy-seven, the town of Princeton on April twelfth, nineteen hundred and seventy-seven, the town of Rutland on April twelfth, nineteen hundred and seventy-seven, and the town of Sterling on May seventh, nineteen hundred and seventy-seven, in approving said amendment are hereby ratified, validated and confirmed to the same extent as though this act had been in full force and effect at the time of said proceedings.

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

Approved August 26, 1977.

Chap. 463. AN ACT AUTHORIZING MEMBERS OF THE WACHUSETT REGIONAL DISTRICT SCHOOL COMMITTEE TO BE ELECTED IN ACCORDANCE WITH A PROPORTIONAL REPRESENTATION FORMULA AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT IN THE TOWNS OF HOLDEN, PAXTON, PRINCETON, RUTLAND AND STERLING.

Be it enacted, etc., as follows:

SECTION 1. The Wachusett Regional School District may, by amendment to its regional school district agreement which was approved by a majority vote at town meetings in the member towns of Holden, Paxton, Princeton and Sterling and rejected by a majority vote at a town meeting in the member town of Rutland, provide that members of the regional district school committee may be elected in accordance with a proportional representation formula as provided in said amendment to the regional school district agreement and may also provide for such elections to be combined with and held at the same time and place as the annual town elections in said member towns, and may further provide for the duties to be performed by the clerks, registrars of voters and other officials of said member towns with respect to the election of the representatives to the regional district school committee.

SECTION 2. The amendment to the Wachusett Regional School District Agreement providing for the election of members of the regional district school committee in accordance with a propor-

tional representation formula, and providing for the duties to be performed by the clerks, registrars of voters and other officials of said member towns with respect to the election of the representatives to the regional district school committee in accordance with a proportional representation formula as provided in said amendment, and the proceedings taken by the regional district school committee of said district on February twenty-eighth, nineteen hundred and seventy-seven in recommending said amendment, and the proceedings taken at town meetings held in the town of Holden on April twelfth, nineteen hundred and seventy-seven, the town of Paxton on April twelfth, nineteen hundred and seventy-seven, the town of Princeton on April twelfth, nineteen hundred and seventy-seven and the town of Sterling on May seventh, nineteen hundred and seventy-seven, in approving said amendment and in the town of Rutland on April twelfth, nineteen hundred and seventy-seven, in rejecting said amendment, are hereby ratified, validated and confirmed to the same extent as though this act had been in full force and effect at the time of said proceedings.

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

Approved August 26, 1977.

Chap. 464. AN ACT RELATIVE TO THE DISBURSEMENT OF FUNDS FOR THE NEW STATE FISH PIER AT GLOUCESTER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the disbursement of funds for the new state fish pier at Gloucester, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Item 2270-8771 of chapter 481 of the acts of 1976 is hereby amended by striking out the seventh and eighth clauses and inserting in place thereof the following clause:-

For the costs of exploitation of underutilized species program, domestic fresh fish marketing program, and sanitary and technical assistance to fresh fish processors; provided, that the commissioner of administration shall receive and disburse monies for those portions of said Title IX project not directly related to the studies, planning, renovation, construction, expansion or improvement of said pier; and the commissioner of administration shall receive and disburse monies for the services and expenses of the overall program coordination and financial management for

said project; and the commissioner of administration shall make a direct grant to the Cape Ann Commercial Fishermen's Loan Fund, Inc. upon receipt of federal funds for that purpose; and provided further, that the costs of administration of the nonpier-related portions of said Title IX project by the Overall Economic Development Committee of Cape Ann, Inc., shall be authorized by this act; and provided further, that all monies for those portions of said Title IX project directly related to the studies, planning, renovation, construction, expansion, or improvement of said pier shall be received and disbursed by the commissioner of the department.

Approved August 26, 1977.

Chap. 465. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES BY CERTAIN RESTAURANTS IN THE CITY OF MELROSE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations imposed by section eleven or section eleven A of chapter one hundred and thirty-eight of the General Laws, the board of election commissioners of the city of Melrose shall cause to be placed on the official ballot to be used in the city of Melrose by the registered voters of said city at the municipal elections to be held in the year nineteen hundred and seventy-seven the following question:

“Shall licenses be granted in this city for the sale therein of all alcoholic beverages by restaurants and function rooms having a seating capacity of not less than one hundred persons?”	YES
	NO

If a majority of the votes cast in said city in answer to said question is in the affirmative, said city shall be taken to have authorized, until the end of calendar year nineteen hundred and seventy-eight, the sale in said city of all alcoholic beverages to be drunk on the premises of restaurants and function rooms having a seating capacity of not less than one hundred persons. Notwithstanding any provisions of section twelve of said chapter one hundred and thirty-eight to the contrary, said licenses shall be subject, however, to all the other provisions of said chapter one hundred and thirty-eight.

SECTION 2. The state secretary shall cause to be placed on the official ballot to be used in the city of Melrose at the next biennial state election, and at each biennial state election thereafter until the voters of said city shall have voted in the affirmative three consecutive times or in the negative three consecutive times 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 cities and towns at such elections:

“Shall licenses be granted in this city for the sale therein of all alcoholic beverages by restaurants and function rooms having a seating capacity of not less than one hundred persons?”

YES
NO

If a majority of the votes cast in said city in answer to this subdivision is in the affirmative, said city shall be taken to authorize, for the two calendar years next succeeding, the sale in said city of all alcoholic beverages to be drunk on the premises of restaurants and function rooms having a seating capacity of not less than one hundred persons. Notwithstanding any provisions of section twelve of said chapter one hundred and thirty-eight to the contrary, said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

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

Approved August 26, 1977.

Chap. 466. AN ACT FURTHER REGULATING INFORMATION CONTAINED ON PROBATE DECREES OR LICENSES FOR THE SALE OF PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 65C of the General Laws, as appearing in section 74 of chapter 684 of the acts of 1975, is hereby amended by striking out paragraph (e) and inserting in place thereof the following paragraph:-

(e) Such lien shall cease to attach to any personal property after the same has been sold or disposed of for value by the person lawfully entitled to make such sale or disposition; provided, however, that such lien shall forthwith, upon any sale or disposition of such personal property, attach to the proceeds or other property acquired in substitution therefor. A license issued or decree

entered authorizing the sale of real estate of a resident decedent or of any property of a nonresident decedent subject to such lien shall state affirmatively that the commissioner has released or discharged the lien, and before such a license or decree is issued or entered, it shall appear in the records of the probate court that the commissioner has released or discharged the lien with respect to such property.

SECTION 2. Section 37 of chapter 202 of the General Laws, added by chapter 677 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- A decree, authority, or order of said court shall contain a description of the real or personal property and the terms of sale.

Approved August 26, 1977.

Chap. 467. AN ACT FURTHER REGULATING THE PAYMENT OF ALIMONY.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 33 of chapter 400 of the acts of 1975, and inserting in place thereof the following section:-

Section 34. Upon divorce or upon motion in an action brought at any time after a divorce, the court may make a judgement for either of the parties to pay alimony to the other. In addition to or in lieu of a judgement to pay alimony, the court may assign to either 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 and the contribution of each of the parties as a homemaker to the family unit.

Approved August 26, 1977.

Chap. 468. AN ACT RELATIVE TO THE TRUSTEES AND OFFICERS OF THE PROPRIETORS OF THE CEMETERY OF MOUNT AUBURN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the officers of the Proprietors of the Cemetery of Mount Auburn shall consist of not less than eight nor more than twenty trustees, a president, a treasurer, a secretary and such other officers as said trustees may elect. Said trustees may be elected at any annual meeting of such corporation and vacancies in the office of trustee occurring between annual meetings may be filled by said trustees. A trustee need not be a member of such corporation and need not have a right of burial in the cemetery. The number of trustees constituting the whole board, the term of office of trustees and the number of trustees to be elected at each annual meeting shall be determined as provided in the bylaws. Said trustees shall have the general management, superintendence, and care of the property, expenditures, business and prudential concerns of such corporation, and of the sales of lots in the said cemetery; and they shall make a report of their doings to such corporation at the annual meeting of such corporation. The officers of such corporation other than said trustees shall be elected by and serve at the pleasure of said trustees. No such officer need be a trustee, other than the president, who shall be a trustee. The officers other than said trustees shall have such powers and duties as shall be provided in the bylaws or by vote of said trustees.

SECTION 2. Chapter forty-one of the acts of nineteen hundred and twelve is hereby repealed.

Approved August 26, 1977.

Chap. 469. AN ACT ALLOWING THE USE OF CITIZEN BAND RADIOS AND MOBILE PHONES IN MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 13 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:- No person, when operating a motor vehicle, shall permit to be on or in the vehicle or on or about his person anything which may interfere with or impede the proper operation of the vehicle or any equipment by which the vehicle is operated or controlled, except that a person may operate a motor

vehicle while using a citizens band radio or mobile telephone as long as one hand remains on the steering wheel at all times.

Approved August 26, 1977.

Chap. 470. AN ACT RELATIVE TO THE COMMISSION ON INTERSTATE COOPERATION.

Be it enacted, etc., as follows:

Section 23 of chapter 9 of the General Laws, as amended by section 2 of chapter 394 of the acts of 1941, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- The commission shall give particular attention to the establishment of fair and reasonable standards for labor and industry, including minimum wages, maximum hours of labor, conditions of employment of minors and other conditions and standards of employment, and shall also consider such questions as taxation and crime prevention, and such other subjects as may from time to time be referred to it by the governor or the general court.

Approved August 26, 1977.

Chap. 471. AN ACT AUTHORIZING THE TOWN OF WINCHENDON TO RETIRE ARMANDO V. MANONI FROM ACTIVE SERVICE IN THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

The town of Winchendon is hereby authorized to retire Armando V. Manoni from active service in the police department of said town at any time after he attains the age of fifty-five and to pay him a pension as provided in section eighty-five E of chapter thirty-two of the General Laws notwithstanding the age requirements for such pension contained in said section.

Approved August 26, 1977.

Chap. 472. AN ACT PROVIDING THAT CARL E. PUTNAM SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A REGULAR POLICE OFFICER IN THE TOWN OF WAYLAND.

Be it enacted, etc., as follows:

Notwithstanding any rule or law to the contrary regulating the maximum age for applicants for appointment as a regular police

officer, Carl E. Putnam, who has served the town of Wayland as a permanent intermittent police officer since nineteen hundred and sixty-seven, shall be eligible for certification and appointment as a regular police officer in said town; provided he meets all other requirements other than the requirement as to age.

Approved August 26, 1977.

Chap. 473. AN ACT RELATIVE TO MODIFICATIONS, AMENDMENTS AND RECISSIONS OF PRIOR APPROVALS OF SUBDIVISION PLANS.

Be it enacted, etc., as follows:

Section 81W of chapter 41 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 605 of the acts of 1973, and inserting in place thereof the following paragraph:-

No modification, amendment or recission of the approval of a plan of a subdivision or changes in such plan shall affect the lots in such subdivision which have been sold or mortgaged in good faith and for a valuable consideration subsequent to the approval of the plan, or any rights appurtenant thereto, without the consent of the owner of such lots, and of the holder of the mortgage or mortgages, if any, thereon; provided, however, that nothing herein shall be deemed to prohibit such modification, amendment or recission when there has been a sale to a single grantee of either the entire parcel of land shown on the subdivision plan or of all the lots not previously released by the planning board.

Approved August 26, 1977.

Chap. 474. AN ACT EXTENDING THE MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION.

Be it enacted, etc., as follows:

Section 13 of chapter 362 of the acts of 1975 is hereby amended by striking out, in line 5, the word "seventy-seven" and inserting in place thereof the word:- seventy-nine.

Approved August 26, 1977.

Chap. 475. AN ACT RELATIVE TO THE SPECIAL COMMISSION ON MEDICAL MALPRACTICE.

Be it enacted, etc., as follows:

Section 12 of chapter 362 of the acts of 1975 is hereby amended by inserting after the third paragraph the following paragraph:-

Said commission may call upon officials of the commonwealth or its various subdivisions, and may also call upon officials of the federal government and its various agencies and departments for such information as it may desire in the course of its investigation and study. Said commission may seek, accept and expend any grants or gifts of money, professional services, consultant services, clerical and other services and supplies from the federal government or any other private or public source in the course of its investigation and study.

Approved August 26, 1977.

Chap. 476. AN ACT REGULATING THE TAKING OF LOBSTERS BY DIVING.

Be it enacted, etc., as follows:

The first paragraph of section 38 of chapter 130 of the General Laws is hereby amended by striking out the sixth sentence, as amended by section 1 of chapter 442 of the acts of 1971, and inserting in place thereof the following sentence:- A commercial fisherman permit (lobster) shall be issued to an individual but it may be endorsed for use on fishing vessels, in which case it shall cover all persons, except skin or scuba divers, on board such vessel. An individual skin or scuba diver may be granted a commercial fisherman permit (lobster); provided, however, no skin or scuba diver shall be allowed to dive for lobster and edible crabs by authority granted by a commercial fisherman permit endorsed for use on fishing vessels.

Approved August 26, 1977.

Chap. 477. AN ACT AUTHORIZING REPAIRS AND RENOVATIONS TO THE WORCESTER COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county commissioners of Worcester county are hereby authorized to expend a sum not to exceed seventy-five thousand dollars from any available funds for an emergency generator at the Worcester County Hospital.

Approved August 26, 1977.

Chap. 478. AN ACT RELATIVE TO THE TIME THE OLD AND HISTORIC DISTRICTS COMMISSIONS OF THE TOWN OF MARBLEHEAD SHALL ISSUE A CERTIFICATE.

Be it enacted, etc., as follows:

The second paragraph of section 8 of chapter 101 of the acts of 1965 is hereby amended by striking out, in line 2, the word "thirty" and inserting in place thereof the word:- sixty.

Approved August 26, 1977.

Chap. 479. AN ACT RELATIVE TO NOTICE TO THE TOWN CLERK OF THE TOWN OF LUDLOW BY CANDIDATES FOR RE-ELECTION AS A TOWN MEETING MEMBER IN SAID TOWN.

Be it enacted, etc., as follows:

Section 4 of chapter 336 of the acts of 1929, as amended by chapter 167 of the acts of 1941, is hereby further amended by striking out, in line 10, the word "thirty" and inserting in place thereof the word:- fourteen.

Approved August 26, 1977.

Chap. 480. AN ACT AUTHORIZING SCHOOL COMMITTEES TO ESTABLISH CERTAIN COSTS FOR EXTENDED SCHOOL SERVICE PROGRAMS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for the establishment of certain costs for extended school service programs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 26B of chapter 71 of the General Laws, inserted by section 1 of chapter 165 of the acts of 1946, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- If said school committee, upon determination by it of sufficient need, votes that said services should be established by it in such town upon approval of the city council or selectmen, it shall submit in writing a plan of said services to the commissioner of education for his written approval; provided, that said extended school services proposed in said plan shall consist of such care as shall be determined by standards es-

established by said commissioner in consultation with the state department of public health and shall be operated by said school committee under the general supervision of said commissioner; and provided further, that said school committee shall establish as one of the rules of admission of any such child to the benefits of said extended school services that the parents of such child shall pay toward the cost of said services such sum as said school committee shall determine.

Approved August 29, 1977.

Chap. 481. AN ACT AUTHORIZING THE CITY OF MELROSE TO EXPEND CERTAIN FUNDS PREVIOUSLY RAISED BY BOND ISSUE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws or any other law to the contrary, the city of Melrose may expend the sum of five hundred thousand dollars from the unexpended balance of the proceeds of sale of its School Project Loan, Act of 1948 bonds issued as of May fifteenth, nineteen hundred and seventy-five, which sum is not required for the purposes for which said bonds were authorized and issued, for the purposes of (i) paying to the extent of two hundred and forty thousand dollars the principal due on said bonds on May fifteenth, nineteen hundred and seventy-eight, (ii) paying to the extent of two hundred thousand dollars the principal due on said bonds on May fifteenth, nineteen hundred and seventy-nine, and (iii) depositing the sum of sixty thousand dollars to the stabilization fund of said city to be available for appropriation as provided in section five B of chapter forty of the General Laws.

SECTION 2. The action taken by the board of aldermen of the city of Melrose at its meeting on August tenth, nineteen hundred and seventy-seven in voting to appropriate and transfer said sum of five hundred thousand dollars as provided in section one is hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of said meeting.

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

Approved August 29, 1977.

Chap. 482. AN ACT DESIGNATING A CERTAIN REREATIONAL SITE ADJACENT TO THE MYSTIC RIVER AS THE CONGRESSMAN TORBERT H. MACDONALD MEMORIAL PARK.

Be it enacted, etc., as follows:

The recreation site operated by the metropolitan district commission in the city of Malden and located on land adjacent to the Mystic river, shall be designated and known as the Congressman Torbert H. MacDonald Memorial park, in memory of Torbert H. MacDonald of said city who served with great honor and distinction as a representative in Congress from the year nineteen hundred and fifty-five until his death in the year nineteen hundred and seventy-six. A suitable marker bearing said designation shall be erected and maintained at said park by said commission.

Approved August 29, 1977.

Chap. 483. AN ACT AUTHORIZING THE APPOINTING AUTHORITY OF THE CITY OF FALL RIVER TO APPOINT THOMAS STAPLETON AS DIRECTOR OF THE FALL RIVER COUNCIL ON AGING UNDER THE CIVIL SERVICE LAW UPON HIS PASSING A QUALIFYING EXAMINATION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, Thomas Stapleton, acting director of the Fall River Council on Aging, shall be subject to the provisions of chapter thirty-one of the General Laws, provided he passes a qualifying examination to which he shall be subjected by the administrator of the division of personnel administration in the executive office of administration and finance for the position of director of the Fall River Council on Aging. If he passes said examination, he shall be certified for such office and may be deemed to be permanently appointed thereto by the appointing authority of the city of Fall River.

Approved August 29, 1977.

Chap. 484. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight.

BRISTOL COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$85,570 00
2. For reduction of county debt		150,000 00
3. For county commissioners, salaries and expenses		60,666 01
1. Personal services	\$54,78	
2. Contractual services	2,350 00	
3. Supplies and materials	3,050 00	
4. Current charges and obligations	250 00	
5. Equipment	235 00	
4. For transportation and expenses of county and acting commissioners		1,200 00
5. For clerk of courts, salaries and expenses		311,536 60
1. Personal services	279,021 60	
2. Contractual services	20,700 00	
3. Supplies and materials	8,100 00	
4. Current charges and obligations	1,115 00	
5. Equipment	2,600 00	
6. For county treasurer, salaries and expenses		123,899 80
1. Personal services	105,249 80	
2. Contractual services	10,725 00	
3. Supplies and materials	5,500 00	
4. Current charges and obligations	925 00	
5. Equipment	1,500 00	
7. For sheriff, salary and expenses		30,812 15
1. Personal services	29,187 15	
2. Contractual services	975 00	
3. Supplies and materials	350 00	
4. Current charges and obligations	300 00	
8. For registry of deeds, salaries and expenses		
Northern District		194,085 90
1. Personal services	162,875 90	
2. Contractual services	22,150 00	
3. Supplies and materials	7,100 00	
4. Current charges and obligations	1,160 00	
5. Equipment	800 00	
Southern District		194,980 80
1. Personal services	173,970 80	
2. Contractual services	7,900 00	

Item	Subtotal	Total
3. Supplies and materials	\$12,600 00	
4. Current charges and obligations	310 00	
5. Equipment	200 00	
Fall River District		\$185,938 45
1. Personal services	161,580 45	
2. Contractual services	14,450 00	
3. Supplies and materials	3,860 00	
4. Current charges and obligations	448 00	
5. Equipment	5,600 00	
8a. For registry of probate, salaries and expenses		32,035 00
2. Contractual services	11,500 00	
3. Supplies and materials	10,900 00	
4. Current charges and obligations	9,225 00	
5. Equipment	410 00	
9. For law library, salaries and expenses		31,782 50
Taunton		
1. Personal services	11,117 50	
2. Contractual services	500 00	
3. Supplies and materials	150 00	
4. Current charges and obligations	20,015 00	
New Bedford		32,270 90
1. Personal services	11,595 90	
2. Contractual services	525 00	
3. Supplies and materials	150 00	
4. Current charges and obligations	20,000 00	
Fall River		31,968 00
1. Personal services	10,928 00	
2. Contractual services	890 00	
3. Supplies and materials	150 00	
4. Current charges and obligations	20,000 00	
10. For highways, including state highways, bridges and land damages		75,000 00
6. All other	75,000 00	
12. For superior court costs		1,096,375 90
1. Personal services	281,194 90	
2. Contractual services	762,900 00	
3. Supplies and materials	11,700 00	
4. Current charges and obligations	31,681 00	
5. Equipment	2,900 00	
6. All other	6,000 00	
13. For civil expenses in probate court		62,294 35
1. Personal services	38,925 35	
2. Contractual services	19,800 00	
3. Supplies and materials	1,720 00	
4. Current charges and obligations	314 00	
5. Equipment	1,535 00	
14. For district courts, salaries and expenses		325,656 05
First District Court of Bristol		
1. Personal services	292,543 05	
2. Contractual services	12,786 00	

Item	Subtotal	Total
3. Supplies and materials	\$6,750 00	
4. Current charges and obligations	6,513 00	
5. Equipment	7,064 00	
Second District Court of Bristol		\$608,704 10
1. Personal services	605,443 80	
2. Contractual services	33,775 00	
3. Supplies and materials	20,680 00	
4. Current charges and obligations	44,595 00	
5. Equipment	3,210 30	
Third District Court of Bristol		675,706 95
1. Personal services	618,748 95	
2. Contractual services	24,360 00	
3. Supplies and materials	15,925 00	
4. Current charges and obligations	11,225 00	
5. Equipment	5,098 00	
6. All other	350 00	
Fourth District Court of Bristol		275,973 35
1. Personal services	242,687 85	
2. Contractual services	16,711 50	
3. Supplies and materials	6,010 00	
4. Current charges and obligations	5,260 00	
5. Equipment		5,304 00
Bristol County Juvenile Court		483,794 40
1. Personal services	431,514 40	
2. Contractual services	33,465 00	
3. Supplies and materials	8,895 00	
4. Current charges and obligations	3,775 00	
5. Equipment	6,145 00	
15. For medical examiners and commitments of insane		56,825 00
16. For jail and house of correction, maintenance and operation		346,690 20
1. Personal services	45,685 20	
2. Contractual services	70,920 00	
3. Supplies and materials	209,030 00	
4. Current charges and obligations	12,905 00	
5. Equipment	8,150 00	
18. For court houses and registry buildings, maintenance and operation		550,506 00
1. Personal services	353,635 00	
2. Contractual services	124,430 00	
3. Supplies and materials	69,596 00	
4. Current charges and obligations	2,530 00	
5. Equipment	315 00	
20. For agricultural school or county cooperative extension service		1,182,412 21
1. Personal services	829,378 21	
2. Contractual services	125,300 00	
3. Supplies and materials	180,000 00	
4. Current charges and obligations	25,830 00	
5. Equipment	21,904 00	
24. For noncontributory pensions		100,000 00

Item	Subtotal	Total
25. For contributory retirement system and supervisory expenses		\$439,571 96
26. For miscellaneous and contingent expenses		90,662 22
27. For unpaid bills of previous years		60,000 00
28. For reserve fund		100,000 00
28a. For reserve for salary increases		520,500 00
28d. For reserve for counsel for indigent defendants.		200,000 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		15,000 00
39. For group insurance		450,000 00
41. For promotion of Americana trail		25,000 00
42. For county home care for the elderly		21,612 00
Total amount of appropriations		\$9,427,308 80
Less estimated amount available for reduction of county tax		2,211,360 29
And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		\$7,215,948 51

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 \$659,800 08

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

(The foregoing was laid before the Governor on the seventeenth day of August, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 485. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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 eight.

HAMPSHIRE COUNTY.

Item	<u>Subtotal</u>	<u>Total</u>
1. For interest on county debt		\$133,212 50
3. For county commissioners, salaries and expenses		60,961 44
1. Personal services	\$55,201 44	
2. Contractual services	3,200 00	
3. Supplies and materials	1,400 00	
4. Current charges and obligations	510 00	
5. Equipment	650 00	
4. For transportation and expenses of county and acting commissioners		1,000 00
5. For clerk of courts, salaries and expenses		82,269 20
1. Personal services	76,648 20	
2. Contractual services	3,370 00	
3. Supplies and materials	1,150 00	
4. Current charges and obligations	518 00	
5. Equipment	583 00	
6. For county treasurer, salaries and expenses		73,216 60
1. Personal services	60,556 60	
2. Contractual services	10,700 00	
3. Supplies and materials	1,200 00	
4. Current charges and obligations	760 00	
7. For sheriff, salary and expenses		20,635 00
1. Personal services	19,890 00	
2. Contractual services	450 00	

Item	Subtotal	Total
3. Supplies and materials		20 00
4. Current charges and obligations	275 00	
8. For registry of deeds, salaries and expenses		\$122,965 06
1. Personal services	96,967 20	
2. Contractual services	15,924 50	
3. Supplies and materials	4,695 76	
4. Current charges and obligations	2,549 60	
5. Equipment	2,828 00	
8a. For registry of probate, salaries and expenses		11,815 00
2. Contractual services	4,870 00	
3. Supplies and materials	3,000 00	
4. Current charges and obligations		1,489 00
5. Equipment	2,456 00	
9. For law library, salaries and expenses		51,399 60
1. Personal services	11,049 60	
2. Contractual services	2,450 00	
3. Supplies and materials	860 00	
4. Current charges and obligations	37,040 00	
10. For highways, including state highways, bridges and land damages		32,250 00
2. Contractual services	22,250 00	
6. All other	10,000 00	
12. For superior court costs		355,996 37
1. Personal services	125,885 37	
2. Contractual services	222,181 00	
3. Supplies and materials	3,710 00	
4. Current charges and obligations	3,050 00	
5. Equipment	1,170 00	
13. For civil expenses in probate court		35,787 40
1. Personal services	15,527 40	
2. Contractual services	17,465 00	
3. Supplies and materials	675 00	
4. Current charges and obligations	75 00	
5. Equipment	2,000 00	
14. For district courts, salaries and expenses		
District Court of Hampshire		528,244 98
1. Personal services	474,215 53	
2. Contractual services	38,306 00	
3. Supplies and materials	9,786 45	
4. Current charges and obligations	4,188 10	
5. Equipment	1,748 90	
District Court of Eastern Hampshire		77,655 60
1. Personal services	68,140 90	
2. Contractual services	4,660 00	
3. Supplies and materials	860 00	
4. Current charges and obligations	2,706 00	
5. Equipment	1,288 70	

Item	Subtotal	Total
15. For medical examiners and commitments of insane		\$20,710 00
16. For jail and house of correction, maintenance and operation		706,627 82
1. Personal services	\$470,594 32	
2. Contractual services	61,835 50	
3. Supplies and materials	163,270 00	
4. Current charges and obligations	8,118 00	
5. Equipment	2,810 00	
16a. For correctional services		89,534 90
1. Personal services	64,907 90	
2. Contractual services	18,928 00	
3. Supplies and materials	938 00	
4. Current charges ad obligations	4,761 00	
18. For court houses and registry buildings, maintenance and operation		217,745 10
1. Personal services	56,377 10	
2. Contractual services	138,724 00	
3. Supplies and materials	9,444 00	
4. Current charges and obligations	13,200 00	
20. For agricultural school or county cooperative extension service		122,728 54
1. Personal services	101,708 54	
2. Contractual services	14,240 00	
3. Supplies and materials	4,140 00	
4. Current charges and obligations	725 00	
5. Equipment	1,915 00	
21. For the Mount Tom state reservation, maintenance and operation		24,096 81
24. For noncontributory pensions		28,262 40
25. For contributory retirement system		167,853 34
26. For miscellaneous and contingent expenses		87,101 00
27. For unpaid bills of previous years		3,000 00
28. For reserve fund		60,000 00
28a. For reserve for salary increases		166,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		30,000 00
31. For radio system for fire potection		400 00
32. For forest development		3,846 55
35. For county planning		39,728 00
Total amount of appropriations		\$3,355,043 21

Item	Subtotal	Total
Less estimated amount available for reduction of county tax		\$318,500 00
And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		\$3,036,543 21

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.

2. For reduction of county debt	\$501,000 00
39. For group insurance	100,000 00
	<u>\$601,000 00</u>

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

(The foregoing was laid before the Governor on the seventeenth day of August, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 486. AN ACT AUTHORIZING THE TOWN OF BELCHERTOWN TO ENTER INTO AN AGREEMENT WITH THE TOWN OF PALMER TO CONSTRUCT AND MAINTAIN SEWERAGE WORKS WITHIN THE TOWN OF PALMER.

Be it enacted, etc., as follows:

SECTION 1. The town of Belchertown is hereby authorized to enter into an agreement, subject to the approval of the emergency finance board, with the town of Palmer to allow the town of Belchertown to construct a sewer in the Bondsville Village section of the town of Palmer and to discharge sewage collected from the South Belchertown district of the town of Belchertown to the Palmer sewerage system for appropriate treatment as required by current water pollution control laws. After the construction has been completed by the town of Belchertown within the town of Palmer, such system shall be owned and maintained by the town of Belchertown.

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

Approved September 1, 1977.

Chap. 487. AN ACT DIRECTING THE TOWN OF STOUGHTON TO
REDIVIDE THE TOWN INTO CERTAIN VOTING PRECINCTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Stoughton is hereby authorized and directed to redivide the town into convenient voting precincts on the basis of the nineteen hundred and seventy-five census in said town.

SECTION 2. The precincts established under the provisions of section one shall, for the purpose of reporting the census of inhabitants in each precinct of the town of Stoughton required by the constitution, take effect retroactively to the day established by section seven of chapter nine of the General Laws as the state decennial census day of the year nineteen hundred and seventy-five; and shall be reported by the selectmen of the town of Stoughton forthwith to the state secretary and shall be used for the purposes of forming representative, senatorial and councillor districts beginning January first, nineteen hundred and seventy-nine.

SECTION 3. The action taken by the town of Stoughton on Article 16 (ID 24) of the warrant for the special town meeting held on January seventeenth, nineteen hundred and seventy-seven, is hereby validated and confirmed to the same extent as though section one of this act had been in full force and effect at the time of posting the warrant for said meeting.

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

Approved September 1, 1977.

Chap. 488. AN ACT AUTHORIZING THE TOWN OF WILLIAMSBURG TO
CONSTRUCT AND LAY AN INTERCEPTOR SANITARY SEWER
LINE AND NECESSARY APPURTENANCES THERETO WITHIN
THE LIMITS OF THE CITY OF NORTHAMPTON FOR THE PUR-
POSE OF TYING INTO THE NORTHAMPTON SANITARY SEWER
SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of tying into the sanitary sewer system of the city of Northampton, the town of Williamsburg is hereby authorized to construct and lay an interceptor sanitary sewer line and necessary appurtenances thereto in and along River road in that part of said city known as Leeds for a distance of approximately three thousand two hundred lineal feet, and in furtherance thereof said town is hereby authorized to acquire by

eminent domain, or otherwise, such easements as may be necessary for such purpose.

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

Approved September 1, 1977.

Chap. 489. AN ACT AUTHORIZING THE TOWN OF SOMERSET TO CONTRACT WITH THE DIGHTON WATER DISTRICT RELATIVE TO USE OF CERTAIN WATER IN THE WATERSHED OF THE SEGREGANSET RIVER.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 254 of the acts of 1914, as most recently amended by section 15 of chapter 137 of the acts of 1949, is hereby further amended by adding the following three sentences:- The town of Somerset may also contract with the Dighton Water District established by chapter three hundred and fifty-nine of the acts of nineteen hundred and fifty so that said District may supply its inhabitants with water. Said contract, may be executed by the town acting through its board of water commissioners with the approval of the selectmen, may authorize the digging or drilling of wells in the watershed of the Segreganset river, and may state the location of such wells and the time and manner of withdrawal of water from such wells, the amount which may be withdrawn and the conditions under which water may be withdrawn from said wells so as to maintain and preserve the waters of the Segreganset river and its watershed as the source of water supply of said town. Any person or corporation damaged in his or its property by any action of said District under this section may recover under the provisions of chapter seventy-nine of the General Laws; provided that the right of damages for any such damage shall not vest until water is actually withdrawn from said wells under authority of this section.

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

Approved September 1, 1977.

Chap. 490. AN ACT AUTHORIZING THE TOWN OF GILL TO CONSTRUCT, REPAIR AND MAINTAIN WASTE WATER FACILITIES IN THE TOWN OF MONTAGUE.

Be it enacted, etc., as follows:

SECTION 1. The town of Gill is hereby authorized to construct, maintain and repair and the town of Montague shall allow the

construction, maintenance and repair of such sewage works within the town of Montague, as may be necessary to convey sewage from the town of Gill to the sewage treatment facility and sewerage system of the town of Montague, as agreed pursuant to an intermunicipal agreement signed by the town of Gill and the town of Montague on May thirty-first, nineteen hundred and seventy-seven.

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

Approved September 1, 1977.

Chap. 491. AN ACT FURTHER REGULATING THE SALE OF NEGOTIABLE CHECKS, DRAFTS AND MONEY ORDERS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to protect the purchasers of negotiable checks, drafts and money orders in the event of financial bankruptcy of the seller, 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 167 of the General Laws is hereby amended by striking out section 59, inserted by chapter 607 of the acts of 1961, and inserting in place thereof the following section:-

Section 59. Any bank as defined in section one, a national banking association or savings and loan association authorized to do business in the commonwealth, may engage directly in the business of selling, issuing or registering checks or money orders, except that trust companies and national banks may engage in such business through agents who shall not be deemed to be branches of such banks. No person, other than the foregoing, shall engage in such business directly or indirectly unless he files on or before January fifteenth in each year a sworn statement setting forth his name and address, the names and business addresses of his agents, other than a bank as defined in section one, a national banking association or savings and loan association, authorized to receive money and transact such business on his behalf. Such person shall deposit and maintain with the state treasurer a surety bond, cash or securities, in a sum of not less than twenty-five thousand dollars nor more than one hundred thousand dollars as the commissioner shall deem to be necessary for the protection of the public. Any such bond or deposit shall be held as security for the payment of checks or money orders

sold by such person or his agents, and the commissioner may make such rules and regulations as may be necessary for the enforcement of this section, including an investigation relative to reputation, integrity and net worth, the cost of which investigation shall be chargeable to such person.

Each person to whom a certificate to engage in such business has been issued shall on or before the fifteenth of April, July and October of each year notify the commissioner of any change in the list of agents contained in the annual statement, and shall file with him the name of any additional agent appointed or of any agent whose authority has been revoked.

There shall be a fee of one hundred dollars for the filing of such annual statement payable to the commissioner and three dollars for each agent listed in the annual statement or in any addition thereto, provided, however, that the total annual fee shall not exceed three hundred dollars.

The commissioner may issue a certificate to engage in such business to any person who in his judgment has complied with the provisions of this section, but he may at any time revoke such certificate for failure to comply with the provisions of this section, or of any rule or regulation promulgated by him, or for failure to pay any check or money order upon presentation for payment.

Whoever violates any provision of this section or any rule or regulation established hereunder shall be punished by a fine of not more than one hundred dollars for each day during which such violation continues.

Approved September 1, 1977.

Chap. 492. AN ACT AUTHORIZING THE TOWN OF MONSON TO CONSTRUCT AND MAINTAIN CERTAIN SEWERAGE WORKS IN THE TOWN OF PALMER.

Be it enacted, etc., as follows:

SECTION 1. The town of Monson is hereby authorized to construct and maintain such sewerage works within the town of Palmer as may be necessary to convey sewage from the town of Monson to the town of Palmer sewerage system, as agreed to in an agreement signed by the towns of Monson and Palmer respectively and dated June fourteenth, nineteen hundred and seventy-four.

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

Approved September 1, 1977.

Chap. 493. AN ACT AUTHORIZING THE WRITING OF REPLACEMENT VALUE INSURANCE ON HOUSEHOLD FURNITURE, FURNISHINGS AND OTHER PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Section 47 of chapter 175 of the General Laws is hereby amended by striking out clause Seventeenth and inserting in place thereof the following clause:-

Seventeenth, To insure buildings and building service equipment pertaining thereto and a part thereof, and machinery, tools, and other equipment appurtenant to or used in connection with any trade, business, manufacturing process, governmental operations, or public and private institutions, household furniture and furnishings and other personal property, for the difference between the actual value of the insured property at the time any loss or damage occurs and the cost of repairing, rebuilding or replacing on the premises described in the policy, or some other location within the commonwealth mutually agreed upon between the insurer and the insured, with new materials of like size, kind and quality, such property as has been damaged or destroyed by fire or other peril insured against, if repaired, rebuilt or replaced within the commonwealth within not exceeding two years from date of loss or such further time as may be agreed to between the insurer and the insured; and also, to insure against the cost of demolition or reconstruction, or both, of any portion of the insured premises which has not suffered damage and the additional cost of repair or reconstruction, or both, of portions of the insured premises which have suffered damage, necessary to comply with applicable laws, ordinances or by-laws.

Approved September 1, 1977.

Chap. 494. AN ACT PROVIDING TIME LIMITATIONS FOR PAYMENT OF RENTS BY TENANTS OF CERTAIN PREMISES.

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 striking out, in line 4, the words "at least four days before the return day of the writ" and inserting in place thereof the words:- on or before the day the answer is due.

SECTION 2. Section 12 of said chapter 186, as amended by chapter 202 of the acts of 1946, is hereby further amended by striking out the second sentence and inserting in place thereof the

following two sentences:- In case of neglect or refusal to pay the rent due from a tenant at will, fourteen days' notice to quit, given in writing by the landlord to the tenant, shall be sufficient to determine the tenancy; provided, that the tenancy of a tenant who has not received a similar notice from the landlord within the twelve months next preceding the receipt of such notice shall not be determined if the tenant, within ten days after the receipt thereof, pays or tenders to the landlord, the landlord's attorney, or the person to whom the tenant customarily pays rent, the full amount of any rent due. Every notice to determine an estate at will for nonpayment of rent shall contain the following notification to the tenant: "If you have not received a notice to quit for nonpayment of rent within the last twelve months, you have a right to prevent termination of your tenancy by paying or tendering to your landlord, your landlord's attorney or the person to whom you customarily pay your rent the full amount of rent due within ten days after your receipt of this notice." If any notice to determine an estate at will for nonpayment of rent shall fail to contain such notification, the time within which the tenant receiving the notice would be entitled to pay or tender rent pursuant to this section shall be extended to the day the answer is due in any action by the landlord to recover possession of the premises. Failure to include such notice shall not otherwise affect the validity of the said notice.

Approved September 1, 1977.

Chap. 495. AN ACT FURTHER REGULATING SECURITY FOR AND NOTIFICATION OF ALIMONY JUDGMENTS.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by striking out sections 36 and 37, as amended by sections 37 and 38, respectively, of chapter 400 of the acts of 1975, and inserting in place thereof the following two sections:-

Section 36. When alimony or an annual allowance is adjudged for the spouse or children, the court may require sufficient security for its payment according to the judgment.

Section 37. After a judgment for alimony or an annual allowance for the spouse or children, the court may, from time to time, upon the action for modification of either party, revise and alter its judgment relative to the amount of such alimony or annual allowance and the payment thereof, and may make any

judgment relative thereto which it might have made in the original action.

Approved September 1, 1977.

Chap. 496. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LAND IN THE TOWN OF MANSFIELD.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public land hereinafter described, or such portions thereof as said department may determine, and to divert said land from its present use to highway use as hereinafter provided.

Said land to be so acquired and diverted is shown on a map entitled "Massachusetts Department of Public Works Public Land in the Town of Mansfield to be Acquired for Highway Purposes August 1976," which said department is hereby directed to file with the chief engineer of the department and which land is bounded and described as follows:

A certain parcel of land in the town of Mansfield, county of Bristol, owned by the town of Mansfield, and located about eight hundred and forty (840) feet southeasterly of South Main street (route 140) and bounded as follows:

Southwesterly by land now or formerly of Herman T. and Anna T. Barker, by land now or formerly of Carl D. and Carole A. Clemmy, and land now or formerly of Phineas E. and Clarissa Black, a total of about four hundred and eighty-two (482) feet;

Northeasterly by land now or formerly of the town of Mansfield, about one thousand two hundred and seventy (1,270) feet;

Easterly and northeasterly by land now or formerly of the town of Mansfield (airport commission) about one hundred and ninety (190) feet and about four hundred seventy-eight (478) feet, respectively; and

Southerly by land now or formerly of said town of Mansfield, about one thousand three hundred and thirty-five (1,335) feet.

Containing, in all, 10.92 acres, more or less.

Said department of public works may construct, as deemed necessary, slopes of excavation or embankment appurtenant to said improvement.

For the purposes of this act the department of public works is hereby granted authority to divert to highway use the above described land or portions thereof presently in public use as a sewage plant in the town of Mansfield.

Approved September 1, 1977.

Chap. 497. AN ACT REQUIRING CERTAIN TESTS ON PREGNANT PATIENTS PRIOR TO ABORTIONS.

Be it enacted, etc., as follows:

Section 12R of chapter 112 of the General Laws, as appearing in chapter 397 of the acts of 1977, is hereby amended by inserting after the first sentence the following sentence:- Prior to the performance of an abortion, the physician shall make a positive determination of pregnancy, test for blood type and Rh type, test for Rh_o(D) sensitization on each patient found to be Rh_o(D) negative by use of an antiglobulin (Coombs) test performed by a blood bank operated by a licensed hospital, or by a laboratory, and offer Rh_o(D) immune globulin (Human) to each Rh_o(D) negative patient with a negative sensitization test at the time of any abortion.

Approved September 1, 1977.

Chap. 498. AN ACT PROVIDING THAT THE OFFICE OF CHIEF OF POLICE AND THE MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF HADLEY SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the office of chief of police and appointments to the police department of the town of Hadley 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 the incumbent chief of police holding permanent civil service or the permanent or probationary civil service status of any member of the police department in said town on the effective date of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Hadley 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-seven, entitled 'An Act providing that the office of chief of police and members of the police department of the town of Hadley 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, then this act shall thereupon take full effect, but not otherwise.

Approved September 1, 1977.

Chap. 499. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TOWN OF PLYMOUTH MAY EXPEND FOR THE OBSERVANCE OF THANKSGIVING DAY.

Be it enacted, etc., as follows:

Section 1 of chapter 828 of the acts of 1967 is hereby amended by striking out, in line 2, the word "two" and inserting in place thereof the word:- five.

Approved September 1, 1977.

Chap. 500. AN ACT PROVIDING THAT LEMAN W. PADELFORD BE CONSIDERED A RESIDENT OF THE CITY OF TAUNTON FOR THE PURPOSE OF APPOINTMENT AS FIREFIGHTER IN SAID CITY.

Be it enacted, etc., as follows:

For the purpose of certifying names from the current eligible list for firefighters to the appointing authority for the city of Taunton, pursuant to section forty-eight A of chapter thirty-one of the General Laws, the personnel administrator shall treat and consider Lemman W. Padelford, who had resided in the town of Raynham and now resides in the city of Taunton, as though said Lemman W. Padelford had, in fact, resided in the city of Taunton for the two years next preceding the date of the examination which resulted in the establishment of said list.

(The foregoing was laid before the Governor on the twenty-second day of August, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 501. AN ACT PROVIDING PENALTIES FOR CERTAIN PERSONS WHO FAIL TO REPORT CASES OF CHILD ABUSE OR NEGLECT.

Be it enacted, etc., as follows:

The third paragraph of section 51A of chapter 119 of the General Laws, as appearing in section 5 of chapter 1076 of the acts of 1973, is hereby amended by adding the following sentence:- Any such person who fails to make such a report shall be punished by a fine of not more than one thousand dollars.

Approved September 7, 1977.

Chap. 502. AN ACT AUTHORIZING THE CITY OF PEABODY TO ESTABLISH A DEPARTMENT OF COMMUNITY DEVELOPMENT.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the city of Peabody, hereinafter called the city, a department of community development, hereinafter called the department. The redevelopment authority of the city is hereby abolished. All powers, duties, liabilities, property and functions thereof are transferred as provided for in this act. All salaried employees as of July first, nineteen hundred seventy-six except the positions of executive director and interim administrator appointed by, through, or under said authority are hereby transferred to and made employees of the department of community development. At the discretion of the mayor, and with the concurrence of the city council, 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, except insofar as any of those rights are not consistent with comparable rights in the city personnel administration plan. The department shall include, with the concurrence of the city council, such boards, committees, commissions, agencies, or departments as may from time to time be authorized under municipal, state, or federal law to undertake community development activities, but not including a local housing authority organized under section three of chapter one hundred and twenty-one B of the General Laws.

The powers, duties, property, functions of, and appointments to 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. There shall be a director of community development, hereinafter called the director, who shall be an executive officer of the city, and, ex officio, the chairman of the community development authority and who may be removed by the mayor. 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. The director shall be appointed by the mayor, subject to confirmation by the city council and have full charge and supervision of the work of the department and its personnel, and exercise such other duties, powers, and functions as may be established by ordinance.

SECTION 3. The director and all officers and employees necessary to carry out the work of the department shall receive such annual salary as shall be fixed by the mayor with the approval of the city council.

SECTION 4. 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, an economic development and industrial corporation within the meaning of chapter one hundred and twenty-one C of the General Laws and an industrial development financing authority within the meaning of chapter forty D of the General Laws. The powers of the authority under said chapters one hundred and twenty-one B, one hundred and twenty-one C and said chapter forty D shall be exercised in conformity with the restrictions contained in this act. The authority shall be managed, controlled and governed by a five member board, the chairman of which shall be the director of the department of community development, two members who shall be appointed by the mayor, two members who shall be appointed by the city council and one member who shall be appointed by the secretary of the executive office of communities and development. The members appointed by the mayor and the members appointed by the city council may be removed for cause by a majority vote of the city council. After the qualification of such members, the city clerk shall forthwith file a certificate of their appointments 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 chairman of the authority shall not receive additional compensation and the authority so far as practical shall make use of the services of the department for staff and administrative functions and the department may charge the authority for such services an amount agreed to by the department and the authority with the approval of the mayor, and the concurrence of the city council.

SECTION 5. The city of Peabody may annually appropriate money to defray expenses incurred by the department in exercising powers and performing duties under this act.

SECTION 6. The powers of the department, 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 on methods and techniques and pilot projects relative to community development.

(c) to provide to the city finance and administration director the data necessary to compute and the actual computation or 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 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 administer and coordinate, under the authority and direction of the city, the disposition of any funds received under clause (b) of section seven upon the dissolution of the existing industrial development financing authority.

SECTION 7. The authority shall have in addition to the powers set forth in section four the following powers and duties, subject to the provisions of chapter one hundred and twenty-one B of the General Laws and subject to the prior approval by the city council:

(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 and shall further be subject to the prior approval of the city council;

(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, 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 of 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 subject to prior approval by the city council 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 rental 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 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, upon request of the housing authority, of any existing housing project undertaken by said housing authority and shall further be subject to the prior approval of the city council;

(k) 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;

(l) to exercise, upon a finding by the city council and certification by the state that there exists in the city conditions of unemployment or threat of future unemployment resulting from obsolescent industrial and manufacturing facilities within the meaning of chapter one hundred and twenty-one C of the

General Laws, all the powers of an economic development and industrial corporation established under said chapter;

(m) to exercise all the powers of an industrial development financing authority established under chapter forty D of the General Laws.

SECTION 8. 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 9. 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 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 10. 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.

SECTION 11. Upon the passage of this act, all moneys, real property, furniture, fixtures, supplies, equipment, contractual obligations, and rights of the Peabody redevelopment authority shall be assigned, transferred, and delivered to the Peabody community development authority, and all indebtedness of the Peabody redevelopment authority with their bonding limits of the Centennial Industrial Park as of July first, nineteen hundred and seventy-six shall be assumed by the Peabody community development authority.

SECTION 12. This act shall take effect upon its acceptance by the city of Peabody.

Approved September 8, 1977.

Chap. 503. AN ACT FURTHER REGULATING THE AUTHORITY OF THE OLD KING'S HIGHWAY REGIONAL HISTORIC DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 470 of the acts of 1973, as most recently amended by section 8 of chapter 845 of the acts of 1975, is hereby further amended by adding the following paragraph:-

All certificates issued pursuant to this act shall expire one year from the date of issue, or upon the date of expiration of any building permit issued as to the work authorized by said certificate, whichever expiration date shall be later. The committee may renew any certificate for an additional term or terms of not over one year provided application for such renewal is received prior to the expiration of said certificate.

SECTION 2. Section 7 of said chapter 470, as amended by section 9 of said chapter 845, is hereby further amended by adding the following paragraph:-

The commission may also establish, from time to time, defined geographical areas within the several town historic districts, hereafter called "exempt areas", within which the activities otherwise limited by section six may be allowed without a hearing upon the issuance of a certificate of exemption by the appropriate committee, if the commission shall determine, by the vote of two thirds of its membership, that such areas lack historical significance and that their establishment as exempt areas would not cause substantial derogation from the intent and purpose of this act.

SECTION 3. Section 8 of said chapter 470, as amended by section 10 of said chapter 845, is hereby further amended by striking out, in line 5, the word "color" and inserting in place thereof the word:- architectural.

SECTION 4. The second paragraph of section 11 of said chapter 470, as appearing in section 13 of said chapter 845, is hereby amended by inserting after the word "town", in line 4, the words:- and notice of such appeal shall be given to the town clerk so as to be received within such twenty days.

Approved September 9, 1977.

Chap. 504. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW
RELATIVE TO THE TREATMENT OF ALCOHOLISM AND
RELATIVE TO THE BOARD OF REGISTRATION IN MEDICINE.

Be it enacted, etc., as follows:

SECTION 1. Subparagraph (b) of section 4A of chapter 176B of the General Laws, as appearing in section 6 of chapter 1221 of the acts of 1973, is hereby amended by inserting after the word "which", in line 6, the word:- is.

SECTION 2. Section 12 of said chapter 176B, as appearing in chapter 306 of the acts of 1941, is hereby amended by inserting after the word "physician", in lines 2 and 3, the words:- , or any

other participating provider of health services, -and by inserting after the word “registration”, in line 9, the words:- and discipline.

Approved September 9, 1977.

Chap. 505. AN ACT DEFINING THE EMPLOYMENT OF FIREMEN AND ENGINEERS.

Be it enacted, etc., as follows:

Section 49 of chapter 146 of the General Laws, as most recently amended by section 1 of chapter 568 of the acts of 1970, is hereby further amended by inserting after the seventh sentence the following sentence:- No engineer or fireman in charge of a steam plant shall be permitted to be in charge of any other steam plant, unless it is within one mile from the specific plant of which the engineer or fireman is designated to be in charge or unless a licensed second or third class engineer or fireman shall be in attendance at such plant and shall perform his duties under the supervision of such engineer or fireman.

Approved September 9, 1977.

Chap. 506. AN ACT DESIGNATING THE BRIDGE LOCATED ON WALNUT STREET IN THE TOWN OF DEDHAM AS THE EDWARD G. BINGHAM MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge located on Walnut street in the town of Dedham shall be designated and known as the Edward G. Bingham Memorial Bridge in memory of Edward G. Bingham, who was an employee of the department of public works of said town and who was killed in the line of his duties. A suitable marker bearing such designation shall be attached thereto by the said department.

Approved September 9, 1977.

Chap. 507. AN ACT INCREASING THE TIME AN EMPLOYEE MUST BE NOTIFIED OF THE RESULTS OF A SUSPENSION HEARING.

Be it enacted, etc., as follows:

Paragraph (e) of section 43 of chapter 31 of the General Laws is hereby amended by striking out the fifth sentence, as appear-

ing in section 2 of chapter 569 of the acts of 1959, and inserting in place thereof the following sentence:- Whenever such hearing is given, the appointing authority shall give the officer or employee suspended a written notice of his decision within seven days after the hearing.

Approved September 9, 1977.

Chap. 508. AN ACT RELATIVE TO SPECIAL TOWN MEETINGS IN THE TOWN OF SHREWSBURY.

Be it enacted, etc., as follows:

The provisions of section twenty-nine of chapter fifty-one of the General Laws that relate to special town meetings shall not apply to the town of Shrewsbury.

Approved September 9, 1977.

Chap. 509. AN ACT AUTHORIZING THE CHIEF PROBATION OFFICER OF THE DISTRICT COURT OF CENTRAL BERKSHIRE TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

The county treasurer of Berkshire county, with the approval of the county commissioners, is hereby authorized and directed to reimburse the chief probation officer of the district court of central Berkshire in the amount of one thousand five hundred and forty-three dollars and forty-eight cents, which sum was the balance not recovered after a burglary during the night of May fifth, nineteen hundred and seventy-four in which a total of eight thousand five hundred and sixteen dollars and ten cents was stolen.

Approved September 9, 1977.

Chap. 510. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO PAY A CERTAIN SUM OF MONEY TO JOANNE OUTCHCUNIS.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized to appropriate money for the payment of, and to pay Joanne Outchcunis a sum not to exceed one thousand eight hundred thirty-eight dollars and forty cents for sick leave in accordance with the

stipulation award made by the state board of conciliation and arbitration.

SECTION 2. The action taken by the town of Wareham on Article 9 of the warrant for the special town meeting held on July eleventh, nineteen hundred and seventy-seven is hereby validated and confirmed to the same extent as though section one of this act had been in full force and effect at the time of the posting of the warrant for said meeting.

Approved September 9, 1977.

Chap. 511. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD CIVIC CENTER COMMISSION TO ESTABLISH A SPRINGFIELD CIVIC CENTER PROMOTION FUND.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 377 of the acts of 1968 is hereby amended by inserting after paragraph (f) the following paragraph:-

(g) To create the position of Springfield civic center promoter. The civic center promoter shall not receive compensation for his duties as such promoter. However, if he is an employee of the commission, he may perform promotional duties in the regular course of his employment and receive his regular wages. He shall be appointed by majority vote of all the commissioners with the approval of the mayor and shall, with the approval of the commission, promote shows, exhibitions, displays and other events on the premises of the civic center and on other premises of the city of Springfield with the approval of the mayor and the city department having the care and supervision of such other premises. Such promoter, upon receipt of written approval of the commission, is authorized to draw upon the Springfield civic center promotion fund, hereinafter provided for, without appropriation, an amount up to but not exceeding one hundred and fifty thousand dollars for payment of binders, services, deposits, and other expenses normal and incidental to the promotion of events as provided by this chapter.

SECTION 2. Section 8 of said chapter 377 is hereby amended by inserting after paragraph (b) the following paragraph:-

(c) The commission is authorized to hold in escrow all monies received in contemplation of an event to be promoted by any person pending the satisfactory completion of such event. Such escrow monies are to be held for the protection of ticket purchasers and the commission. After satisfactory completion of an

event the monies so held in escrow shall be disbursed as provided in the promotion contract and all proceeds shall be deposited forthwith in the city treasury.

SECTION 3. Paragraph (b) of section 9 of said chapter 377 is hereby amended by adding the following three sentences:- The city of Springfield may also appropriate for the purpose of promotion of events as provided by this chapter no more than twenty-five thousand dollars in any fiscal year. Money so appropriated shall be deposited by the city treasurer in the Springfield civic center promotion fund, hereinafter provided for. The city treasurer shall also deposit and transfer gifts received by him under section fifty-three A of chapter forty-four of the General Laws for the purpose of promotions to said fund without appropriation.

SECTION 4. Said section 9 of said chapter 377 is hereby further amended by inserting after paragraph (d) the following paragraph:-

(e) Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other provisions of law, the city of Springfield may establish in the city treasury a fund, to be known as the Springfield civic center promotion fund, into which shall be deposited the proceeds originally payable to the civic center promoter from those monies held in escrow pending the satisfactory completion of an event. All such funds received by the city treasurer shall be kept in said fund and shall be separate from all other monies, funds or property of said city; provided, however, that any monies contained in such fund which exceed one hundred and fifty thousand dollars shall be transferred by the city treasurer to the general fund of the city of Springfield.

Approved September 9, 1977.

Chap. 512. AN ACT AUTHORIZING THE TOWN OF LENOX TO CONSTRUCT AND MAINTAIN CERTAIN SEWERAGE WORKS IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. The town of Lenox is hereby authorized to construct and maintain such sewerage works within the city of Pittsfield as may be necessary to convey sewage for the town of Lenox to the city of Pittsfield sewerage system, as agreed to in an agreement executed by the town of Lenox and the city of Pittsfield dated January seventh, nineteen hundred and seventy-six.

SECTION 2. The board of selectmen of the town of Lenox, acting for and on behalf of said town, may acquire by purchase or otherwise, any lands, rights of way or easements, public or private, in the city of Pittsfield, necessary for the laying out, construction, maintenance and operation of interceptor sewerage pipes and related facilities for the conveyance of sewage from the town of Lenox to the wastewater treatment facilities in the city of Pittsfield, as agreed in an agreement executed by the town of Lenox and the city of Pittsfield on January seventh, nineteen hundred and seventy-six.

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

Approved September 14, 1977.

Chap. 513. AN ACT REQUIRING THE USE OF INTRADERMAL TUBERCULIN TESTS TO SHOW FREEDOM FROM TUBERCULOSIS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 81 the following section:-

Section 81A. No ordinance, by-law, rule or regulation of a board of health or the requirements of any public or private institution, school or college shall be enacted, promulgated, or continued in effect which would require a chest x-ray examination to show freedom from tuberculosis in a communicable form, unless the recipient of such x-ray is known to be tuberculin positive. Any report required by such ordinance, by-law, rule or regulation showing freedom from tuberculosis in a communicable form shall be based upon a negative intradermal tuberculin test that is administered and interpreted in a manner approved by the commissioner. In the case of a person whose tuberculin test is positive, a statement by a physician, based upon the results of a standard chest x-ray film shall be required, and such other laboratory and clinical examinations as may be necessary for the exclusion of tuberculosis in a communicable form.

Approved September 14, 1977.

Chap. 514. AN ACT AUTHORIZING THE TOWN OF CONCORD TO CHANGE THE PERMITTED USES OF LANDS ABUTTING STATE HIGHWAY ROUTE 2.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one of chapter four hundred and two of the acts of nineteen hundred

and fifty-two, and the provisions of section one of chapter forty-three of the acts of nineteen hundred and seventy-two, the use of the land in the town of Concord abutting the highway now known as route 2, to which those acts relate, is hereby restricted to such uses as are lawfully permitted therein under the zoning by-law of said town in effect immediately prior to the effective date of this act, such uses, however, to be subject to the restrictions of said by-law. The restrictions in such by-law, including, but not limited to, the area of lots, frontage, the height and bulk of buildings, the set-back from the way fronted upon, the width of yards, corner clearance, maximum lot coverage, and landscaped buffer requirements, in force immediately prior to the effective date of this act, so far as applicable to the land to which this act relates, shall remain in full force and effect.

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

Approved September 17, 1977.

Chap. 515. AN ACT AUTHORIZING THE TOWN OF MONSON TO ACQUIRE CERTAIN LANDS AND RIGHTS OF WAY OR EASEMENTS ON CERTAIN LANDS IN THE TOWN OF PALMER FOR SEWERAGE WORKS.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Monson, acting for and on behalf of said town, may take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, rights of way or easements, public or private, in the town of Palmer, necessary for the laying out, construction, maintenance and operation of interceptor sewerage pipes and related facilities for the conveyance of sewage from the town of Monson to the joint wastewater treatment facilities in the town of Palmer, as agreed in an intermunicipal agreement executed by the said towns and dated June fourteenth, nineteen hundred and seventy-four.

The board of selectmen of the town of Palmer shall give prior approval to any such takings, purchases, or acquisitions.

SECTION 2. Any person damaged by any taking of property authorized by section one may recover damages from the town of Monson under the provisions of chapter seventy-nine of the General Laws.

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

Approved September 17, 1977.

Chap. 516. AN ACT MAKING A CORRECTIVE CHANGE TO THE LAW RELATIVE TO THE FUNDING OF CERTAIN REVENUE ANTICIPATION NOTES OF AND PAYMENTS BY THE CITY OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 261 of the acts of 1977 is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:- Sums equal to the amounts borrowed under section one shall be credited first to the overlay deficit accounts for any year prior to the current fiscal year to the extent of such deficits as of June thirtieth of the current fiscal year, then to the excess and deficiency account to the extent of any deficit therein as of June thirtieth of the current fiscal year, and then the remainder shall be set up on the books of the city, together with amounts in the real and personal property tax overpayments account as of such date, as a reserve for unpaid real estate and personal property taxes. Sums equal to the amounts borrowed under section two shall be credited first to the overlay deficit accounts for any year prior to the current fiscal year to the extent of such deficits as of June thirtieth, nineteen hundred and seventy-eight, then to the excess and deficiency account to the extent of any deficit therein as of June thirtieth, nineteen hundred seventy-eight and then the remainder shall be credited to this reserve.

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

Approved September 17, 1977.

Chap. 517. AN ACT EXEMPTING FROM THE CIVIL SERVICE LAWS THE POSITIONS OF OFFICE MANAGER, CLERKS, STENOGRAPHERS AND ADMINISTRATIVE ASSISTANTS IN THE DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF ANDOVER.

Be it enacted, etc., as follows:

SECTION 1. The positions of office manager, clerks, stenographers and administrative assistants of the department of public works of the town of Andover shall be exempt from 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 person employed in such positions in the department of public works of the town of Andover on the effective date of this act.

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

Approved September 17, 1977.

Chap. 518. AN ACT INCREASING THE RATE OF INTEREST CHARGED ON SEWER ASSESSMENTS BY THE BOARD OF SEWER COMMISSIONERS IN THE TOWN OF WILMINGTON.

Be it enacted, etc., as follows:

The fourth sentence of section 6 of chapter 297 of the acts of 1958 is hereby amended by striking out, in line 6, the word "four" and inserting in place thereof the word:- five.

Approved September 17, 1977.

Chap. 519. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS FOR HIGHWAY PURPOSES IN THE TOWN OF LANCASTER.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or 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 uses, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled "Interstate Route 190 Lancaster Commonwealth of Massachusetts Department of Public Works Public Lands Needed for Highway Purposes", in the town of Lancaster, under the control of its conservation commission, which map shall be kept on file in the department of public works and are described as follows:

Parcel 2-16

A parcel of land owned by the conservation commission of the town of Lancaster adjoining the dividing line between the town of Lancaster and the city of Leominster and being more fully described as follows:

Beginning at a point on said dividing line and the centerline of the North Nashua River; thence following said dividing line northerly, one thousand five hundred and ninety-six (1,596) feet more or less; thence northeasterly, five hundred and fifty-six (556) feet more or less to a point on the proposed easterly location line of Interstate 190, so-called; thence following said location line by six (6) courses respectively; by a curve to the right of six thousand two hundred and ninety (6,290.00) feet radius, three

hundred and sixty-three (363) feet more or less; thence south $76^{\circ}30'36''$ east, fifty (50) feet; thence south $13^{\circ}29'24''$ west, one thousand four hundred and twenty-six and $51/100$ (1,426.51) feet; thence by a curve to the left of eleven thousand eight hundred (11,800.00) feet radius, two hundred and eleven (211) feet more or less; thence north $77^{\circ}31'54''$ west, forty-five (45.00) feet; thence by a curve to the left of eleven thousand eight hundred and forty-five (11,845.00) feet radius, one hundred and forty-seven (147) feet more or less to a point on the centerline of said North Nashua River; thence following said centerline, northwesterly three hundred and four (304) feet more or less to the point of beginning, containing about 15.22 acres.

A parcel of land owned by the conservation commission of the town of Lancaster adjoining the proposed easterly location line of Interstate 190, so-called, and being more fully described as follows:

Beginning at a point on said location line, said point being approximately opposite Station 573-15 of main baseline "N"; thence following said location line by a curve to the left of six thousand two hundred and ninety (6,290.00) feet radius, three hundred and thirty-four (334) feet more or less; thence westerly, two hundred and thirty-six (236) feet more or less; thence southeasterly, three hundred and forty (340) feet more or less to the point of beginning, containing about 0.86 acres.

Parcel 2-C-1

A parcel of land owned by the conservation commission of the town of Lancaster adjoining the proposed easterly location line of Interstate 190, so-called, and being more fully described as follows:

Beginning at a point on said location line and the centerline of the North Nashua River; thence following said location line by a curve to the right of eleven thousand eight hundred and forty-five (11,845.00) feet radius, one hundred and forty-seven (147) feet more or less; thence south $77^{\circ}31'54''$ east, forty-five (45.00) feet; thence south $82^{\circ}08'42''$ east, four hundred eighty-eight and twenty-five (488.25) feet; thence south $00^{\circ}37'49''$ east, ninety-seven (97) feet more or less to a point on the centerline of said North Nashua River; thence following said centerline westerly, five hundred and sixty-two (562) feet more or less to the point of beginning, containing about 1.50 acres.

Said department of public works may construct as deemed necessary slopes of excavation or embankment appurtenant to said improvement.

For the purposes of this act the department of public works is hereby granted authority to divert to highway use the above described lands or portions thereof presently in public use as park lands, recreational areas, nature preserves or others.

Approved September 17, 1977.

Chap. 520. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO SELL A CERTAIN PARCEL OF LAND IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON TO THE BEINEKE REALTY TRUST.

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 Beineke Realty Trust by a quitclaim deed approved as to 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, said land being bounded and described as follows:-

Beginning at a point at the intersection of the Northerly side of Victory Road and the Easterly side of Bernice Street;

Thence Northerly along the Easterly side of Bernice Street, 159 feet, more or less, to a point;

Thence turning and running Westerly across Bernice Street, 40 feet, more or less, to a point;

Thence turning and running Southerly 171.31 feet, more or less, along land presently of the Beineke Realty Trust;

Thence turning and running Easterly 41.91 feet, more or less, along the Northerly side of Victory Road to the point of beginning;

comprising land supposed to be owned by the Metropolitan District Commission and shown on an order of taking on or about September 1, 1954. The proceeds from the sale of this land shall be credited to the Metropolitan Parks Trust Fund.

Approved September 17, 1977.

Chap. 521. AN ACT DESIGNATING A CERTAIN OVERPASS IN THE CITY OF NEW BEDFORD AS THE ANDRE LOPES OVERPASS.

Be it enacted, etc., as follows:

The pedestrian overpass located in the downtown section of the city of New Bedford connecting Purchase street and Acushnet

avenue shall be designated and known as the Andre Lopes overpass, in memory of Andre Lopes, who died as a result of injuries incurred while a member of the armed forces of the United States during the Korean emergency. The department of public works shall attach a suitable marker thereto bearing said designation in compliance with the standards of said department and as authorized by the federal highway administration.

Approved September 17, 1977.

Chap. 522. AN ACT PROVIDING FOR FINANCING OF FISHING COOPERATIVES BY THE MASSACHUSETTS COMMUNITY DEVELOPMENT FINANCE CORPORATION.

Be it enacted, etc., as follows:

Clause (11) of the fifth paragraph of section 4 of chapter 40F of the General Laws, as appearing in section 2 of chapter 866 of the acts of 1975, is hereby amended by striking out subclause (e) and inserting in place thereof the following subclause:-

(e) The project is conducted by a nonprofit corporation including local development corporations organized under the Small Business Act, or by a fishing cooperative.

Approved September 17, 1977.

Chap. 523. AN ACT PROVIDING FOR THE ANNUAL INSPECTION OF CERTAIN ABOVE GROUND STORAGE TANKS.

Be it enacted, etc., as follows:

Section 37 of chapter 148 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph:-

The commissioner shall cause such tanks to be inspected annually. The annual inspection fee shall be a minimum of five dollars and a maximum of twenty-five dollars. The owner or user of the tank and the local fire department shall be notified of the date of the intended inspection not less than fourteen days prior to the inspection date. Inspections may be made of the premises, tanks, dikes and related equipment at any time during regular business hours.

Approved September 17, 1977.

Chap. 524. AN ACT DESIGNATING THE FIRST SUNDAY IN FEBRUARY AS
TADEUSZ KOSCIUSZKO DAY.

Be it enacted, etc., as follows:

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

Section 12BB. The governor shall annually issue a proclamation setting apart the first Sunday in February as Tadeusz Kosciuszko Day and recommending that said day be observed in an appropriate manner by the public in recognition of the one hundred and seventy thousand Polish-Americans living in the commonwealth, and their contribution to the growth and development of the state and nation.

Approved September 17, 1977.

Chap. 525. AN ACT FURTHER REGULATING THE COLLECTION OF
LOCAL TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 60 of the General Laws is hereby amended by adding the following clause:-

18. For the mailing of each written demand or notice by registered mail, the cost thereof.

SECTION 2. The provisions of this act shall take effect on July first, nineteen hundred and seventy-eight.

Approved September 17, 1977.

Chap. 526. AN ACT RELATIVE TO THE POWERS OF THE DEPARTMENT
OF ENVIRONMENTAL QUALITY ENGINEERING TO
REGULATE THE PROVISION OF SAFE DRINKING WATER.

Be it enacted, etc., as follows:

SECTION 1. Section 5G of chapter 111 of the General Laws, inserted by chapter 625 of the acts of 1961, is hereby amended by inserting after the word "town", in line 2, the word:- , person.

SECTION 2. Said chapter 111 is hereby further amended by striking out section 17, as most recently amended by section 167 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 17. The department of environmental quality engineering, in this section called the department, shall consult with and advise the officers of towns and persons having or about to have systems of water supply, drainage or sewerage as to the

most appropriate source of water supply and the best method of assuring its purity, or as to the best method of disposing of their drainage or sewage with reference to the existing and future needs of other towns or persons which may be affected thereby. It shall also consult with and advise persons engaged or intending to engage in any manufacturing or other business whose drainage or sewage may tend to pollute any inland water as to the best method of preventing such pollution, and it may conduct experiments to determine the best methods of the purification or disposal of drainage or sewage. No person shall be required to bear the expense of such consultation, advice or experiments. Towns, districts and persons shall submit to said department for its advice and approval their proposed system of water supply or of the disposal of drainage or sewage, and no such system shall be established without such approval. All petitions to the general court for authority to introduce a system of water supply, drainage or sewerage shall be accompanied by a copy of the recommendation, advice and approval of said department thereon. The department may after a public hearing require a town, person, district or water company to make such improvements relative to any existing treatment, works or system of water supply as in its judgment may be necessary for the protection of public health. In this section the term "drainage" means rainfall, surface and subsoil water only, and "sewage" means domestic and manufacturing filth and refuse.

SECTION 3. The second sentence of section 160 of said chapter 111, as appearing in section 3 of chapter 448 of the acts of 1951, is hereby amended by inserting after the word "supply", in line 5, the words:- and to ensure the delivery of a fit and pure water supply to all consumers.

SECTION 3A. The third sentence of said section 160 of said chapter 111, as so appearing, is hereby amended by striking out, in line 14, the word "not".

SECTION 4. Section one hundred and sixty-six of said chapter one hundred and eleven is hereby repealed.

Approved September 17, 1977.

Chap. 527. AN ACT RELATIVE TO THE POSTING OF NOTICES FOR A REGIONAL SCHOOL DISTRICT COMMITTEE MEETING.

Be it enacted, etc., as follows:

The sixth paragraph of section 23B of chapter 39 of the General Laws, as appearing in section 6 of chapter 397 of the

acts of 1976, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The secretary of a regional school district committee shall be considered to be its clerk and he shall file the notice of meetings of the committee with the clerk of each city or town within such district and each such clerk shall post the notice in his office or on the principal official bulletin board of the city or town and such secretary shall post such notice in his office or on the principal official bulletin board of the district.

Approved September 17, 1977.

Chap. 528. AN ACT AUTHORIZING THE TRANSFER OF CERTAIN CONSERVATION LANDS IN THE TOWN OF READING TO THE BOARD OF PUBLIC WORKS OF SAID TOWN FOR SEWER PURPOSES.

Be it enacted, etc., as follows:

The town of Reading is hereby authorized to transfer from the conservation commission of said town to the board of public works of said town a certain parcel of land off Haverhill Street in said town, being a portion of lot 1 on the Assessors Plat Number 117, bounded and described as follows:

Beginning at a point on the westerly side line of Haverhill Street, 42 feet south of an iron pipe on the boundary between land now or formerly of David L. and Florence J. Richards and the Town of Reading;

thence S. $11^{\circ}24'30''$ E. along said side line of Haverhill Street, a distance of 40 feet;

thence S. $78^{\circ}35'30''$ W. by Town of Reading, a distance of 40 feet;

thence N. $11^{\circ}24'30''$ W. by Town of Reading, a distance of 40 feet;

thence N. $78^{\circ}35'30''$ E. by Town of Reading, a distance of 40 feet and the point of beginning.

Said parcel to contain 1,600 square feet, more or less, and being more fully shown on a plan made by the Board of Public Works of the Town of Reading, dated January, 1977, which is to be recorded forthwith, acquired for conservation purposes to be used for municipal sewer purposes.

Approved September 17, 1977.

Chap. 529. AN ACT AUTHORIZING THE CITY COUNCIL TO ELECT THE CITY CLERK IN THE CITY OF WESTFIELD TO SERVE FOR A TERM OF THREE YEARS AND REMOVING SAID POSITION FROM THE PROVISIONS OF CIVIL SERVICE.

Be it enacted, etc., as follows:

SECTION 1. The office of the city clerk of the city of Westfield shall be exempt from the provisions of chapter thirty-one of the General Laws and the city council of said city shall elect said clerk according to the provisions of subsection eleven of section eight of chapter two hundred and ninety-four of the acts of nineteen hundred and twenty.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Westfield at its next biennial municipal election in the form of the following question which shall be placed on the official ballot to be used for the election of city offices at said election:- "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act authorizing the city council to elect the city clerk in the city of Westfield to serve for a term of three years and removing said position from the provisions of civil service', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take effect, but not otherwise.

Approved September 17, 1977.

Chap. 530. AN ACT PROVIDING FOR COMPLIANCE WITH THE FEDERAL HIGHWAY BEAUTIFICATION ACT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 93D of the General Laws, as appearing in section 1 of chapter 1070 of the acts of 1971, is hereby amended by inserting after the definition of "Safety rest area" the following two definitions:-

"Secretary", the United States Secretary of Transportation.

"Urban area", urban area as defined in subsection (a) of section 101 of Title 23 of the United States Code.

SECTION 2. Section 2 of said chapter 93D, as so appearing, is hereby amended by striking clause (a) and inserting in place thereof the following clause:-

(a) Directional and other official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historic attrac-

tions, as required or authorized by law or by the department, and which conform to standards promulgated by the secretary under Title 23 of the United States Code.

SECTION 3. Said section 2 of said chapter 93D, as so appearing, is hereby further amended by adding the following clause:-

(f) Signs lawfully in existence on October twenty-second, nineteen hundred and sixty-five and lawfully maintained thereafter, determined by the department in consultation with the board, subject to the approval of the secretary, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance, the preservation of which would be consistent with the purposes of this section, and which have permits issued under the provisions of section three.

SECTION 4. Said chapter 93D is hereby further amended by inserting after section 2 the following section:-

Section 2A. Notwithstanding the provisions of chapter ninety-three, no outdoor advertising shall be erected or maintained more than six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main travelled way of a highway in the interstate or primary systems if such outdoor advertising is located outside of urban areas and erected with the purpose of their message being read from such main travelled way.

SECTION 5. Section 3 of said chapter 93D, as appearing in section 1 of chapter 1070 of the acts of 1971, is hereby amended by striking out, in lines 3 and 4, the words “(a), (d), and (e)” and inserting in place thereof the words:- (a), (d), (e) and (f),- and by striking out, in line 7, the words “Section 131 (c-1), (f) and (h) of,”.

SECTION 6. Section 2 of chapter 1070 of the acts of 1971 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The department of public works, hereinafter in this act called the department, is authorized and directed to acquire by purchase, gift or otherwise, or take by eminent domain upon payment of just compensation all right, title, leasehold and interest of the owner in any sign, display, or device which was lawfully erected and lawfully maintained thereafter but which does not comply with the provisions of chapter ninety-three D of the General Laws, and to so acquire from the owner of the real property on which said sign, display or device is located the right to erect and maintain such signs, displays and devices thereon; provided, however, that the department shall not acquire said sign, display or device without receiving prior assurance from the appropriate federal

authorities that seventy-five per cent of the cost of said acquisition is available for reimbursement to the commonwealth.

Approved September 19, 1977.

EMERGENCY LETTER — September 20, 1977 @ 1:06 P. M.

Chap. 531. AN ACT DECREASING THE TIME PERIOD REQUIRED FOR A DIVORCE ON THE GROUNDS OF AN IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 1A of chapter 208 of the General Laws, as appearing in section 2 of chapter 698 of the acts of 1975, is hereby amended by striking out, in line 1, the word "Ten", and inserting in place thereof the word:- Six.

SECTION 2. The second paragraph of section 1B of said chapter 208, as so appearing, is hereby amended by striking out, in line 1, the word "twenty-four" and inserting in place thereof the word:- twelve.

Approved September 20, 1977.

EMERGENCY LETTER — September 20, 1977 @ 2:26 P. M.

Chap. 532. AN ACT AUTHORIZING THE CITY KNOWN AS THE TOWN OF METHUEN TO OBTAIN WATER FROM THE MERRIMACK RIVER.

Be it enacted, etc., as follows:

SECTION 1. The city known as the town of Methuen, in accordance with such conditions as may be set forth by the department of environmental quality engineering, is hereby authorized to take, hold and convey into and through said municipality, from the Merrimack river at an approved point within said municipality, without liability to pay any compensation or other damages than the commonwealth itself would be legally liable to pay, sufficient water for the use of said municipality and the inhabitants thereof for the extinguishment of fires, domestic use, human consumption, irrigation, industrial, commercial and other purposes; and to also take and hold, by purchase or otherwise, land in said municipality for sinking wells or making excavations in order to obtain water by filtration or percolation, or from subterranean streams, and to construct such works as may be necessary therefor; and to lay

and maintain reservoirs or canals and such other work as may be deemed necessary or proper for conveying, raising, forcing, retaining, distributing, or disposing of said water in such a manner as may be deemed in the public interest.

The rights of the Essex Company, as granted by chapter one hundred and sixty-three of the acts of eighteen hundred and forty-five, and the rights of any successor to such company are preserved insofar as these rights may be exercised in a manner reasonable and consistent with the public interest and the proper utilization of the Merrimack river as determined by the department of environmental quality engineering, provided that there shall be an adequate flowage of the river to supply the city of Lawrence and the city known as the town of Methuen.

SECTION 2. The provisions of this chapter are severable, and, if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

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

Approved September 21, 1977.

Chap. 533. AN ACT AMENDING THE CHARTER OF ROGERSON HOUSE.
Be it enacted, etc., as follows:

SECTION 1. Chapter 153 of the special acts of 1860, as amended by chapter 624 of the acts of 1956, is hereby further amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. Moses Grant, William Ropes, Albert Fearing, their associates and successors, are hereby made a corporation by the name of Rogerson House, for the purpose of providing a home for, and otherwise assisting respectable aged men; with all the powers and privileges, and subject to all the duties, liabilities and restrictions, set forth in the sixty-eighth chapter of the General Statutes, passed December twenty-eighth, eighteen hundred and fifty-nine.

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

Approved September 23, 1977.

Chap. 534. AN ACT RELATIVE TO THE ELIGIBILITY OF LEONARD MORENO FOR MEMBERSHIP IN THE CONTRIBUTORY RETIREMENT SYSTEM FOR STATE EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of general or special law to the contrary, Leonard Moreno, a permanent employee of the bureau of surplus property in the department of education, shall be given full credit for retirement purposes for all of his prior services with the commonwealth, including service with said bureau of surplus property, and any and all service related in any way thereto, by filing with the state retirement board an application on the prescribed forms for membership in the state employees retirement system; but he shall not be entitled to such credit for such prior service unless, within six months from the effective date of this act, he shall have paid into the annuity savings funds of the state retirement system, in one sum, an amount equal to the contribution he would have been required to pay had he applied for membership and been accepted in said retirement system when he would have been first eligible.

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

Approved September 23, 1977.

Chap. 535. AN ACT RELATIVE TO THE METHODS OF APPORTIONING SEWERAGE CONSTRUCTION COSTS IN THE LANCASTER SEWER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 831 of the acts of 1967 is hereby amended by inserting after section 7 the following three sections:-

Section 7A. Notwithstanding the provisions of the foregoing section or of section fifteen of chapter eighty-three of the General Laws or of any other general or special law to the contrary, the district, acting through its board of sewer commissioners, may provide that assessments made under the provisions of section fourteen of said chapter eighty-three shall be made upon the owners of lands within such territory or any part thereof at a rate based upon a uniform unit method.

Section 7B. For the purposes of this act, the uniform unit method of sewerage construction cost apportionment shall be deemed to mean that sewerage construction costs shall be divided between the total number of existing and potential sewer units to be served. Each sewer unit shall be equal to a single family residence. Potential sewer units shall be calculated on the basis of

zoning then in effect. Existing and potential multifamily, commercial, industrial and semipublic uses shall be converted into sewer units on the basis of residential equivalents.

Section 7C. The board of sewer commissioners of the district may separate the costs of general benefit facilities, such as pumping stations, trunk and force mains, from that of special benefit facilities, such as the sewer mains, serving adjacent properties. A portion of costs of the general benefit facilities may be apportioned by the uniform unit method on all developed and undeveloped areas to receive benefit or advantage within the pumping district or combination of districts, provided the district, acting through its board of sewer commissioners, so authorizes. The proportional cost of the special benefit and general benefit facilities may be assessed against all properties abutting a sewer street.

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

Approved September 23, 1977.

Chap. 536. AN ACT AUTHORIZING THE BRIDGEWATER-RAYNHAM REGIONAL SCHOOL DISTRICT TO HOLD DISTRICT WIDE ELECTIONS WITH RESIDENCY REQUIREMENTS AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT AND IN THE MEMBER TOWNS OF BRIDGEWATER AND RAYNHAM.

Be it enacted, etc., as follows:

SECTION 1. The Bridgewater-Raynham Regional School District, consisting of the member towns of Bridgewater and Raynham, may provide by amendment to its regional school district agreement that members of its regional district school committee shall be elected at district-wide elections called by said district. Said amendment may provide for residency requirements relating to the composition of the regional district school committee. Said amendment may further provide for the duties to be performed by the secretary and other officials of said district and by the clerks, registrars of voters and other officials of said member towns with respect to the district election which duties shall be the same as the duties performed for town elections.

SECTION 2. The amendment to the regional school district agreement proposed by the regional district school committee by the vote passed on February ninth, nineteen hundred and seventy-seven, containing provisions authorized by section one, is

hereby validated and the proceedings taken at the adjourned session of the annual town meeting held in the town of Bridgewater on May second, nineteen hundred and seventy-seven, and at the adjourned session of the annual town meeting held in the town of Raynham on May eighteenth, nineteen hundred and seventy-seven, at which said amendment was considered, are hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of the posting of the warrant for said meetings.

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

Approved September 23, 1977.

Chap. 537. AN ACT PROVIDING FOR SPECIAL SENTENCE OF IMPRISONMENT IN THE CASE OF CERTAIN OFFENDERS.

Be it enacted, etc., as follows:

Chapter 279 of the General Laws is hereby amended by inserting after section 6 the following section:-

Section 6A. When a person is sentenced on a first offense to imprisonment in a jail or house of correction for a term which does not exceed one year, the court may order the sentence to be served in whole or in part on weekends and legal holidays, or such other periodic interval as the court may order. Such a sentence shall be known as a special sentence of imprisonment. If the offender receives a special sentence of imprisonment under this section, he shall, unless otherwise provided by the sentence of the court, report to the institution to which he has been sentenced not later than six post meridiem on Friday and shall be released at seven ante meridiem on the succeeding Monday; if the succeeding Monday is a holiday, the offender shall not be released until seven ante meridiem on Tuesday; provided, however, that the total time served is equal to the sentence imposed.

On application of the offender, of the department of correction or the director of the institution to which the offender is committed, or on its own motion, the court may after a hearing rescind or modify an order under the first paragraph, and may direct that the balance of the sentence of imprisonment shall be served consecutively. Before a special sentence is rescinded or modified, the court shall cause the notification thereof to be given to the district attorney and to the offender.

If while serving such a special sentence, such person is convicted of a subsequent crime other than a nonmoving motor vehi-

cle violation, the terms of said special sentence shall be rescinded and said person shall complete the balance of his original sentence consecutively in the jail or house of correction in which he has been serving said special sentence.

Approved September 23, 1977.

Chap. 538. AN ACT FURTHER DEFINING MEMBERSHIP ON AN AREA AGENCY ON AGING WITHIN THE DEPARTMENT OF ELDER AFFAIRS.

Be it enacted, etc., as follows:

The third paragraph of section 4 of chapter 19A of the General Laws, as appearing in section 15 of chapter 1168 of the acts of 1973, is hereby amended by striking out clause (c) and inserting in place thereof the following clause:-

(c) to encourage and assist communities to plan, develop, and implement home care programs; provided, that any council on aging may be a member of its designated area agency on aging without being required to join or make any payment to a home care provider.

Approved September 23, 1977.

Chap. 539. AN ACT PROVIDING FOR ASSESSMENTS AND LIENS FOR THE SYSTEM OF SEWERS AND SEWERAGE DISPOSAL IN THE TOWN OF HOLBROOK.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of chapter six hundred and forty-five of the acts of nineteen hundred and seventy or any other general or special law to the contrary, the town of Holbrook may, by vote at a special or an annual town meeting, change the determination whether it shall pay the whole or any portion of the cost of the system of sewers and sewerage disposal. In providing for the payment of any remaining portion of the cost of said system or for the use of said system, the town may avail itself of the methods permitted by general law and the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments to liens therefor, and to interest thereon which apply to assessments made under this act or prior to the adoption of this act. At such meeting at which said town determines or redetermines said cost or the portion of said

cost that is to be borne by said town, said town may, by vote, determine by which of such methods the remaining portion of said costs shall be provided for.

SECTION 2. The cost of construction of each particular sewer shall be assessed by the board of sewer commissioners of said town for the estate benefited thereby. Such assessment shall be made by filing with the board of assessors of said town a certificate designating the way and the private land in which such particular sewer has been constructed, giving the name of the owner of any such estate and the amount of assessment to be paid by such owner. A copy of this certificate shall, within ten days after filing of the same with said board of assessors, be recorded in the registry of deeds in the county of Norfolk or in the case of registered land, filed in the office of the assistant recorder for Norfolk county registry district. Said board of assessors shall, upon the receipt of such certificate, forthwith commit such assessments or charges with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments or charges, and every owner shall within three months after such demand is served upon him or on the occupant of such estate, or sent by mail to the last address of the owner known to the collector of taxes, pay to the collector of taxes the sum so assessed or charged.

SECTION 3. Except as herein provided, the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act. In applying said provisions to assessments made under this act, the notice referred to therein shall be deemed to be the demand of the tax collector required by section two. The lien for any assessment made under this act shall attach upon the recording or filing for registration of the copy of the certificate of assessment. In the apportionment of assessments made under this act, no installment shall be less than five dollars.

SECTION 4. Said board of sewer commissioners may, from time to time, prescribe rules and regulations for the inspection of the materials, the construction, alteration and use of all connections entering into such sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in a newspaper published in the town of Holbrook, if there be any, and, if not, then in

some newspaper published in the county of Norfolk, and shall not take effect until such publications have been made.

SECTION 5. The vote of the town of Holbrook under Article 22 at the annual town meeting of April fifth, nineteen hundred and seventy-six, and the amendment voted at a special town meeting held on December thirteenth, nineteen hundred and seventy-six, under Article 7, is hereby deemed valid and effective as of the date of the filing of liens and assessments thereto, as if this act had been in effect at the time of the posting of the said warrant, and, further, the proceedings of the town of Holbrook under Article 8 of the special town meeting held on December thirteenth, nineteen hundred and seventy-six, accepting the provisions of section seventeen of chapter eighty-three of the General Laws shall be deemed as valid and effective as if this act had been in effect at the time of the posting of said warrant.

SECTION 6. This act shall take effect upon its acceptance by the town of Holbrook at a special town meeting to be held in the year nineteen hundred and seventy-seven.

Approved September 23, 1977.

Chap. 540. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE TOWN OF TEMPLETON AS THE DOCTOR OSCAR B. ROBERTS MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The overpass on Baldwinville road over state highway route 2 in the town of Templeton shall be designated and known as the Doctor Oscar B. Roberts Memorial bridge in memory of Oscar B. Roberts M.D. who was prominent in local and civic affairs and dedicated to the health and well being of the residents of said town. A suitable marker bearing such designation shall be attached thereto by the department of public works in compliance with the standards of said department.

Approved September 23, 1977.

Chap. 541. AN ACT AUTHORIZING THE TOWN OF WEST TISBURY TO ACQUIRE CERTAIN LAND IN SAID TOWN.

Be it enacted, etc., as follows:

The town of West Tisbury may acquire by purchase from Henry W. Goethals and Thomas R. Goethals, Jr., Trustees under an Indenture of Trust dated February 3, 1977, two parcels of

land consisting of a beach containing 1.6 acres, more or less, having a frontage on Vineyard Sound of 1,260 feet, more or less, and a parcel of land on Lamberts Cove Road containing approximately 14,000 square feet, together with a perpetual easement connecting the same over a footpath, 15 feet wide containing approximately 18,661 square feet, said beach being shown as Parcel C and said path being shown as Parcel B, more particularly described on a plan entitled "PLAN OF LAND IN WEST TISBURY, MASS. as surveyed for the Board of Selectmen dated September 1, 1976 by Schofield Brothers, Inc." Said town may expend for the purpose of this act a sum not exceeding one hundred sixty-five thousand dollars to be paid in equal annual installments over a term of five years with interest thereon at five per cent per year, the installment obligations to be evidenced by a promissory note of said town to the sellers and secured by a mortgage on the land so purchased.

Approved September 23, 1977.

Chap. 542. AN ACT FURTHER REGULATING LICENSE REQUIREMENTS FOR FALCONERS AND THE SPORT OF FALCONRY.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 23 of chapter 131 of the General Laws is hereby amended by striking out clauses (9) and (10), added by section 4 of chapter 496 of the acts of 1973, and inserting in place thereof the following three clauses:-

(9) To any person who successfully fulfills the license requirements as established by the director, a falconry license, for either an apprentice falconer, general or master falconer, depending upon the applicant's qualifications and testing, to keep, train and hunt with raptors in accordance with the rules and regulations established therefor, provided that when hunting, the licensee shall also possess a valid hunting or sporting license.

(10) To any person fulfilling the requirements of this license as established by the director, a raptor breeding license to possess and propagate birds of the families Accipitridae, Falconidae, Tytonidae, and Strigidae in accordance with the rules and regulations established therefor. The sport of falconry shall be permitted under this license only for the purposes of conditioning and training propagated raptors prior to their release to the wild or transfer to a falconry permittee or other use as authorized by the director.

(11) To any person fulfilling the requirements of this license as established by the director, a raptor salvage license to possess, transport, rehabilitate and release to the wild, transfer to a falconry permittee, or other use as authorized by the director, birds of the order Falconiformes, except species prohibited by federal regulations, in accordance with the rules and regulations established therefor. The sport of falconry shall be permitted under this license only for the purposes of conditioning and training rehabilitated raptors prior to their release to the wild, transfer to a falconry permittee or other use as authorized by the director.

It shall be unlawful to purchase, sell, barter or offer for sale or barter, or to have in possession for the purpose of sale or barter, any raptors licensed under clauses (9), (10) and (11) unless otherwise authorized in writing by the director, except that no raptors taken from the wild in the commonwealth shall be purchased, sold, bartered or offered for sale or barter or held in possession for such purposes.

SECTION 2. The fifth paragraph of section 23 of said chapter 131 is hereby amended by striking out the words "and the initial fee for a license issued under clause (9) or clause (10) shall be twenty-five dollars, and for each annual renewal thereof, twenty-five dollars", inserted by section 5 of said chapter 496, and inserting in place thereof the words:- the initial fee for a license issued under clause (9) shall be twenty-five dollars, and for each annual renewal thereof, twenty-five dollars; the initial fee for a license issued under clause (10) shall be ten dollars and for each annual renewal thereof, ten dollars; and the initial fee for a license issued under clause (11) shall be one dollar, and for each annual renewal thereof, one dollar.

Approved September 23, 1977.

Chap. 543. AN ACT PROVIDING FOR DETENTION OF CHILDREN IN NEED OF SERVICES IN A JUVENILE FACILITY OPERATED BY OR UNDER CONTRACT WITH THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

The second paragraph of section 39H of chapter 119 of the General Laws, as appearing in section 5 of chapter 1073 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- A child who does not post bail and is not otherwise released may be

detained under such terms and conditions as the court may impose in a facility operated by or under contract with the department for the care of juveniles, provided that no such child is so detained for more than fifteen days without being brought again before the court for a hearing on whether such detention should be continued for another fifteen day period.

Approved September 23, 1977.

Chap. 544. AN ACT RELATIVE TO THE ACQUISITION OF CERTAIN LAND IN THE TOWN OF WAREHAM BY THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The third paragraph of chapter 617 of the acts of 1971 is hereby amended by striking out clause 3 and inserting in place thereof the following clause:-

3. In the town of Wareham, approximately seven acres of Cedar Pond, a great pond.

Approved September 23, 1977.

Chap. 545. AN ACT RELATIVE TO THE EXPULSION PROCEDURES FROM PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Chapter 76 of the General Laws is hereby amended by striking out section 16, as amended by section 2 of chapter 622 of the acts of 1971, and inserting in place thereof the following section:-

Section 16. Any pupil who has attained age eighteen, or the parent, guardian or custodian of a pupil who has not attained said age of eighteen, who has been refused admission to or excluded from the public schools or from the advantages, privileges and courses of study of such public schools shall on application be furnished by the school committee with a written statement of the reasons therefor, and thereafter, if the refusal to admit or exclusion was unlawful, such pupil may recover from the town or, in the case of such refusal or exclusion by a regional school district from the district, in tort and may examine any member of the school committee or any other officer of the town or regional school district upon interrogatories.

Approved September 23, 1977.

Chap. 546. AN ACT RELATIVE TO PARTY ENROLLMENT PROCEDURE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 52 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 145 of the acts of 1961, and inserting in place thereof the following two sentences:- Each political party shall, in the manner herein provided, elect a state committee from among its members enrolled on or before the ninetieth day prior to the last day for filing nomination papers for state committees with the state secretary. Each state committee shall consist of one man and one woman from each senatorial district, who shall be residents thereof, to be elected at the presidential primaries by plurality vote of the members of the party in the district, and such number of members as may be elected by the state committee as hereinafter provided.

SECTION 2. The first paragraph of section 2 of said chapter 52 is hereby amended by striking out the first sentence, as amended by section 4 of chapter 600 of the acts of 1975, and inserting in place thereof the following two sentences:- Each political party shall, in every ward and town, elect at the presidential primaries a ward or town committee from among the members of the party enrolled on or before the ninetieth day prior to the last day for filing nomination papers for such committees with the state secretary. Ward and town committee members shall hold office for a period of four years ending on the thirtieth day following the day on which the presidential primaries are next held and until their successors shall have organized.

SECTION 3. Section 6 of chapter 53 of the General Laws is hereby amended by striking out the last paragraph, added by section 1 of chapter 234 of the acts of 1976, and inserting in place thereof the following paragraph:-

No person may be nominated as an "independent" candidate for any office to be filled at a state election, or at a city or town election following a city or town primary, if he has been enrolled as a member of a political party, as defined in section one of chapter fifty, during the ninety days prior to the last day for filing nomination papers as provided in section ten.

SECTION 4. Section 38 of said chapter 53 is hereby amended by striking out the third sentence, as amended by section 2 of chapter 79 of the acts of 1974, and inserting in place thereof the following sentence:- Except as otherwise provided in section twelve of chapter four, sections one and two of chapter fifty-two, sections twenty-six, forty A and forty-eight of this chapter, such

enrollment, change or cancellation shall take effect forthwith following the receipt by said board of such certificate, or such appearance, as the case may be; provided, however, that no such enrollment, change or cancellation shall take effect for a state or presidential primary during the twenty-eight days prior to that primary or for a special state primary or city or town primary during the twenty days prior to that primary.

SECTION 5. Said section 38 of said chapter 53 is hereby amended by striking out the second paragraph, as appearing in chapter 115 of the acts of 1972, and inserting the following paragraph:-

At primaries the city or town clerk shall make available within the polling place certificates to enable a voter to change his party enrollment, which shall be in substantially the following form:

Name _____
(Print)

Address _____

I hereby request that my political party enrollment be changed as follows:

From: _____
(Name of party or "independent" (unenrolled))

To: _____
(Name of party or "independent" (unenrolled))

Signed under the pains and penalties of perjury.

(Signature)

SECTION 6. Said chapter 53 is hereby further amended by striking out section 40A, inserted by section 16 of chapter 334 of the acts of 1943, and inserting in place thereof the following section:-

Section 40A. Petitions for recounts of the ballots cast at a primary of a political party may be signed only by registered voters enrolled in such political party on or before the ninetieth day prior to the last day for filing such petitions.

SECTION 7. Section 48 of said chapter 53, as most recently amended by section 12 of chapter 600 of the acts of 1975, is hereby further amended by striking out the fourth and fifth paragraphs and inserting in place thereof the following two paragraphs:-

There shall not be printed on the ballot at the state primary the name of any person as a candidate for nomination for any office to be filled by all the voters of the commonwealth, or for representative in congress, governor's councillor, senator in the general court, representative in the general court, district attorney, clerk of court, register of probate and insolvency, register of deeds, county commissioner, sheriff, or county treasurer, unless a certificate from the registrars of voters of the city or town wherein such person has been a registered voter for more than ninety days and that he has been enrolled as a member of the political party whose nomination he seeks on or before the ninetieth day prior to the last day herein provided for filing nomination papers with the state secretary is filed with the state secretary on or before such filing deadline. Said registrars shall issue such a certificate, signed by a majority thereof, forthwith upon request of any such candidate so enrolled or of his authorized representative. Said registrars of voters shall issue such certificate to any person seeking the nomination of a political party, who is a newly registered voter of that city or town and who has not been an enrolled member of another political party during the year preceding the last day for filing nomination papers with the state secretary. No such certificate shall be issued to any person who is a candidate for nomination for any such office, if such person has changed his party enrollment less than one year prior to the last day for filing nomination papers with the state secretary as provided by this section.

There shall not be printed on the ballot at a city or town primary the name of any person as a candidate for nomination for any office to be filed at a city or town election unless such person has become an enrolled member of the political party whose nomination he seeks on or before the ninetieth day prior to the last day for submitting primary nomination papers to the registrars of voters prior to said primary.

SECTION 8. Said section 48 of said chapter 53 is hereby further amended by striking out the last paragraph, added by section 2 of chapter 234 of the acts of 1976, and inserting the following paragraph:-

The name of a candidate for election to any office who is nominated otherwise than by a political party, generally referred to as an "independent" candidate, shall not be printed on the

ballot at a state election, or on the ballot at any city or town election following a city or town primary, unless a certificate from the registrars of voters of the city or town wherein such person is a registered voter, certifying that he is not enrolled as a member of any political party, is filed with the state secretary or city or town clerk on or before the last day herein provided for filing nomination papers. Said registrars shall issue each certificate forthwith upon request of any such candidate who is not a member of a political party or his authorized representative. No such certificate shall be issued to any such candidate who shall have been an enrolled member of any political party ninety days prior to the last day for filing nomination papers as provided by this section.

Approved September 23, 1977.

Chap. 547. AN ACT AUTHORIZING THE TOWN OF EDGARTOWN TO PAY A CERTAIN SUM OF MONEY TO GEORGE T. SILVA.

Be it enacted, etc., as follows:

The town of Edgartown is hereby authorized to appropriate money for the payment of, and to pay to George T. Silva, a sum not to exceed three thousand four hundred and sixty-seven dollars and fifty cents for services rendered to said town in attempting to close the breach at South beach in said town in the year nineteen hundred and seventy-six, payment for which is legally unenforceable against said town.

Approved September 23, 1977.

Chap. 548. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE TOWN OF WILMINGTON AS THE FRED F. CAIN BRIDGE.

Be it enacted, etc., as follows:

The bridge over the Boston and Maine railroad and the Middlesex canal on state highway route 129 in the town of Wilmington, and identified by the department of public works as bridge number W-38-5, shall be designated and known as the Fred F. Cain bridge, in memory of Fred F. Cain, a former member of the house of representatives. A suitable marker bearing such designation shall be attached thereto by said department.

Approved September 23, 1977.

Chap. 549. AN ACT PROVIDING FOR AN OPTIONAL PLAN OF CITY COUNCIL AND SCHOOL COMMITTEE ORGANIZATION IN CERTAIN LARGE CITIES.

Be it enacted, etc., as follows:

SECTION 1. Said chapter 43 is hereby further amended by striking out section 2, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 2. Any city, except Boston, which shall adopt, in the manner hereinafter prescribed, one of the plans of government provided in this chapter shall thereafter be governed by the provisions thereof; and the inhabitants of such city shall continue to be a municipal corporation under the name existing at the time of such adoption, and shall have, exercise and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties, liabilities and obligations provided for in this chapter, or otherwise pertaining to or incumbent upon said city as a municipal corporation; provided, however, that sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, shall apply to all cities of one hundred and fifty thousand or more inhabitants, as enumerated by the most recent state decennial census except any city which has adopted the Plan E method of city government.

SECTION 2. Section 1 of said chapter 43 is hereby amended by inserting after the definition of "Plan F", but not a part thereof, the following definition:-

"An optional plan of a city council and a school committee organization in certain large cities", a legislative body, to be known as the city council, composed of at least nine members or a school committee composed of at least nine members, or both, elected from equally populous districts and one member of the city council or of the school committee elected at large for every one hundred and twenty thousand residents of the city in excess of one hundred and fifty thousand residents, notwithstanding its plan of government or charter.

SECTION 3. Said chapter 43 is hereby further amended by adding the following seven sections:-

Section 128. In sections one hundred and twenty-nine to one hundred and thirty-four, inclusive, the word "city" shall mean any city of one hundred and fifty thousand or more inhabitants, as enumerated by the most recent state decennial census except any city which has adopted the Plan E method of city government.

Section 129. At the regular municipal election to be held in the year nineteen hundred and seventy-seven in every city there shall be placed upon the ballot the two following questions:-

“A BINDING REFERENDUM CHANGING THE STRUCTURE OF THE CITY COUNCIL TO PROVIDE FOR DISTRICT REPRESENTATION.

Shall the city council be composed of nine members elected from equally populous districts and, in addition, one member elected at large for every one hundred and twenty thousand residents of the city in excess of one hundred and fifty thousand, for a term of two years notwithstanding the present form of government relative to terms of office?”

YES	
NO	

“A BINDING REFERENDUM CHANGING THE STRUCTURE OF THE SCHOOL COMMITTEE TO PROVIDE FOR DISTRICT REPRESENTATION.

Shall the school committee be composed of nine members elected from equally populous districts and, in addition, one member elected at large for every one hundred and twenty thousand residents of the city in excess of one hundred and fifty thousand, for a term of two years notwithstanding the present form of government relative to terms of office?

YES	
NO	

In subsequent years, either or both of the above questions shall be placed upon the ballot of a regular municipal election in any city by a petition addressed to the city council of such city, signed by qualified voters of the city in a number equal at least to five per cent of the number of registered voters in said city at the state election next preceding the filing of said petition. Such petition shall be filed with the city clerk, who shall transmit the same forthwith to the registrars of voters or city body functioning as such, who shall within sixty days certify the signatures thereon in accordance with the provisions of law and return the same to the city clerk. The petition shall be filed with the city clerk at least one hundred and forty days before the date of the election at which the question or questions proposed by the petition is to be submitted to the voters.

Any petition submitted under this section may be in the form of separate sheets addressed to the city council, each sheet containing at the top thereof the question or questions proposed for submission to the voters. When attached together and offered for filing, the several papers shall be deemed to constitute one petition, and there shall be endorsed thereon the name and address of the person presenting the same for filing. The provisions of sections nine and ten shall apply to any petition filed hereunder, and to the placing upon the ballot of any question or questions proposed therein.

Section 130. If a majority of the total number of votes cast at a regular city election for and against the adoption of a plan of city council organization or school committee organization proposed under section one hundred and twenty-nine shall be in favor of adoption of either or both such organizations, each such plan shall supersede the provisions of the city charter theretofore existing and of the general and special laws relating to such city and inconsistent with such plan or plans, but not, however, until the city council members or school committee members provided for in such plan, as the case may be, shall have been duly elected and their terms of office shall have begun. The said city council members or school committee members provided for under the plan so adopted shall be elected in accordance with the provisions of this chapter relating to such plan, and their terms of office shall begin at ten o'clock in the forenoon of the first Monday of January following their election. In those cities in which the mayor serves as an ex officio member of the school committee and which subsequently adopt a new plan of school committee organization under the provisions of these sections, the mayor shall continue to serve as an ex officio member of said school committee.

Section 131. Within ninety days following receipt of an official notice which the city clerk shall send, within thirty days of the city election, to the city council notifying the said council that a new plan of city council organization or school committee organization, or both, has been approved by the voters, said council shall adopt an ordinance after public hearing providing for the division of the city into nine districts, or such other number of districts as may be specified in the question approved by the voters for the election of city council members or school committee members, as the case may be, by and from the voters of such districts at the next municipal election. In cities which adopt both a new plan of city council and a new plan of school committee organization the respective district lines shall be the

same for both bodies. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods. Said districts shall continue in force until the next division of the city into wards required by section one of chapter fifty-four, at which time the city council shall divide the city into a number of wards equal to the number of said districts; and thereafter, upon the effective date of such wards for city primary, preliminary and general elections under said chapter fifty-four, such wards rather than districts shall be the units used for the election of those city council or school committee members who are not elected at large throughout the city. The city council shall adopt an ordinance providing for signature requirements for nomination papers for candidates for city council or school committee but in no event shall these requirements exceed two per cent of the vote cast in the preceding mayoral election in the respective district.

Section 132. If, within the time prescribed by section one hundred and thirty-one, the city council shall fail to make a division of the city into districts as required by that section, the mayor of such city in any city having a mayor elected by the people, or the city clerk in any city having a council-manager form of government, shall propose a plan of districts in the required number to the local election district review commission, which shall approve the same with or without amendments as it deems appropriate and necessary to meet constitutional requirements, after a public hearing.

Section 133. After the adoption by any city of a plan of city council or school committee organization authorized by sections one hundred and twenty-nine to one hundred and thirty-two, inclusive, the dates of municipal elections, and the municipal year, of such city shall be governed by section fifteen.

Section 134. Every city councillor and school committee member who is elected to represent an individual district or ward shall have been an inhabitant of a place within the district or ward for which he is chosen for at least one year immediately preceding his election; and he shall cease to represent such district or ward when he shall cease to be an inhabitant thereof.

SECTION 4. A city having one hundred and fifty thousand or more inhabitants, as enumerated by the most recent state decennial census, except a city which has adopted the Plan E method of city government, may adopt an optional plan of city council organization, or an optional plan of school committee organiza-

tion, or both, according to the procedures prescribed by sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws, inserted by section three of this act, notwithstanding any limitation imposed by section eighteen of chapter forty-three B of the General Laws.

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

Approved September 26, 1977.

Chap. 550. AN ACT PROVIDING FOR THE APPOINTMENT, TERMS OF OFFICE AND REMOVAL OF THE MEMBERS OF THE SEWER COMMISSION OF THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-two of chapter forty-three of the General Laws or the provisions of any other general or special law, the members of the sewer commission in the city of Fall River shall be nominated and appointed by the mayor with the advice and consent of the city council. The initial members thereof shall be appointed, one to serve 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. Thereafter when the term of any member expires, his successor shall be appointed to serve for a term of five years. In all cases the members thereof shall serve until their successors are duly appointed and qualified. In case of a vacancy in said commission, the same shall be filled for the remainder of the unexpired term in the same manner as an appointment for a full term. The mayor with the advice and consent of the city council may remove a member of said commission but only for just cause and after a public hearing.

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

Approved September 26, 1977.

Chap. 551. AN ACT VALIDATING THE ACTION OF THE TOWN OF WESTBOROUGH IN AUTHORIZING THE DATA GENERAL CORPORATION TO CONNECT TO AND USE A CERTAIN PORTION OF THE SEWERAGE SYSTEM OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Westborough is hereby authorized to permit Data General Corporation to connect its facilities which are located in the town of Southborough into the sewerage

system of said town of Westborough and to use said sewerage system in such manner, to such extent, and subject to such terms and conditions as the town of Westborough deems reasonable and proper.

SECTION 2. Any action taken by the town of Westborough at its annual town meeting held in the year nineteen hundred and seventy-seven pursuant to section one is hereby validated and confirmed to the same extent as though said section one had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved September 26, 1977.

Chap. 552. AN ACT FURTHER REGULATING COMMUNITY ANTENNA TELEVISION SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 166A of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 1103 of the acts of 1971, and inserting in place thereof the following two sentences:- A licensee, serving more than two hundred and fifty subscribers, shall on or before, March fifteenth of each year, pay to the commonwealth a license fee equal to eighty cents per subscriber served and to the issuing authority a license fee equal to fifty cents per subscriber served. In determining a license fee, the number of subscribers served shall be measured as of December thirty-first of the preceding calendar year.

SECTION 2. The first sentence of the fourth paragraph of section 15 of said chapter 166A, as so appearing, is hereby amended by striking out, in line 2, the word "ninety" and inserting in place thereof the word:- forty-five.

Approved September 26, 1977.

Chap. 553. AN ACT ELIMINATING THE REPORTING OF PURCHASES AND SALES OF SECOND HAND VEHICLES TO THE REGISTRY OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section sixty-three of chapter one hundred and forty of the General Laws is hereby repealed.

Approved September 26, 1977.

Chap. 554. AN ACT PROVIDING A FEE SCHEDULE FOR LABORATORY TESTING OF WEIGHTS, MEASURES, INSTRUMENTS OR MECHANICAL DEVICES.

Be it enacted, etc., as follows:

Section 46 of chapter 98 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the third sentence the following sentence:- The director may establish a suitable laboratory fee schedule for the testing of weights, measures, instruments or mechanical devices.

Approved September 26, 1977.

Chap. 555. AN ACT EXEMPTING FROM CIVIL LIABILITY CERTAIN TRAINED INDIVIDUALS FOR RENDERING EMERGENCY CARDIOPULMONARY RESUSCITATION.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 12U, inserted by chapter 397 of the acts of 1977, the following section:-

Section 12V. Any person who is currently certified by the American National Red Cross or the American Heart Association in cardiopulmonary resuscitation, or any person who has successfully met the training requirements of a course in basic emergency care of the unwitnessed cardiac arrest, conducted according to the standards established by the American Heart Association, who in good faith and without compensation renders emergency cardiopulmonary resuscitation in accordance with his training, other than in the course of his regular professional or business activity, to any person who apparently requires cardiopulmonary resuscitation, shall not be liable for acts or omissions, other than gross negligence or willful or wanton misconduct, resulting from the rendering of such emergency cardiopulmonary resuscitation.

Approved September 26, 1977.

Chap. 556. AN ACT RELATIVE TO FORFEITURE OF MONEYS SEIZED IN CERTAIN CRIMINAL CASES.

Be it enacted, etc., as follows:

SECTION 1. Subsection (a) of section 47 of chapter 94C of the General Laws, as appearing in section 1 of chapter 1071 of the

acts of 1971, is hereby amended by adding the following subparagraph:-

(5) All moneys used, or intended for use, in the procurement, manufacture, compounding, processing, delivery, or distribution of any controlled substance in violation of this chapter; all moneys which are the proceeds of any sale of any controlled substance in violation of this chapter.

SECTION 2. Subsection (b) of said section 47 of said chapter 94C, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Property subject to forfeiture under subparagraphs (1), (2), (4), and (5) of subsection (a) shall be declared forfeit by any court having jurisdiction over said property or having final jurisdiction over any related criminal proceeding brought under any provision of this chapter.

SECTION 3. Said section 47 of said chapter 94C is hereby further amended by striking out subsection (d), as so appearing, and inserting in place thereof the following subsection:-

(d) A district attorney or the attorneygeneral may petition the superior court in the name of the commonwealth in the nature of a proceeding in rem to order forfeiture of a conveyance or moneys subject to forfeiture under the provisions of subparagraphs (3) and (5) of subsection (a). Such petition shall be filed in the court having jurisdiction over said conveyance or said moneys or having final jurisdiction over any related criminal proceeding brought under any provision of this chapter. Such proceeding shall be deemed a civil suit in equity, in which the commonwealth shall have the burden of proving all material facts by a preponderance of the evidence, and the owner of said conveyance or other person claiming thereunder shall have the burden as to all exceptions set forth in subsection (c). The court shall order the commonwealth to give notice by certified or registered mail to the owner of said conveyance or said moneys and to such other person as appears to have an interest therein, and shall promptly, but not less than two weeks after notice, hold a hearing on the petition. At such hearing the court shall hear evidence and make findings of fact and enter conclusions of law, and shall thereupon issue a final order, from which the parties shall have such right of appeal as from a decree in equity. Such final order shall provide for disposition of said conveyance or said moneys by the commonwealth or any subdivision thereof in any manner not prohibited by law, including official use by an authorized law enforcement or other public agency, or sale at public auction or by competitive bidding. The proceeds of any

such sale shall be used to pay the reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody, advertising, and notice, and the balance, if any, shall be deposited in the treasury of the commonwealth.

SECTION 4. Section 3 of chapter 276 of the General Laws is hereby amended by striking out clause (d), as appearing in section 7 of said chapter 1071, and inserting in place thereof the following clause:-

(d) Any property, including money seized under section one, the forfeiture and disposition of which is specified in any general or special law shall be disposed of in accordance therewith.

Approved September 26, 1977.

Chap. 557. AN ACT ESTABLISHING A FIVE MEMBER BOARD OF SELECTMEN IN THE TOWN OF ROCKLAND.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and twenty-four of the acts of nineteen hundred and seventy-four is hereby repealed.

SECTION 2. Notwithstanding the provisions of the town charter adopted in the town of Rockland on March eighth, nineteen hundred and sixty-nine, there shall be in said town a board of selectmen consisting of five members.

SECTION 3. The town of Rockland shall, at the annual town meeting to be held in the year nineteen hundred and seventy-nine, elect one selectman for the term of one year, one for the term of two years and one for the term 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 4. 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 election of town officers at said meeting:- "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven entitled, 'An Act establishing a five man 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, then this act shall thereupon take full effect, but not otherwise.

Approved September 26, 1977.

Chap. 558. AN ACT EXEMPTING THE POSITION OF ADMINISTRATIVE ASSISTANT FOR BUSINESS IN THE SCHOOL DEPARTMENT OF THE CITY OF WORCESTER FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

The position of administrative assistant for business in the school department of the city of Worcester shall be exempt from the provisions of chapter thirty-one of the General Laws.

Approved September 26, 1977.

Chap. 559. AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO ESTABLISH SPECIAL FUNDS FOR RETIREMENT PURPOSES.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 5C the following section:-

Section 5D. In order to offset the anticipated costs for funding the contributory retirement systems, cities, towns, and districts may appropriate in any year an amount not exceeding five per cent of the amount raised in the preceding year by taxation of real estate and tangible personal property. The aggregate amount in the special fund at any time shall not exceed ten per cent of the equalized valuation of the city or town as defined in section one of chapter forty-four. Any interest shall be added to and become part of such special fund.

Such special fund shall be separate and distinct from any pension financing requirements of chapter thirty-two and all sums in such special fund shall be appropriated and used only for the purpose of offsetting the anticipated future cost of funding the contributory retirement system of such city, town or district.

The treasurer of the city, town or district shall be the custodian of such special fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth.

Such special fund may be appropriated for such purposes in a town at an annual town meeting by a majority vote, in a district at an annual district meeting by a majority vote, and in a city by a majority vote of the city council.

Approved September 26, 1977.

Chap. 560. AN ACT REQUIRING THE REGISTRAR OF MOTOR VEHICLES TO HOLD WITHIN A CERTAIN TIME PERIOD HEARINGS ON DESIGNATIONS OF HABITUAL TRAFFIC OFFENDERS.

Be it enacted, etc., as follows:

The second paragraph of section 22F of chapter 90 of the General Laws, as appearing in section 1 of chapter 1033 of the acts of 1971, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- When the records of the registrar on any person contain reports of such convictions as will constitute such person an habitual traffic offender, the registrar shall hold a hearing within six months from such third conviction, and shall give notice to such person that such hearing will be held to show cause why such person should not be designated as an habitual traffic offender.

Approved September 27, 1977.

Chap. 561. AN ACT AMENDING THE MASSACHUSETTS HOUSING REHABILITATION AND NEIGHBORHOOD PRESERVATION PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 2 of chapter 846 of the acts of 1974 is hereby amended by striking out the third sentence.

SECTION 2. Section 3 of said chapter 846 is hereby amended by striking out the second to the sixth paragraphs, inclusive, and inserting in place thereof the following four paragraphs:-

The MHMFA shall consist of the secretary of communities and development or his designee, the commissioner of corporations and taxation, or his designee, the commissioner of banking or his designee and the chairman or the executive director of the Massachusetts Housing Finance Agency, as that agency shall determine, and five persons to be appointed by the governor, of whom one shall be experienced in 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 or neighborhood organization. Each appointive member shall be appointed for a term of seven years. Any person appointed to fill a vacancy shall serve only for the unexpired term. Any member shall be eligible for reappointment.

The governor shall designate one of the members as chairman. 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.

Five members of the MHMFA shall constitute a quorum and the affirmative vote of five 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 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 compensation from MHMFA or employment therewith.

SECTION 3. Clause (o) of section 4 of said chapter 846 is hereby amended by inserting, after the word "compensation", in line 3, the words:- ; provided, however, that the chief executive officer shall receive a salary of not more than thirty-five thousand dollars.

SECTION 4. Said section 4 of said chapter 846 is hereby further amended by striking out clause (q) and inserting in place thereof the following clause:-

(q) Accept gifts or grants or loans of, or act as an agent or conduit in administering the disbursement of funds or property or financial or other aid from any federal or state agency or private fund.

SECTION 5. Said section 4 of said chapter 846 is hereby further amended by striking out clause (t) and inserting in place thereof the following five clauses:-

(t) Establish in areas covered by a neighborhood preservation program approved by the MHMFA under section five a program to encourage mortgage lenders to make loans within such areas to

persons or families of low and moderate income who are, or intend to be, owner-occupants.

(u) Act as an agent or principal for the purchase or sale of mortgage loans by mortgage lenders at such times as the availability of mortgage funds for homeowners in any area of the commonwealth becomes constricted.

(v) Engage in or assist in the rehabilitation of housing or the development of home ownership under any federal program providing assistance for low or moderate-income housing as from time to time may be established and funded by the federal government.

(w) Enter into contribution contracts with any federal or state agency or private fund, and contracts with owners or tenants of dwelling units, with respect to the making of federal or state rent subsidy payments.

(x) 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 6. Section 5 of said chapter 846 is hereby amended by striking out the seventh paragraph and inserting in place thereof the following paragraph:-

The MHMFA shall from time to time adopt, modify, amend or repeal rules and regulations governing the making of new residential mortgage loans for the purpose of rehabilitation of dwellings of two or more units so as to afford protection to existing tenants. Such rules and regulations shall be designed to effectuate the general purposes of this act and the following specific objectives: (i) insuring that tenants residing in such dwellings have income reasonably sufficient to pay any increase in rent resulting from such rehabilitation so that residential mortgage loans made with MHMFA loan funds minimize residential displacement, unless the proceeds of such mortgage loans are to be used to alleviate conditions which violate the state sanitary code or applicable building or housing codes or to carry out essential maintenance; (ii) notification of tenants residing in such dwellings as to the repairs or improvements to be undertaken with the proceeds of such mortgage loans and the estimated increase in rent, if any, attributable to such repairs or improvements; and (iii) agreements between borrowers and tenants residing in such dwelling which limit rent increases during such reasonable periods as the MHMFA may prescribe to those properly resulting from such mortgage loans or those necessitated by increases in property taxes, operating or maintenance expenses or

additional capital improvement. Nothing in this act shall authorize a rent increase not otherwise authorized by law.

SECTION 7. Said section 5 of said chapter 846 is hereby further amended by inserting after the twelfth paragraph the following paragraph:-

Before authorizing an applicant to proceed with a final application for a neighborhood preservation program, the MHMFA shall submit the preliminary application to the secretary of communities and development for review. The secretary shall review the appropriateness of the proposed program with regard to overall state and local growth and housing policy. If the secretary does not disapprove the application within thirty days the application shall be deemed to be approved for processing by the MHMFA. In the event of a major change in the proposed neighborhood preservation program, including but not limited to significant changes in the proposed boundaries of the neighborhood area, the loan amount, or the state or federal subsidies requested, after the initial review by the secretary, the MHMFA shall submit each proposed change to the secretary for his review. If the secretary does not disapprove the revision within thirty days, the revised application shall be deemed to be approved for processing by the MHMFA.

SECTION 8. Said chapter 846 is hereby further amended by striking out section 14 and inserting in place thereof the following section:-

Section 14. Advisory Committee. The governor shall appoint an advisory committee of fifteen persons to assist the MHMFA and its staff in formulating policies and procedures to accomplish the purposes of this act.

Members of said 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 9. The term of any members of the MHMFA appointed prior to the enactment of this act shall not be affected by the provisions of this act.

Approved September 28, 1977.

EMERGENCY LETTER — September 28, 1977 @ 4:56 P. M.

Chap. 562. AN ACT AUTHORIZING THE TOWN OF TEMPLETON TO CONSTRUCT AND MAINTAIN SEWERAGE LINES IN THE CITY OF GARDNER.

Be it enacted, etc., as follows:

SECTION 1. The town of Templeton is hereby authorized to construct and maintain such sewerage lines within the city of Gardner as may be necessary to convey sewerage from the town of Templeton to the city of Gardner sewerage system, as agreed to in the intermunicipal agreement signed by the town of Templeton and the city of Gardner respectively, and dated July nineteenth, nineteen hundred and seventy-seven.

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

Approved September 29, 1977.

Chap. 563. AN ACT AUTHORIZING THE TREASURER OF FRANKLIN 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 Franklin county with the approval of the county commissioners is hereby authorized to pay from any available funds in the county treasury certain unpaid bills of said county, incurred eighteen months or more prior to the passage of chapter one hundred and twenty-two of the acts of nineteen hundred and seventy-six, as appear on a list on file with the director of accounts totaling four thousand two 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 or 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 September 29, 1977.

Chap. 564. AN ACT AUTHORIZING THE APPOINTMENT OF MEMBERS OF THE CITY COUNCIL OF THE CITY OF PITTSFIELD TO CERTAIN OFFICES AND POSITIONS IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 280 of the acts of 1932 is hereby amended by striking out section 32, as amended by section 10 of chapter 611 of the acts of 1958, and inserting in place thereof the following section:-

Section 32. No member of the city council shall during the term for which he was elected be eligible to hold any office or position, elective or appointive, the salary of which is payable by the city, except any appointive position which is under the jurisdiction of the school committee. An employee of the city, other than an employee under the jurisdiction of the school committee, who is elected a member of the city council shall be deemed to have resigned his employment upon qualification as a councilman, provided that the holder of any position under the jurisdiction of the school committee may retain his position if at such time all rights to compensation as a member of the city council are waived in a writing submitted to the city clerk.

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

Approved September 29, 1977.

Chap. 565. AN ACT ESTABLISHING THE BOARD OF LIBRARY COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 14 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 "library", in line 14, the words:- and the board of library commissioners.

SECTION 2. Chapter 15 of the General Laws is hereby amended by inserting after section 1Q the following section:-

Section 1R. The board of education shall provide for the establishment of school library and nonprint media services, including:

(1) the acquisition or rental of library and nonprint media materials, resources, and appropriate equipment.

(2) supplementary library and nonprint media subprofessional personnel.

(3) consultative services.

Funds as may be appropriated shall be disbursed according to a formula established by the board which shall take into account the average expenditure over the immediately preceding five years by the local school committee for the library and nonprint media resources; the ratio of library and nonprint media center professional staff to pupil enrollment; the per pupil expenditures for said staff; and the current year school committee expenditure for library and nonprint media resources.

In certifying school library and nonprint media programs eligible for aid, the board shall establish minimum standards for personnel, accessibility of resources, appropriateness of library and nonprint media services and the local budget support.

SECTION 3. Sections nine to eleven, inclusive, of said chapter fifteen are hereby repealed.

SECTION 4. Chapter 78 of the General Laws is hereby amended by striking out section 14, as amended by section 12 of chapter 585 of the acts of 1952, and inserting in place thereof the following section:-

Section 14. There shall be a board of library commissioners for the commonwealth, in this section and in sections fifteen to thirty, inclusive, called the board, consisting of nine residents of the commonwealth appointed by the governor. Upon the expiration of the term of office of a member of the board, his successor shall be appointed for a term of five years.

No person shall be appointed to serve more than two consecutive terms. Prior service on the board for a period of less than three years resulting from an initial appointment or an appointment for the remainder of an unexpired term shall not be considered a full term. The board shall prepare and adopt by-laws for the conduct of its business. Said by-laws shall provide for the election of one of its members to be chairman of the board, establish the term of office, and provide for the ways and means for the election of other officers and their terms of office as deemed necessary by the board.

The members of the board shall be reimbursed for their necessary expenses incurred in the performance of their duties.

The board shall appoint a director and determine his duties and responsibilities and may at its discretion remove him. The board shall, upon recommendation of the director, appoint a

deputy director and determine his duties and responsibilities and may at its discretion remove him. The director and the deputy director shall, subject to appropriation, receive such salary as the board may determine and such other perquisites as the board may approve. The director and the deputy director shall not be subject to the provisions of section nine A of chapter thirty or of chapter thirty-one.

Subject to appropriation and to the approval of the board the director shall appoint or release such professional and subprofessional staff as the functions, powers, and duties of the board shall require; provided, however, that the provisions of said section nine A of said chapter thirty and said chapter thirty-one shall not apply to any such appointment or release.

SECTION 5. The second paragraph of section 19E of said chapter 78 is hereby amended by striking out clause (3).

SECTION 6. Section twenty-six of said chapter seventy-eight is hereby repealed.

SECTION 7. Chapter 693 of the acts of 1963 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. As used in this compact "state library agency", with reference to the commonwealth, means the board of library commissioners.

SECTION 8. Appropriations to the board of library commissioners and the bureau of library extension in the department of education immediately prior to the effective date of this act shall on the said effective date be transferred to the board of library commissioners, established by section fourteen of chapter seventy-eight of the General Laws.

The employees of the bureau of library extension 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 reasons of section nine A of chapter thirty of the General Laws are hereby transferred to the service of the board of library commissioners established by said section fourteen of said chapter seventy-eight. Every such transfer shall be without impairment of civil service status, seniority, retirement and other rights of the employee, without interruption of his service within the meaning of said chapter thirty-one or said section nine A of said chapter thirty and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer. All employees of the bureau of library extension who immediately prior to the effective date of this act held, with or without such tenure, posi-

tions not so classified are hereby transferred to the service of the said board of library commissioners without impairment of seniority, retirement and other rights, without interruption of service within the meaning of said section nine A of said chapter thirty and without change in compensation or salary grade.

All members of the board of library commissioners formerly appointed by the governor under the provisions of section nine of chapter fifteen of the General Laws, repealed by section three of this act, shall continue in office as members of said board established by said section fourteen of said chapter seventy-eight on the effective date of this act for the same terms for which each of said members shall have been appointed under said section nine of said chapter fifteen.

Approved September 29, 1977.

**Chap. 566. AN ACT REQUIRING NOTICE TO CERTAIN INDIVIDUALS
RELATIVE TO LUMBERING OPERATIONS ON STATE OWNED
LANDS.**

Be it enacted, etc., as follows:

Section 42 of chapter 132 of the General Laws, as appearing in chapter 427 of the acts of 1952, is hereby amended by adding the following two sentences:- Prior to cutting forest products on state owned lands in excess of twenty-five thousand board feet or fifty cords not for use by the commonwealth, said director shall give written notice of his intention to begin such cutting operation to the mayor or city council in the case of a city or to the board of selectmen in the case of a town. Written notice shall also be sent by said director to the conservation commission, if any, in the city or town where the cutting operation is to be conducted.

Approved September 29, 1977.

**Chap. 567. AN ACT FURTHER REGULATING THE POWERS OF GUARD-
IANS TO ADMIT OR COMMIT WARDS TO MENTAL HEALTH OR
RETARDATION FACILITIES WITHOUT THE CONSENT OF THE
WARDS.**

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 201 of the General Laws, as most recently amended by section 3 of chapter 845 of the acts of 1974, is hereby further amended by inserting after the fifth sentence the following three sentences:- No guardian so ap-

pointed shall have the authority to cause to admit or commit such person to a mental health or retardation facility unless the court specifically finds the same to be in the best interests of such person and specifically so authorizes such admission or commitment by its order or decree. The court shall not authorize such admission or commitment except after a hearing for the purposes of which counsel shall be provided for any indigent, allegedly mentally ill person. The court shall require the attendance of the allegedly mentally ill person at such hearing unless the court finds that there exists extraordinary circumstances requiring his absence, in which event the attendance of his counsel shall suffice.

SECTION 2. The first paragraph of section 6A of said chapter 201, as appearing in section 4 of said chapter 845, is hereby amended by inserting after the sixth sentence the following three sentences:- No guardian so appointed shall have the authority to cause to admit or commit such mentally retarded person to a mental health or retardation facility unless the court specifically finds the same to be in the best interests of such person and specifically authorizes such admission or commitment by its order or decree. The court shall not authorize such admission or commitment except after a hearing for the purposes of which counsel shall be provided for any indigent mentally retarded person. The court shall require the attendance of such mentally retarded person at such hearing unless the court finds that there exists extraordinary circumstances requiring his absence, in which event the attendance of his counsel shall suffice.

SECTION 3. Section 14 of said chapter 201, as most recently amended by chapter 277 of the acts of 1976, is hereby further amended by adding the following four sentences:- No temporary guardian so appointed shall have the authority to cause to admit or commit such minor, mentally ill or mentally retarded person or spendthrift to a mental health or retardation facility unless the court specifically finds the same to be in the best interests of such person and specifically authorizes such admission or commitment by its order or decree. The court shall not authorize such admission or commitment except after a hearing for the purposes of which counsel shall be provided for any indigent person subject to such admission or commitment and the court shall require the attendance of such person at such hearing unless the court finds that there exists extraordinary circumstances requiring his absence, in which event the attendance of his counsel shall suffice; provided, however, that in cases of extreme emergency the court may authorize such admission, commitment or treatment

by an ex parte proceeding, if it finds that the remedies under the emergency provisions of section twelve of chapter one hundred and twenty-three are not applicable or would not be available to deal with the present emergency. No separate petition shall be necessary for the appointment of a temporary guardian, and, except as otherwise specified herein, the procedures relative to filing, notice, hearings and related matters normally incident to equitable proceedings and relief prior to final decree, shall apply to these proceedings, and the principles of equity normally applicable to the issuance, denial and expiration of temporary or preliminary relief and orders shall also so apply. Whenever a temporary guardian is so appointed, the decree or order shall indicate the nature of the emergency requiring such appointment and the particular harm sought to be avoided, and shall state that the temporary guardian so appointed is only authorized to take such actions with regard to the ward as are reasonably necessary to avoid the occurrence of that harm.

Approved September 29, 1977

Chap. 568. AN ACT AUTHORIZING THE TOWN OF TEMPLETON TO ACQUIRE CERTAIN LANDS AND RIGHTS OF WAY OR EASEMENTS ON CERTAIN LANDS IN THE CITY OF GARDNER FOR SEWERAGE LINES.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Templeton, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, rights of way or easements, public or private, in the city of Gardner, necessary for the laying out, construction, maintenance and operation of interceptor sewerage pipes and related facilities for the conveyance of sewage from said town to the joint wastewater treatment facilities in said city, as agreed in an intermunicipal agreement executed by said city and said town and dated July nineteenth, nineteen hundred and seventy-seven.

SECTION 2. Any person injured in his property by any taking authorized by section one may recover damages from the town of Templeton under said chapter seventy-nine.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Gardner.

Approved September 29, 1977.

Chap. 569. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONVEY CERTAIN LAND IN THE TOWN OF NORTHBOROUGH TO AUBREY B. DINGLEY.

Be it enacted, etc., as follows:

The water resources commission, acting in the name and on behalf of the commonwealth, is hereby authorized to convey to Aubrey B. Dingley, by a deed approved as to form by the attorney general any or all the right, title and interest of the commonwealth in two certain tracts of land, taken by said 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 for the purpose of flood prevention and related purposes, in the town of Northborough, bounded and described as follows:

Tract one: A certain parcel of land situated southeasterly of the Assabet River containing 3.3 acres, more or less, being more particularly bounded and described as follows:

Beginning at the northwesterly corner of the tract herein described at a copperweld rod

THENCE RUNNING S 5°-22'-15"E, 304.29 feet to a copperweld rod

THENCE RUNNING S 63°-00'-08"E, 561.34 feet to a concrete bound

THENCE RUNNING N 73°-32'-40"E, 211.55 feet to a concrete bound

THENCE RUNNING N 55°-45'-45"W, 884.87 feet to the point of beginning.

Tract two: A certain parcel of land situated southeasterly of the Assabet River, containing 4.9 acres more or less, being more particularly bounded and described as follows:

Beginning at the northwesterly corner of the tract herein described at a copperweld rod:

THENCE RUNNING S 39°-54'-30"W, 186.25 feet to a copperweld rod;

THENCE RUNNING S 4°-49'-10"W, 264.22 feet to a copperweld rod;

THENCE RUNNING S 70°-28'-40"E, 141.30 feet to a birch tree;

THENCE RUNNING S 80°-49'-05"E, 181.99 feet to a concrete bound;

THENCE RUNNING N 67°-00'-30"E, 126.33 feet to a concrete bound;

THENCE RUNNING N 86°-52'-20"E, 287.72 feet to a copperweld rod;

THENCE RUNNING N 24°-38'-30"W, 178.83 feet to a concrete bound;

THENCE RUNNING N 63°-00'-08"W, 561.34 feet to the point of beginning.

The above described tracts are a portion of the land taken in fee in an order of taking dated May 12, 1975 and recorded June 12, 1975 at the Worcester district registry of deeds in Worcester county in book 5733, page 81 and is identified as tract 106 on a plan entitled, "Commonwealth of Massachusetts Water Resources Commission Plan of Land in the Town of Northborough (Worcester County) and City of Marlborough (Middlesex County)", which is recorded in the Worcester district registry of deeds in plan book 412, page 56.

Approved September 29, 1977.

Chap. 570. AN ACT DIRECTING THE CITY OF GARDNER TO TRANSFER CERTAIN LAND IN SAID CITY TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of section forty-four A of chapter thirty of the General Laws and section one of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the city of Gardner is hereby authorized and directed to transfer to the department of public works four certain parcels of land being used by said city for watershed areas. Said parcels of land are shown on a plan on file in the department of public works, office of the chief engineer, and is identified as follows:

Four certain parcels of land in the city of Gardner located north of Matthews Street, the combined areas of which total twenty and eight tenths acres, more or less and more fully described as follows:

PARCEL 1.

Beginning at a point on the proposed westerly state highway location of the proposed Relocated Route 140, said point being 165 ± feet left of and perpendicular to baseline Station 263 + 37 ± of said proposed highway;

Thence running northwesterly along said westerly location line for a distance of 488 ± feet to a point, said point being 140 feet left of and radial to baseline Station 268 + 50 of said proposed highway;

Thence continuing northwesterly along said westerly location line for a distance of 808 ± feet to a point, said point being 100

feet left of and radial to baseline Station 277 + 00 of said proposed highway;

Thence continuing westerly along said westerly location line for a distance of $90 \pm$ feet to a point, said point being on the easterly street line of Paige Road and 130^2 feet left of and radial to baseline Station 277 + $92 \pm$ of said proposed highway;

Thence running northerly along said easterly street line, crossing said baseline at Station 279 + $27 \pm$, for a distance of $354 \pm$ feet to a point, said point being on the proposed easterly state highway location line and $121 \pm$ feet right of and radial to baseline Station 280 + $41 \pm$ of said proposed highway;

Thence running easterly along said easterly location line for a distance of 843 feet to a point, said point being 200 feet right of and radial to baseline Station 272 + 50 of said proposed highway;

Thence continuing southeasterly along said easterly location line for a distance of $828 \pm$ feet to a point, said point being $120 \pm$ feet right of and radial to baseline Station 264 + $76 \pm$ of said proposed highway;

Thence running southerly by the brook, said brook being the westerly property line of land owned now or formerly by David J. Kymalainen, crossing said baseline at Station 264 + $40 \pm$ for a distance of $330 \pm$ feet to a point, said point being the point of beginning.

The heretofore described parcel of land owned now or formerly by the City of Gardner contains an area of $9.7 \pm$ Acres.

PARCEL 2.

Beginning at a point on the proposed westerly state highway location line of the proposed Relocated Route 140, said point being $143 \pm$ feet left of and radial to baseline Station 278 + $39 \pm$ of said proposed highway;

Thence running westerly along said westerly location line for a distance of $437 \pm$ feet to a point, said point being 230 feet left of and radial to baseline Station 283 + 00 of said proposed highway;

Thence continuing northwesterly along said westerly location line for a distance of $387 \pm$ feet to a point, said point being 130 feet left of and perpendicular to baseline Station 287 + 00 of said proposed highway;

Thence continuing westerly along said westerly location line for a distance of $32 \pm$ feet to a point, said point being on the easterly street line of Kelton Street and $130 \pm$ feet left of and perpendicular to baseline Station 287 + $30 \pm$ of said proposed highway;

Thence running northerly along said easterly street line, crossing said baseline at Station 286 + 62 ±, for a distance of 212 ± feet to a point, said point being 57 ± feet right of and perpendicular to baseline Station 286 + 32 ± of said proposed highway;

Thence continuing easterly along said easterly street line for a distance of 20 ± feet to a point, said point being 55 ± feet right of and perpendicular to baseline Station 286 + 13 ± of said proposed highway;

Thence continuing northerly along said easterly street line for a distance of 116 ± feet to a point, said point being on the proposed easterly state highway location line and 153 ± feet right of and radial to baseline Station 285 + 58 ± of said proposed highway;

Thence running northeasterly along said easterly location line for a distance of 167 ± feet to a point, said point being 180 feet right of and radial to baseline Station 284 + 00 of said proposed highway;

Thence continuing easterly along said easterly location line for a distance of 329 ± feet to a point, said point being on the westerly street line of Paige Road and 126 ± feet right of and radial to baseline Station 280 + 94 ± of said proposed highway;

Thence running southerly along said westerly street line, crossing said baseline at Station 279 + 84 ± for a distance of 372 ± feet to a point, said point being the point of beginning.

The heretofore described parcel of land owned now or formerly by the City of Gardner contains an area of 5.5 ± Acres.

PARCEL 3.

Beginning at a point on the proposed westerly state highway location line of the proposed Relocated Route 140, said point being 131 ± feet left of and perpendicular to baseline Station 287 + 69 ± of said proposed highway;

Thence running westerly along said westerly location line for a distance of 628 ± feet to a point, said point being 135 feet left of and radial to baseline Station 294 + 00 of said proposed highway;

Thence continuing northwesterly along said westerly location line for a distance of 108 ± feet to a point on a stone wall, said point being on the easterly property line of land owned now or formerly by Thomas J. & Alice M. Kymalainen and 129 ± feet left of and radial to baseline Station 295 + 05 ± of said proposed highway;

Thence running northerly along said stone wall and said easterly property line crossing said baseline at Station 294 + 82 ± for a distance of 325 ± feet to a point, said point being the

northeast corner of said property and $190 \pm$ feet right of and radial to baseline Station $294 + 48 \pm$ of said proposed highway;

Thence running northwesterly along the northerly property line of said property for a distance of $1159 \pm$ feet to a point, said point being on the easterly street line of Stone Street and $99 \pm$ feet right of and radial to baseline Station $306 + 66 \pm$ of said proposed highway;

Thence running northerly along said easterly street line for a distance of $57 \pm$ feet to a point, said point on the proposed easterly state highway location line and $155 \pm$ feet right of and radial to baseline Station $306 + 85 \pm$ of said proposed highway;

Thence running southeasterly along said easterly location line for a distance of $782 \pm$ feet to a point, said point being 260 feet right of and radial to baseline Station $298 + 50$ of said proposed highway;

Thence continuing southeasterly along said easterly location line for a distance of $730 \pm$ feet to a point, said point being 100 feet right of and perpendicular to baseline Station $291 + 00$ of said proposed highway;

Thence continuing northeasterly along said easterly location line for a distance of $485 \pm$ feet to a point, said point being on the westerly street line of Kelton Street and $146 \pm$ feet right of and perpendicular to baseline Station $286 + 17 \pm$ of said proposed highway;

Thence running southerly along said westerly street line crossing said baseline at Station $287 + 06 \pm$ for a distance of $315 \pm$ feet to a point, said point being the point of beginning.

The heretofore described parcel of land owned now or formerly by the City of Gardner contains an area of $5.3 \pm$ Acres.

PARCEL 4.

Beginning at a point on the proposed easterly state highway location line of the proposed Relocated Route 140, said point being $182 \pm$ feet right of and radial to baseline Station $315 + 74 \pm$ of said proposed highway;

Thence running southerly along the westerly property line of land owned now or formerly by Felix & Linea Tkaczyk for a distance of $159 \pm$ feet to a point, said point being on the easterly state highway layout line of Route 140 (Green Street) and $25 \pm$ feet right of and radial to baseline Station $315 + 57 \pm$ of said proposed highway;

Thence running westerly along said easterly layout line for a distance of $120 \pm$ feet to a point, said point being on the easterly property line of land owned now or formerly by the Land Cor-

poration of Gardner and $40 \pm$ feet right of and radial to baseline Station 316 + $77 \pm$ of said proposed highway;

Thence running northerly along said easterly property line for a distance of $61 \pm$ feet to a point, said point being on the proposed easterly state highway location line of said proposed highway and $101 \pm$ feet right of and radial to baseline Station 316 + $84 \pm$ of said proposed highway;

Thence running easterly along said easterly location line for a distance of $132 \pm$ feet to a point, said point being the point of beginning.

The heretofore described parcel of land owned now or formerly by the city of Gardner contains three-tenths of an acre, more or less.

Including herein the right in the department of public works to construct slopes of excavation or embankment appurtenant to said improvements outside of the new location of these said parcels.

For the purposes of this act the department of public works is hereby granted authority to divert to highway use, the above described lands or portions thereof presently in public use by the city of Gardner and to be used by it for watershed purposes.

Approved September 29, 1977.

Chap. 571. AN ACT PROVIDING FOR CIVIL SERVICE STATUS FOR JOSEPH D. CARTER, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF PUBLIC WORKS OF THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, Joseph D. Carter, incumbent of the office of superintendent of public works of the town of Saugus, shall be subject to the provisions of chapter thirty-one of the General Laws, provided he passes a qualifying examination to which he shall be subjected by the personnel administrator. If said incumbent passes said examination, he shall be certified for such office and shall be deemed to be permanently appointed thereto. If he fails to pass said examination, he may continue to serve in said office, but shall not otherwise be subject to the provisions of said chapter thirty-one.

Approved September 29, 1977.

Chap. 572. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR HOWARD L. WATERMAN, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF HALIFAX.

Be it enacted, etc., as follows:

SECTION 1. Howard L. Waterman, incumbent of the office of chief of police in the town of Halifax, shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed therefrom for cause after a hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

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

Approved September 29, 1977.

Chap. 573. AN ACT AUTHORIZING THE APPOINTMENT OF PHILIP S. OLSZEWSKI AS A PERMANENT POLICE OFFICER IN THE TOWN OF PLAINVILLE NOTWITHSTANDING CERTAIN AGE REQUIREMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provision of any law or rule, the director of the division of personnel administration in the office of administration and finance is hereby authorized and directed to permit Philip S. Olszewski to take the next open civil service examination for the position of police officer, and if he passes said examination, he shall be eligible for certification by said director in the manner prescribed by law and appointment by the town of Plainville as a permanent member of the police department of said town, provided that he meets all requirements of law other than the regulation as to age.

Approved September 29, 1977.

Chap. 574. AN ACT AUTHORIZING THE TREASURER OF PLYMOUTH COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

The treasurer of Plymouth county is hereby authorized, with the approval of the county commissioners, to pay from available funds to the city of Brockton, the amount of six hundred and three dollars and twenty-four cents as the Plymouth county share

of certain work completed in nineteen hundred and seventy-two under contracts 25446 and 26088.

Approved September 29, 1977.

Chap. 575. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO PAY A SUM OF MONEY TO CERTAIN POLICE OFFICERS.

Be it enacted, etc., as follows:

The town of Wareham is hereby authorized to appropriate money for the payment of and to pay to certain police officers, as set forth on a list on file with the committee on local affairs, a sum not to exceed three thousand one hundred and forty-one dollars and fourteen cents for payment due them under the police incentive program adopted by said town.

Approved September 29, 1977.

Chap. 576. AN ACT AUTHORIZING PAYMENT BY MAIL OF FINES FOR CERTAIN MOTORBOAT OFFENSES.

Be it enacted, etc., as follows:

Subsection (a) of section 14 of chapter 90B of the General Laws, as appearing in section 2 of chapter 275 of the acts of 1960, is hereby amended by inserting after the second sentence the following sentence:- In the alternative, any person against whom a complaint has been issued for violation of section five, five A, or six may waive a trial and plead guilty by mailing to the clerk of the court having jurisdiction of the offense, payment in the amount of ten dollars for each offense, by postal note, money order, or certified check made payable to said clerk.

Approved September 29, 1977.

Chap. 577. AN ACT AUTHORIZING THE TREASURER OF BERKSHIRE COUNTY TO EXPEND FUNDS FOR THE PAYMENT OF CERTAIN EXPENSES OF THE COUNTY JAIL AND HOUSE OF CORRECTION AND THE SHERIFF.

Be it enacted, etc., as follows:

The county treasurer of Berkshire county, with the approval of the county commissioners, is hereby authorized to pay from any

available funds the following sums of money: For medical bills for services to inmates in the Berkshire county jail and house of correction twelve thousand four hundred and six dollars and sixty-five cents; for surgery for a certain inmate entering a hospital for surgery on May twenty-fifth, nineteen hundred and seventy-seven, a sum not exceeding fifteen hundred dollars; for unpaid food and fuel bills for the Berkshire county jail and house of correction and the sheriff's residence a sum of not exceeding four thousand six hundred and eighty-seven dollars and seventy-five cents; and for food expense at the Berkshire county jail and house of correction for May and June in the current year, a sum not exceeding eleven thousand dollars.

Approved September 29, 1977.

Chap. 578. AN ACT ALLOWING CERTAIN INSURANCE COMPANIES TO ACT AS AN URBAN REDEVELOPMENT CORPORATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow insurance companies to act as an urban redevelopment corporation, therefore 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 18 of chapter 121A of the General Laws, as most recently amended by section 12 of chapter 827 of the acts of 1975, is hereby further amended by striking out the introductory paragraph and inserting in place thereof the following paragraph:-

An insurance company incorporated under the laws of the commonwealth or authorized to transact business in the commonwealth, instead of investing its funds in the stocks, bonds and other securities of a corporation organized under section three, or otherwise investing in or participating with an individual or entity authorized to undertake and carry out or acquire projects under this chapter, may with the approval of the commissioner of insurance, itself undertake on land owned or to be acquired by it one or more projects under this chapter, or acquire projects or any severable portion thereof from corporations, individuals or entities authorized to undertake or acquire projects under this chapter, and the provisions of this chapter, specifically including the powers granted by sections six A and eleven and the procedures set forth in section eighteen B shall, so far as apt, be ap-

plicable to such company and such projects, excepting the following:.

Approved September 30, 1977.

Chap. 579. AN ACT EXTENDING ELIGIBLE LISTS FOR PERMANENT POSITIONS IN THE BUREAU OF BUILDING CONSTRUCTION.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the eligible lists for appointment to the positions of assistant building construction plans and specifications engineer, associate civil engineer, and principal civil engineer in the bureau of building construction, established on the respective dates of June second, nineteen hundred and seventy-five, April eighteenth, nineteen hundred and seventy-five, and June twenty-sixth, nineteen hundred and seventy-five, are hereby revived and extended until new eligible lists for such positions are established.

Approved September 30, 1977.

Chap. 580. AN ACT AUTHORIZING THE TOWN OF AGAWAM TO APPROPRIATE AND PAY CERTAIN SUMS OF MONEY TO CERTAIN PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section 31 of chapter 44 of the General Laws or any other general or special law to the contrary, the town of Agawam is hereby authorized to appropriate, and after such appropriation, the treasurer of said town is authorized to pay, certain sums of money to certain persons for goods ordered and received by said town or services requested and rendered to said town totalling eleven thousand one hundred and three dollars and sixty-four cents, as appearing on a list on file in the division of accounts in the department of corporations and taxation, the same being legally unenforceable against 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 goods or services for which said bill was submitted were ordered by an official or employee of said town and that the goods so ordered were actually received by said town or that the services were actually 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 goods or services which were not received 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 October 3, 1977.

Chap. 581. AN ACT FURTHER REGULATING CERTAIN REQUIREMENTS OF MARRIAGE.

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter two hundred and seven of the General Laws is hereby repealed.

SECTION 2. Said chapter 207 is hereby amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 24. The clerk or registrar shall not, except as provided in the following section, receive a notice of the intention of marriage of a person under eighteen.

SECTION 3. Section twenty-seven of chapter two hundred and nine of the General Laws is hereby repealed.

SECTION 4. Said chapter 209 is hereby amended by striking out section 28, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 28. If a married person comes from another state or country into the commonwealth, that married person shall have all the rights, powers and obligations given to married persons by this chapter.

Approved October 3, 1977.

Chap. 582. AN ACT REGULATING THE HOSPITALIZATION OF FEMALE PRISONERS FOR THE PURPOSE OF GIVING BIRTH AND THE HOSPITALIZATION OF CERTAIN OTHER PRISONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by striking out section 117, as most recently amended by chapter 120 of the acts of 1943, and inserting in place thereof the following section:-

Section 117. Whenever the physician of any state correctional facility certifies that any prisoner held therein requires medical, dental or other similar professional treatment which cannot safely or properly be given in such state correctional facility or the hospital at the Massachusetts Correctional Institution, Norfolk, the commissioner may temporarily place such person in an appropriate hospital or medical facility to receive such treatment.

SECTION 2. Said chapter 127 is hereby further amended by striking out section 118, as most recently amended by section 80 of chapter 613 of the acts of 1958, and inserting in place thereof the following section:-

Section 118. Whenever it appears that a female confined in any correctional facility, is about to give birth to a child, the physician of the institution where the inmate is confined shall send to the commissioner a certificate of her condition, and the commissioner shall thereupon order her removal to a hospital near the institution where she is confined, but in no case shall such female be removed to the Tewksbury hospital or to any penal or reformatory institution for the purpose of giving birth. An inmate so removed shall be kept in such hospital until the physician thereof shall certify to said commissioner that she may safely be removed, whereupon the commissioner shall issue an order for her return to the correctional facility.

Approved October 3, 1977.

Chap. 583. AN ACT AUTHORIZING THE COMMISSIONER OF CORPORATIONS AND TAXATION TO PRESCRIBE THE METHOD OF PAYING CERTAIN STATE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 62C of the General Laws is hereby amended by striking out section 45, as appearing in section 22 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 45. The commissioner is authorized, subject to the approval of the state treasurer, to designate any bank doing business in the commonwealth as a depository and fiscal agent for the purpose of receiving any tax imposed under the provisions of chapters sixty-two to sixty-five C, 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, under regulations issued by the commission,

which taxpayers or classes of taxpayers must make payments of taxes to designated banks and the method or methods of making such payments. Notwithstanding any provision of section thirty-three A of this chapter, the commissioner shall also so 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-eight.

Approved October 3, 1977.

Chap. 584. AN ACT RELATIVE TO PREMIUMS ON BONDS FOR DEEDS EXCISES.

Be it enacted, etc., as follows:

The fifth paragraph of section 3 of chapter 64D of the General Laws, added by section 1 of chapter 651 of the acts of 1955, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The premium for such bond shall be paid by the state treasurer upon certification by the commissioner.

Approved October 3, 1977.

Chap. 585. AN ACT FURTHER PROVIDING FOR THE AMOUNTS REFUNDED UPON ABATEMENT OF PROPERTY TAXES.

Be it enacted, etc., as follows:

Chapter 59 of the General Laws is hereby amended by striking out section 69, as most recently amended by section 2 of chapter 250 of the acts of 1976, and inserting in place thereof the following section:-

Section 69. A person whose tax has been abated shall, if the tax has been paid, be reimbursed by the town to the amount of the abatement allowed, including all interest and all charges paid therewith except legal costs paid as provided in section sixty-two, with interest on the amount so abated at six per cent from the time of payment. This interest shall not be waived.

Approved October 3, 1977.

Chap. 586. AN ACT MAKING CERTAIN UNPAID ANNUAL SEWER CHARGES A TAX LIEN.

Be it enacted, etc., as follows:

Chapter 83 of the General Laws is hereby amended by inserting after section 16 the following six sections:-

Section 16A. If the rates and charges due to a city, town or sewer district, which accepts this section and sections sixteen B to sixteen F, inclusive, by vote of its city council or of the voters in towns or districts and, by its clerk, files a certificate of such acceptance in the proper registry of deeds, for supplying or providing for a sewer system or rendering service or furnishing materials in connection therewith to or for any real estate at the request of the owner or tenant are not paid on or before their due date as established by local regulations, ordinances or by-laws, which due dates shall be so established as to require payments at least as often as annually, such rates and charges, together with interest thereon and costs relative thereto, shall be a lien upon such real estate as provided in section sixteen B. The register of deeds shall record such certificate of acceptance in a book to be kept for the purpose, which shall be kept in an accessible location in the registry. Sections sixteen B to sixteen F, inclusive, shall also apply to a sewer district which has accepted sections sixteen A to sixteen F, inclusive, and whose clerk has so filed the certificate of acceptance. Wherever in said sections the words "board or officer in charge of the sewer department" or their equivalent appear, they shall also mean and include the officers exercising similar duties in any city, town or district. A fire or water district authorized to provide a sewer system shall, for the purposes of sections sixteen A to sixteen F, inclusive, be deemed to be a sewer district.

Section 16B. Such lien shall take effect by operation of law on the day immediately following the due date of such rate or charge and, unless dissolved by payment or abatement, shall continue until such rate or charge has been added to or committed as a tax under section sixteen C, and thereafter, unless so dissolved, shall continue as provided in section thirty-seven of chapter sixty, except that the date provided for termination of the lien in case of a recorded alienation shall be at the expiration of two years from October first of the year of such addition or committal. Anything in this section to the contrary notwithstanding, if any such rate or charge is not added to or committed as a tax under section sixteen C on or before December thirty-first of the year immediately following the year in which such rate or charge becomes due, the lien for such rate or charge shall

terminate on October first of the third year following the year in which such rate or charge becomes due.

Notwithstanding such lien any such overdue rate or charge may be collected through any legal means, including the shutting off of a sewer connection, which may be deemed advisable; provided, that after the termination of such a lien, no city, town or sewer district shall attempt to enforce, by shutting off the sewer connection, collection of such rate or charge from any person, not liable therefor, who has succeeded to the title or interest of the person incurring such rate or charge. All such rates and charges excluded by court decree under section seventy-six B of chapter sixty shall, to the extent that they were properly chargeable to the person owning, or to the tenant occupying, the premises for which such rates and charges were incurred, be recoverable from such person or tenant, as the case may be, in an action of contract or otherwise. If at the time of the entry of such decree such person or tenant is still the owner or tenant of the premises, whether through redemption or otherwise, such rates and charges to the extent that they were properly chargeable to him, may be enforced in any other manner provided or available for collection and enforcement of sewer connection rates and charges.

Section 16C. If a rate or charge for which a lien is in effect under section sixteen B has not been added to or committed as a tax and remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed by them under section forty-three of chapter fifty-nine, the board or officer in charge of the sewer department, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such rate or charge to the assessors, who shall forthwith add such rate or charge to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as a part of such tax. If the property to which such rate or charge relates is tax exempt, such rate or charge shall be committed as the tax.

Section 16D. Except as otherwise provided, the provisions of chapters fifty-nine and sixty shall apply, so far as pertinent, to all rates and charges certified to the assessors under section sixteen C. Without limiting the generality of the foregoing, upon commitment as a tax or part of a tax under said section sixteen C, all such rates and charges shall be subject to the provisions of law relative to interest on the taxes of which they become, or, if the property were not tax exempt would become, a part; and the collector of taxes shall have the same powers and be subject to the

same duties with respect to such rates and charges as in the case of annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the nonpayment thereof and the redemption of land so sold or taken shall, except as otherwise provided, apply to such rates and charges.

Section 16E. An owner of real estate aggrieved by a charge imposed thereon under sections sixteen A to sixteen F, inclusive, in addition to such remedy as he may have under section ten of chapter one hundred and sixty-five, may apply for an abatement thereof by filing a petition with the board or officer having control of the sewer department within the time allowed by law for filing an application for abatement of the tax of which such charge is, or, if the property were not tax exempt, would have been, a part, and if such board or officer finds that such charge is more than is properly due, a reasonable abatement shall be made; and except as otherwise provided herein, the provisions of chapter fifty-nine relative to the abatement of taxes by assessors shall apply, so far as applicable, to abatements hereunder. If such petition is denied in whole or in part, the petitioner may appeal to the appellate tax board upon the same terms and conditions as a person aggrieved by the refusal of the assessors of a city or town to abate a tax.

Section 16F. An owner of real estate who, in order to prevent the imposition of a lien thereon or to discharge the same, has paid charges for sewer connections furnished to a tenant or other person who was bound to pay the same, may recover from such tenant or other person in an action of contract the amount of the charges so paid with all incidental costs and expenses.

Approved October 3, 1977.

Chap. 587. AN ACT PROVIDING THAT SOLICITATIONS USING THE WORDS POLICE OR FIREFIGHTER SHALL IDENTIFY THE SPONSORING ORGANIZATION.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 98D the following section:-

Section 98E. No person or persons shall solicit the public in any manner or form using the word "police" or "firefighter" or any derivative thereof without using the name or names of the city or town police or firefighters organization sponsoring such solicitation.

Approved October 3, 1977.

Chap. 588. AN ACT PROVIDING FOR THE PROTECTION OF CERTAIN PERSONS FROM CRIMES AGAINST CHASTITY.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by striking out section 5, as amended by chapter 137 of the acts of 1948, and inserting in place thereof the following section:-

Section 5. Whoever has unlawful sexual intercourse with a person who is feeble minded, an idiot or imbecile or insane, under circumstances which do not constitute rape, shall, if he had reasonable cause to believe that he was feeble minded, an idiot or imbecile or insane, be punished as provided in section three.

Approved October 3, 1977.

Chap. 589. AN ACT RELATIVE TO THE CRIME OF PROSTITUTION.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by striking out section 7, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 7. Whoever, knowing a person to be a prostitute, shall live or derive support or maintenance, in whole or in part, from the earnings or proceeds of his prostitution, from moneys loaned, advanced to or charged against him by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, or shall share in such earnings, proceeds or moneys, shall be punished by imprisonment in the state prison for not more than three years or in the house of correction for not more than one year or by a fine of not more than one thousand dollars, or both.

Approved October 3, 1977.

Chap. 590. AN ACT RELATIVE TO AN EMPLOYEE SEEKING HIS RIGHTS UNDER THE WAGE AND HOURS PROVISIONS OF LABOR LAW.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 148 the following section:-

Section 148A. No employee shall be penalized by an employer in any way as a result of any action on the part of an employee to seek his or her rights under the wages and hours provisions of this chapter.

Approved October 3, 1977.

Chap. 591. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY TWO CERTAIN PARCELS OF LAND SITUATED IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON TO THE PROVIDENT INSTITUTION FOR SAVINGS.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to sell and convey in the name and on behalf of the commonwealth to the Provident Institution for Savings in the city of Boston by a quitclaim deed approved as to form by the attorney general, and at a price to be negotiated between the parties, two certain parcels of land situated in the Dorchester district of the city of Boston.

Said two certain parcels of land are bounded and described as follows:

Parcel 1: Northeasterly by William T. Morrissey Boulevard, 43 feet, more or less; southerly by land now or formerly of John and Nina DeSimone, 50.32 feet; westerly by land now or formerly of Herbert and Eileen B. Mansfield, 38 feet; and northerly by land of owners unknown, 29.34 feet.

Parcel 2: Northeasterly by William T. Morrissey Boulevard, 23.7 feet, more or less; southerly by a parcel of land registered by the Land Court as Land Court Case No. 24773, 17.15 feet; and northwesterly by land now or formerly of Ralph C. and Helen F. Holmberg and John and Nina DeSimone, by two lines measuring 15.20 feet, respectively.

Approved October 3, 1977.

Chap. 592. AN ACT PROVIDING FOR A LIEN FOR WORK, LABOR OR MATERIALS FURNISHED IN MANUFACTURING OR PROCESSING OF ELECTRICAL COMPONENTS.

Be it enacted, etc., as follows:

Section 31A of chapter 255 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 143 of the acts of 1975, and inserting in place thereof the following sentence:- A lien on account of work, labor and materials furnished in the spinning, throwing, manufacturing, bleaching, mercerizing, dyeing, printing, finishing or otherwise processing of cotton, wool, silk, artificial silk or synthetic fibers, or of leather goods or hides, or of goods of which cotton, wool, silk, artificial silk or synthetic fibers form a

component part and the processing of wood, metals, paper, paperboard, plastic and plastic components and the processing of any material for use in electrical components and assembly of same covering the addition of materials and labor furnished in printing, cutting, milling, extruding, combining and sewing, as against goods in the lienor's possession, shall extend to any unpaid balance of account for work, labor and materials furnished in the course of any such process in respect of any other such goods of the same owner whereof the lienor's possession has terminated.

Approved October 3, 1977.

Chap. 593. AN ACT INCREASING THE PENALTIES FOR CERTAIN VIOLATIONS OF LAW RELATIVE TO FERRETS AND FITCHEWS.

Be it enacted, etc., as follows:

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

Whoever violates any provision of sections seventy-four or seventy-six shall be punished by a fine of not less than twenty nor more than fifty dollars, or by imprisonment for not more than thirty days, or both, for each bird or mammal taken, killed or removed, and for each nest or egg taken, disturbed, molested or destroyed.

Whoever violates any provision of section seventy-seven shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than thirty days, or both.

Approved October 3, 1977.

Chap. 594. AN ACT AUTHORIZING THE CITY OF CHELSEA TO PROMULGATE RULES AND REGULATIONS RELATIVE TO THE PARKING OF VEHICLES IN RESIDENTIAL AREAS OF SAID CITY.

Be it enacted, etc., as follows:

The city of Chelsea may by ordinance establish rules or regulations prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways under the control of said city. Such rules and regulations may provide that they shall not apply to residents in

metered areas as shall be specified, and at such times as shall be prescribed to any motor vehicles registered under chapter ninety of the General Laws as principally garaged in said city and owned or used by a person residing in such area who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe, and filed with the proper administrative agency, notice of intention to park in such metered area and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; but neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle.

Approved October 3, 1977.

Chap. 595. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES BY CERTAIN RESTAURANTS IN THE CITY OF MEDFORD.

Be it enacted, etc., as enacted:

SECTION 1. Notwithstanding any limitations imposed by section eleven or section eleven A of chapter one hundred and thirty-eight of the General Laws, as to the time and manner of voting upon the questions therein set forth, the city clerk of the city of Medford shall cause to be placed on the official ballot used in the city of Medford by the registered voters of said city at the municipal elections to be held in the year nineteen hundred and seventy-seven the following question:

“Shall licenses be granted in this city for the sale therein of all alcoholic beverages by restaurants having a seating capacity of not less than two hundred and fifty persons without including the seating capacity of function rooms?”	YES
	NO

If a majority of the votes cast in said city in answer to said question is in the affirmative, said city shall be taken to have authorized, until the end of calendar year nineteen hundred and seventy-eight, the sale in said city of all alcoholic beverages to be drunk on the premises of restaurants having a seating capacity of not less than two hundred and fifty persons, without including the seating capacity of function rooms, notwithstanding any pro-

visions of section twelve of said chapter one hundred and thirty-eight to the contrary. Said licenses shall be subject, however, to all the other provisions of said chapter one hundred and thirty-eight.

SECTION 2. The state secretary shall cause the following question to be placed on the official ballot to be used in the city of Medford at the next biennial state election, and at each biennial state election thereafter until the voters of said city have voted in the affirmative three consecutive times or in the negative three consecutive times.

“Shall licenses be granted in this city for the sale therein of all alcoholic beverages by restaurants having a seating capacity of not less than two hundred and fifty persons without including the seating capacity of function rooms?”	YES
	NO

If a majority of the votes cast in said city in answer to said question is in the affirmative, said city shall be taken to have authorized, for the two calendar years next succeeding, the sale in said city of all alcoholic beverages to be drunk on the premises of restaurants having a seating capacity of not less than two hundred and fifty persons, without including the seating capacity of function rooms, notwithstanding any provisions of section twelve of said chapter one hundred and thirty-eight to the contrary. Said 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 October 4, 1977.

Chap. 596. AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF RENT REGULATIONS AND THE CONTROL OF EVICTIONS IN MOBILE HOME PARK ACCOMMODATIONS IN THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

SECTION 1. *Declaration of Emergency.* The general court finds and declares that a serious public emergency exists in the city of Chicopee with respect to the housing of a substantial number of the citizens of said city, which emergency has been created by excessive, abnormally high and unwarranted rental increases imposed by some owners of mobile parks located therein; that unless mobile home park rents and eviction of

tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Chicopee, particularly the elderly; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the city of Chicopee.

SECTION 2. *General Powers.* The city of Chicopee may, by ordinance, regulate rents for the use or occupancy of mobile home park accommodations in the city, establish a rent board for the purpose of regulating rents, minimum standards for use or occupancy of mobile home park accommodations in the city and evictions of tenants therefrom and may, by ordinance, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile home park accommodations. Such rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owner and the tenants of such mobile home park accommodations. The rent board shall have all powers necessary or convenient to perform its functions. It may make rules and regulations, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile home park accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations. Violations of any ordinance adopted pursuant to this act or any order of the rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

SECTION 3. *Standards for Adjusting Rents.* (a) In regulating such rents, the rent board established under section two may make such individual or general adjustments, either upward or downward, as may be necessary to assure that rents for mobile home park accommodations in the city are established at levels which yield to owners a fair net operating income for such units. Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other

valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(b) The city in its ordinance or the rent board by regulation may establish further standards and rules consistent with the foregoing.

SECTION 4. *Incorporation of Administrative Procedure Act.* The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section two, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

SECTION 5. *Conference of Jurisdiction.* (a) The district court of Chicopee shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction to enforce the provisions of this act, and any ordinance adopted thereunder, and may restrain violations thereof.

SECTION 6. *Defense to Summary Process for Possession.* The city of Chicopee may by ordinance regulate the evictions of tenants, and the rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable pursuant to sections three and four of this chapter.

SECTION 7. *Exemption from Civil Service.* The personnel of the rent board established under section two shall not be subject to the provisions of section nine A of chapter thirty of the General Laws or chapter thirty-one of the General Laws.

SECTION 8. *Severability.* If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 9. *Effective Date.* This act shall be submitted for acceptance to the voters of the city of Chicopee at its next municipal election in the form of the following question which shall be placed on the official ballot to be used for the election of city officers at said election:- "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act providing for the establishment and administration of rent regulations and the control of evictions in mobile home park accommodations in the city of Chicopee', be accepted?"

If a majority of votes ““answer to said question is in the affirmative, then this act shall take effect sixty days after such acceptance, but not otherwise.

Approved October 4, 1977.

Chap. 597. AN ACT AUTHORIZING THE APPOINTMENT OF CERTAIN AGENTS OF THE WORCESTER ANIMAL RESCUE LEAGUE AND THE ANIMAL RESCUE LEAGUE OF NEW BEDFORD AS SPECIAL POLICE OFFICERS FOR THE PREVENTION OF CRUELTY TO ANIMALS.

Be it enacted, etc., as follows:

Section 10 of chapter 147 of the General Laws, as amended by chapter 23 of the acts of 1934, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The commissioner may appoint, at the request of the Massachusetts Society for the Prevention of Cruelty to Animals, the Animal Rescue League of Boston, the Boston Work Horse Relief Association, The Lowell Humane Society, the Worcester Animal Rescue League or the Animal Rescue League of New Bedford, duly accredited agents of the corporation so requesting as special police officers to serve for one year, subject to removal by the commissioner.

Approved October 4, 1977.

Chap. 598. AN ACT FURTHER REGULATING THE REPORTING OF FETAL DEATHS.

Be it enacted, etc., as follows:

SECTION 1. Section nine A of chapter forty-six of the General Laws is hereby repealed.

SECTION 2. Section 9B of said chapter 46, inserted by section 4 of chapter 48 of the acts of 1960, is hereby amended by striking out, in line 2, the words “or section nine A,”.

SECTION 3. The first sentence of section 11 of said chapter 46 is hereby amended by striking out the words “or section nine A”, inserted by section 5 of said chapter 48.

SECTION 4. Section 12 of said chapter 46 is hereby further amended by striking out the second sentence, as most recently amended by section 6 of said chapter 48, and inserting in place thereof the following sentence:- No birth record of a child born out of wedlock or a child of abnormal sex shall so be transmitted to any other city or town.

SECTION 4A. Said chapter 46 is hereby further amended by striking out section 24, as amended by section 7 of said chapter 48, and inserting in place thereof the following section:-

Section 24. In any statement of births or deaths printed by a town the name of an illegitimate child or of its parents or of the parents of a child born dead shall not be printed, but the word "illegitimate" shall be used in place thereof. A town violating this section shall forfeit to the mother of such child not more than one hundred dollars.

SECTION 5. Chapter 111 of the General Laws is hereby amended by adding the following section:-

Section 202. As used in this section, "fetal death" means death prior to the complete expulsion or extraction from its mother of a fetus, irrespective of the duration of pregnancy, as indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. "Fetal death" does not include an abortion as defined in section twelve K of chapter one hundred and twelve.

When a fetal death occurs in a hospital, if a fetus is of twenty weeks gestation or more, or a weight of three hundred and fifty grams or more, the physician in attendance shall prepare and transmit a report of such death to the person in charge of the hospital or his designated representative, who shall file such report with the commissioner within ten days after such death.

When a fetal death occurs outside a hospital, if a fetus is of twenty weeks gestation or more, or a weight of three hundred and fifty grams or more, the physician in attendance at or immediately after delivery shall prepare and file a report of such death with said commissioner within ten days after such death.

When a fetal death occurs without medical attendance at or immediately after delivery or when the fetal death may have occurred from violence or unnatural causes, if a fetus is of twenty weeks gestation or more, or a weight of three hundred and fifty grams or more, the medical examiner shall investigate the cause and shall prepare and file a report of such death with said commissioner within ten days after such death.

Said commissioner may compile an annual statistical report of fetal deaths, and may make such further use of such records as he deems useful for administrative and research purposes connected with health programs and population studies.

Fetal death reports shall be confidential and shall be released by the department only upon written request of the parent, his or her guardian, executor, attorney, or any other person designated

by the parent in writing. Such reports may also be released to the National Center for Health Statistics in the Department of Health, Education and Welfare, and to persons authorized by said commissioner under section twenty-four A of this chapter to conduct research studies. The department may release copies of such reports, or information contained therein, to other persons only in a manner which does not allow identification of the parents.

Disposition of fetal remains shall be made at the direction of the parent in either manner as hereinafter provided: the remains may be buried, entombed or cremated in accordance with chapter one hundred and fourteen and a copy of a report required by this section shall constitute the certificate required by section forty-five of said chapter one hundred and fourteen. Said copy shall, within thirty days after the issuance of a burial permit, be destroyed by the local board of health; or in all other circumstances, the fetal remains shall be disposed of by the hospital or as directed by the attending physician or medical examiner in a manner which does not create a hazard to the public health. Such disposition shall not be subject to the provisions of said chapter one hundred and fourteen. Before disposition, the physician or person in charge of the hospital shall ensure that the parent is informed of his right to direct either burial, entombment or cremation of the fetal remains, or disposal of the remains by the hospital or physician.

The provisions of chapter forty-six regarding the reporting of deaths shall not apply to fetal deaths.

A physician or medical examiner neglecting or refusing to file a report required by this section, or who makes a false statement therein, shall be subject to a fine of not more than fifty dollars.

The commissioner shall prescribe the form for the making of reports under this section, which shall be consistent with the United States standard report of fetal death.

SECTION 6. This act shall take effect on January first, nineteen hundred and seventy-eight.

Approved October 4, 1977.

Chap. 599. AN ACT PROVIDING THAT THE INCOME TAX LAW BE MORE CONSISTENT WITH THE FEDERAL INTERNAL REVENUE CODE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately bring provisions of

Massachusetts tax law in conformance with provisions of the federal Internal Revenue Code, therefore 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 62 of the General Laws is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) "Code", the Internal Revenue Code of the United States, as amended on May twenty-third, nineteen hundred and seventy-seven and in effect for the taxable year.

SECTION 2. Paragraph (2) of subsection (a) of section 2 of said chapter 62 is hereby amended by striking out subparagraph (F), as amended by section 38 of chapter 684 of the acts of 1975, and inserting in place thereof the following subparagraph:-

(F) Income from annuity, stock bonus, pension, profit-sharing, annuity or deferred-payment plans or contracts described in sections four hundred and three (b) or four hundred and four of the Code or individual retirement accounts, individual retirement annuities or retirement bonds described in sections four hundred and eight or four hundred and nine of the Code, until an aggregate amount of such income has been deducted under this subparagraph equal to the aggregate of all amounts previously subjected to taxation under this chapter.

SECTION 3. Subsection (d) of section 2 of said chapter 62, as amended by section 39 of said chapter 684, is hereby further amended by striking out paragraph (3) and inserting in place thereof the following paragraph:-

(3) The deduction for moving expenses allowed by section two hundred and seventeen of the Code in excess of the amount reimbursed by the employer of the taxpayer and included in Massachusetts gross income.

SECTION 4. Said subsection (d) of said section 2 of said chapter 62 is hereby further amended by adding the following three paragraphs:-

(9) The deductions allowed by sections two hundred and nineteen and two hundred and twenty of the Code relating to certain retirement savings.

(10) The deduction allowed by section four hundred and two (e) (3) of the Code relating to the ordinary income portion of a lump sum distribution.

(11) The deduction allowed by section one hundred and sixty-five of the Code relating to forfeitures because of premature

withdrawal of funds to the extent that the income represented by such forfeiture was not included in Massachusetts gross income.

SECTION 5. Paragraph (a) of subsection B of section 3 of said chapter 62, as most recently amended by section 40 of chapter 684 of the acts of 1975, is hereby further amended by striking out subparagraph (5).

SECTION 6. Said paragraph (a) of said subsection B of said section 3 of said chapter 62 is hereby further amended by striking out subparagraph (7), inserted by section 1 of chapter 848 of the acts of 1974, and inserting in place thereof the following subparagraph:-

(7) An amount equal to the credit allowable under section forty-four A of the Code, computed without regard to section forty-four A (b) of the Code, multiplied by five.

SECTION 7. Subparagraph (8) of said paragraph (a) of said subsection B of said section 3 of said chapter 62, added by section 40 of chapter 684 of the acts of 1975, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- For the purposes of this subparagraph, the term "maintaining a household" shall have the same meaning as in section forty-four A of the Code.

SECTION 8. Paragraph (b) of said subsection B of said section 3 of said chapter 62, as appearing in section 2 of chapter 723 of the acts of 1973, is hereby amended by striking out subparagraph (5) and inserting in place thereof the following subparagraph:-

(5) An amount equal to the deduction for medical, dental and other expenses allowed under section two hundred and thirteen of the Code, provided that the individual itemizes deductions on his federal income tax return and has excess itemized deductions thereon. No exemption shall be allowed under this paragraph to an individual who files a joint federal income tax return with his spouse unless a joint return is also filed under this chapter.

SECTION 9. Section 5 of said chapter 62 is hereby amended by striking out subsection (b), as so appearing, and inserting in place thereof the following subsection:-

(b) Notwithstanding any other provision of this chapter, no tax shall be imposed under this chapter upon any stock bonus, pension or profit-sharing trust qualifying under section four hundred and one of the Code or any individual retirement account qualifying under section four hundred and eight of the Code.

SECTION 10. Paragraph (2) of subsection (c) of section 7 of said chapter 62, as so appearing, is hereby amended by adding the following subparagraph:-

(C) Notwithstanding subparagraphs (A) and (B), in the case of property acquired from a decedent within the meaning of section one thousand and fourteen (b) of the Code, the initial basis of such property shall be determined under section one thousand and fourteen of the Code, without reference to section one thousand and fourteen (d) of the Code.

SECTION 11. Sections one to ten, inclusive, shall apply to taxable years commencing on or after January first, nineteen hundred and seventy-seven.

Approved October 7, 1977.

Chap. 600. AN ACT CONTINUING THE AUTHORITY OF THE COMMISSIONER OF LABOR AND INDUSTRIES REGARDING CERTAIN LABOR LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide for the alleviation of emergency or hardship conditions in an industry, branch of an industry, or individual establishment, by continuing without interruption the temporary authority of the commissioner of labor and industries to suspend the application or operation of any provision of chapter one hundred and forty-nine of the General Laws or of any rule or regulation made thereunder, regulating, limiting or prohibiting the employment of persons, or of minors over the age of sixteen, or both, therefore it is hereby declared to be an emergency law, necessary for the immediate protection of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 447 of the acts of 1975 is hereby amended by striking out, in line 4, the word "seventy-seven" and inserting in place thereof the word:- seventy-nine.

SECTION 2. Said chapter 447 is hereby further amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. Section one of this act shall take effect as of July first, nineteen hundred and seventy-seven.

Approved October 7, 1977.

Chap. 601. AN ACT ELIMINATING THE REQUIREMENT FOR OBTAINING ALL LOCAL PERMITS PRIOR TO FILING NOTICE OF INTENT WITH A CONSERVATION COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to modify the requirement for ob-

taining all permits, variances and approvals required by local by-law prior to filing notice of intent with a conservation 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 first paragraph of section 40 of chapter 131 of the General Laws is hereby amended by striking out the fifth sentence, as amended by chapter 131 of the acts of 1977, and inserting in place thereof the following sentence:- 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, except that such notice may be sent, at the option of the applicant, after the filing of an application or applications for said permits, variances, and approvals; provided, that such notice shall include any information submitted in connection with such permits, variances, and approvals which is necessary to describe the effect of the proposed activity on the environment.

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

Approved October 7, 1977.

Chap. 602. AN ACT PROVIDING FUNDS FOR THE IMPLEMENTATION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY OF WORCESTER AND LOCAL SERVICE EMPLOYEES INTERNATIONAL UNION AFL-CIO.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing funds for the implementation of Article 28 of a collective bargaining agreement between the county of Worcester and Local 495, Service Employees International Union AFL-CIO executed November twentieth, nineteen hundred and seventy-five and effective from July first, nineteen hundred and seventy-five to June thirtieth, nineteen hundred and seventy-six, the county commissioners of said county may expend from any available funds such sums as may be necessary, not exceeding thirty-two thousand five hundred dollars in the aggregate.

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

Approved October 7, 1977.

Chap. 603. AN ACT VALIDATING A CERTAIN PAYMENT BY THE GROTON-DUNSTABLE REGIONAL SCHOOL DISTRICT AND AUTHORIZING SAID DISTRICT TO ISSUE BONDS OR NOTES IN CONNECTION WITH A SCHOOL CONSTRUCTION PROJECT.

Be it enacted, etc., as follows:

SECTION 1. The payment by Groton-Dunstable Regional School District on January twenty-sixth, nineteen hundred and seventy-seven of a temporary note in anticipation of a serial loan in the principal amount of twenty-five thousand dollars from its general operating revenues is hereby validated. In order to restore said funds to its general operating revenues, said District is hereby authorized to issue serial bonds or notes to an amount not exceeding, in the aggregate, twenty-five thousand dollars pursuant to the vote adopted by its regional district school committee on March twenty-fifth, nineteen hundred and seventy-six and subsequently approved by votes of the towns of Groton and Dunstable, as though said temporary notes had not been paid as aforesaid, provided, however that said serial bonds or notes, or any temporary loan issued in anticipation thereof, shall for purposes of sections seventeen and seventeen A of chapter forty-four of the General Laws be deemed to have been issued to renew or refund the temporary note originally issued on July twenty-sixth, nineteen hundred and seventy-six and paid on January twenty-sixth, nineteen hundred and seventy-seven as aforesaid.

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

Approved October 7, 1977.

Chap. 604. AN ACT ADJUSTING THE BOUNDARY LINES OF BOTH THE BOURNE WATER DISTRICT AND THE SOUTH SAGAMORE WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 441 of the acts of 1938 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 519 of the acts of 1965, and inserting in place thereof the following section:-

Section 1. The inhabitants of the town of Bourne, liable to taxation in said town, and residing within the territory comprised within the following boundary lines, to wit:- Beginning at the Cape Cod canal at a point six thousand feet west of the center line of the Sagamore bridge and running southerly from the mean high water line of the canal on its southerly bank continuing in a straight line to a point on the northerly boundary of the

Military Reservation, as shown on the Reservation Map-Camp Edwards, Scale 1:10,000, dated May 15, 1941, Plan -6863-578, thence turning and running westerly along the northerly line of said Reservation to the westerly line of said Reservation; thence turning and running southerly by the westerly line of said Reservation, as shown on said map, to its point of intersection with the Falmouth Town Line; thence westerly by the Falmouth Town Line to Buzzards Bay; thence northerly by the shore line of Buzzards Bay, including all adjacent islands, as appearing on the plan hereinafter referred to, to the Cape Cod canal; thence easterly along the south bank of the Cape Cod canal to the point of beginning, said territory being shown on the map of the Bourne Water District dated January, nineteen hundred and forty, by Whitman & Howard, as revised by Newell Snow in September, nineteen hundred and fifty-two,- shall constitute a water district and are hereby made a body corporate by the name of the Bourne Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. Chapter 262 of the acts of 1945 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The inhabitants of the town of Bourne, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit:- beginning at the intersection of the boundary line between the town of Bourne and the town of Sandwich with the Cape Cod canal and running westerly by the Cape Cod canal to a point six thousand feet west of the center line of the Sagamore bridge; and thence turning and running south (true meridian) from the mean high water line of the Cape Cod canal on its southerly bank a distance of six thousand feet; and thence turning and running east (true meridian) to the boundary line between the town of Bourne and the town of Sandwich; and thence turning and running northeasterly by the boundary line between the town of Bourne and the town of

Sandwich to the Cape Cod canal, the point of beginning, - shall constitute a water district and are hereby made a body corporate by the name of the South Sagamore Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

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

Approved October 7, 1977.

Chap. 605. AN ACT AUTHORIZING THE TOWN OF LUDLOW TO REALLOCATE THE PROCEEDS OF CERTAIN BONDS ISSUED FOR THE WESTOVER DEVELOPMENT PROJECT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the proceeds of bonds dated June first, nineteen hundred and seventy-six, issued by the town of Ludlow pursuant to the vote of the town passed under Article 16 of the warrant for the special town meeting held February tenth, nineteen hundred and seventy-five, for the purposes of constructing surface drains, sewers and public ways and laying water mains all in connection with the Westover development project, may be expended for said project without restriction as to allocation among those specific purposes.

SECTION 2. Chapter three hundred eighty-nine of the acts of nineteen hundred and seventy-seven is hereby repealed.

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

Approved October 7, 1977.

Chap. 606. AN ACT AUTHORIZING THE TOWN OF EASTON TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO THE PARENTS OF A SPECIAL NEEDS STUDENT AS REIMBURSEMENT FOR CERTAIN TRAVEL EXPENSES INCURRED BY SAID PARENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Easton is hereby authorized to appropriate and to pay the sum of three thousand nine hundred and twenty dollars and sixty-four cents to Mr. and Mrs. Richard Gill of South Easton to reimburse them as the parents of a special needs student for travel expense to and from college during the academic year nineteen hundred and seventy-five to nineteen hundred and seventy-six.

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

Approved October 7, 1977.

Chap. 607. AN ACT EXEMPTING THE POSITION OF INSURANCE CLERK IN THE PERSONNEL DEPARTMENT IN THE CITY OF SPRINGFIELD FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of insurance clerk in the personnel department in the city of Springfield 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 October 7, 1977.

Chap. 608. AN ACT DESIGNATING THE INTERSECTION OF ROUTE 122 AND ROUTE 146A IN THE TOWN OF UXBRIDGE AS THE HONORABLE F. LEO KENNEY MEMORIAL SQUARE.

Be it enacted, etc., as follows:

SECTION 1. The intersection of Route 122 and Route 146A in the town of Uxbridge shall be designated and known as the Honorable F. Leo Kenney Memorial Square, in memory of F. Leo Kenney, former selectman of the town of Uxbridge, representative in the General Court from nineteen hundred and sixty-seven to nineteen hundred and seventy-four, and Worcester county commissioner at the time of his death, a noted civic and business leader of southern Worcester county. The department of public works shall erect a suitable marker bearing said designation in compliance with the standards of said department.

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

Approved October 7, 1977.

Chap. 609. AN ACT FURTHER REGULATING SEPARATION AND SUPPORT OF MARRIED PERSONS.

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 section 1 of chapter 698 of the acts of 1975, and inserting in place thereof the following section:-

Section 1. A divorce from the bond of matrimony may be adjudged for adultery, impotency, utter desertion continued for one year next prior to the filing of the complaint, gross and confirmed habits of intoxication caused by voluntary and excessive use of intoxicating liquor, opium, or other drugs, cruel and abusive treatment, or, if a spouse being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable support and maintenance for the other spouse, or for an irretrievable breakdown of the marriage as provided in sections one A and B; provided, however, that a divorce shall be adjudged 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 sections 12 and 13 and inserting in place thereof the following two sections:-

Section 12. Upon an action for divorce by either spouse for a cause accruing after marriage, the real and personal property of the other spouse may be attached to secure suitable support and maintenance to the plaintiff and to such children as may be committed to his care and custody.

Section 13. The attachment may be made upon the summons issued upon the action, in the same manner as attachments are made upon writs in actions at law, for an amount which shall be expressed in the summons or order of notice. The attachment may be made by trustee process, in which case there shall be inserted in the summons or order of notice a direction to attach the goods, effects and credits of the defendant in the hands of the alleged trustee, and service shall be made upon the trustee by copy. If attachment is made by trustee process, the action shall be filed as provided in section six notwithstanding the provisions of section two of chapter two hundred and forty-six. The court may in such cases make all necessary orders to secure to the trustee his costs. The attachment may be made by injunction, as in suits in equity, to reach shares of stock or other property which cannot be reached to be attached as in an action at law, and the property so attached may thereafter, by appropriate order, be applied to the satisfaction of any order or decree for the payment

of money by one spouse to the other for his support and maintenance or that of the children.

SECTION 3. Said chapter 208 is hereby further amended by striking out sections 20 and 20A and inserting in place thereof the following two sections:-

Section 20. The court may, without entering a judgment of divorce, order the action continued upon the docket from time to time, and during such continuance may make orders relative to a temporary separation of the parties, the separate maintenance of either spouse and the custody and support of minor children. Such orders may be changed or annulled as the court may determine, and shall, while they are in force, supersede any order of the probate court under section thirty-two of chapter two hundred and nine and may suspend the right of said court to act under said section.

Section 20A. If, after a hearing, the allegations of an action for divorce are not sustained, the court may, if the facts warrant, enter a judgment denying the divorce and making a finding that the plaintiff is living apart from the defendant for justifiable cause, and may make such order relative to the support of either spouse and the care, custody of and maintenance of the minor children of the parties as the circumstances require. The various provisions of chapter two hundred and nine which relate to proceedings commenced under section thirty-two thereof shall be applicable to this section.

SECTION 4. Chapter 209 of the General Laws is hereby amended by striking out section 32 and inserting in place thereof the following section:-

Section 32. If a spouse fails, without justifiable cause, to provide suitable support of the other spouse, or deserts the other spouse, or if a married person has justifiable cause for living apart from his spouse, whether or not the married person is actually living apart, the probate court may, upon the complaint of the married person, or if he is incompetent due to mental illness or mental retardation upon the complaint of the guardian or next friend, prohibit the spouse from imposing any restraint upon the personal liberty of the married person during such time as the court by its order may direct or until further order of the court thereon. Upon the complaint of any such party or guardian of a minor child made in accordance with the Massachusetts Rules of Civil Procedure the court may make further orders relative to the support of the married person and the care, custody and maintenance of minor children, may determine with which of the parents the children or any of them shall remain and may,

from time to time, upon similar complaint revise and alter such judgment or make a new order or judgment as the circumstances of the parents or the benefit of the children may require.

Upon request by the court, the state police, local police or probation officers shall make an investigation in relation to any proceedings and report to the court. Every such report shall be in writing and shall become a part of the record of such proceedings.

Approved October 7, 1977.

Chap. 610. AN ACT PROVIDING THAT HOUSING AUTHORITIES BE SUBJECT TO CERTAIN LAWS RELATING TO UNFAIR LABOR PRACTICES.

Be it enacted, etc., as follows:

Section 29 of chapter 121B of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 751 of the acts of 1969, and inserting in place thereof the following paragraph:-

Notwithstanding any provision of law to the contrary the provisions of sections four, ten and eleven of chapter one hundred and fifty E shall apply to said authorities and their employees.

Approved October 7, 1977.

Chap. 611. AN ACT AUTHORIZING THE PAYMENT OF A CERTAIN SUM OF MONEY TO IMPLEMENT A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY OF WORCESTER AND THE MASSACHUSETTS NURSES ASSOCIATION.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the county commissioners of Worcester county are hereby authorized to approve for payment and the treasurer of said county to pay from any available funds for the period from July first, nineteen hundred and seventy-four to June thirtieth, nineteen hundred and seventy-five the sum of fifteen thousand four hundred and thirty-six dollars and twenty-eight cents for the purpose of implementing the collective bargaining agreement between the county of Worcester and the Massachusetts Nurses Association, dated February second, nineteen hundred and seventy-six, as amended, and effective from July first, nineteen hundred and seventy-four through June thirtieth, nineteen hundred and seventy-six.

Approved October 7, 1977.

Chap. 612. AN ACT PROVIDING FOR AN INCREASED FINE ON TRAFFIC VIOLATORS FOR FAILURE TO RESPOND WITHIN TWENTY-ONE DAYS OF NOTICE.

Be it enacted, etc., as follows:

The first sentence of the fifth paragraph of section 20C of chapter 90 of the General Laws as amended by chapter 119 of the acts of 1966, is hereby further amended by inserting after the word "dollars", in line 10, the words:- if paid within twenty-one days or twenty dollars if paid thereafter.

Approved October 7, 1977.

Chap. 613. AN ACT REPEALING THE REQUIREMENT THAT MEDICAL MALPRACTICE INSURANCE POLICIES BE OFFERED ON BOTH A CLAIM MADE AND OCCURRENCE BASIS.

Be it enacted, etc., as follows:

Section 5A of chapter 175A of the General Laws, inserted by section 4 of chapter 362 of the acts of 1975, is hereby amended by striking out the third paragraph.

Approved October 7, 1977.

Chap. 614. AN ACT REVIVING THE WORLD WAR II, KOREAN EMERGENCY AND VIETNAM CONFLICT MEMORIAL COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish the World War II, Korean Emergency and Vietnam Conflict Memorial 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:

Chapter 61 of the General Laws is hereby amended by inserting after section 124 the following section:-

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

members but shall be reimbursed for their necessary traveling expenses incurred in the performance of their duties.

Upon the transfer of the U.S.S. Massachusetts from the United States to said corporation said commission shall, with the consent of said corporation, erect and maintain thereon an honor roll in memory of those members of the armed forces of the United States from the commonwealth who died in the service of their country during World War II 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 October 11, 1977.

Chap. 615. AN ACT AUTHORIZING THE TOWN OF EASTON TO APPROPRIATE AND TO PAY A SUM OF MONEY TO JOSEPH E. O'BRIEN AND MARJORIE O'BRIEN.

Be it enacted, etc., as follows:

SECTION 1. The town of Easton is hereby authorized to appropriate and pay the sum of two hundred and fourteen dollars and thirty-one cents, to Joseph E. O'Brien and Marjorie O'Brien as reimbursement for payments made by them for water service connection work done on a public way in said town.

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

Approved October 11, 1977.

Chap. 616. AN ACT VALIDATING THE ACTION OF THE TOWN OF HOLDEN AUTHORIZING THE APPROPRIATION AND PAYMENT OF A CERTAIN SUM OF MONEY TO CERTAIN EMPLOYEES OF ITS LIGHT AND POWER DEPARTMENT IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Holden is hereby authorized to appropriate from the income of its municipal light department and

the treasurer of said town is hereby authorized to pay the sum of five hundred and seventy-six dollars and seventy cents to effect a lump sum payment to certain employees of said municipal light department for a certain period of time in the fiscal year nineteen hundred and seventy-five and for the fiscal year nineteen hundred and seventy-six to satisfy an arbitrator's award.

SECTION 2. The action taken by the town of Holden on Article 5 of the warrant for the special town meeting of said town held on August fifteenth, nineteen hundred and seventy-seven, is hereby validated and confirmed to the same extent as though section one had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved October 11, 1977.

Chap. 617. AN ACT VALIDATING THE ACTION BY THE CITY OF BROCKTON IN AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS PREVIOUSLY RAISED BY BOND ISSUE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the city of Brockton may, by a two-thirds vote of all members of the city council, appropriate sums not exceeding three hundred and ten thousand dollars, in the aggregate, from the proceeds of a loan issued December first, nineteen hundred and seventy-four, for the construction of the Oak street and Plain street school, which proceeds are not presently necessary for the purposes specified in the authorization of said loan, for the planning of improvements to the wastewater treatment facilities and sewerage system in said city.

SECTION 2. The order of the city council of the city of Brockton approved by the mayor on July twenty-ninth, nineteen hundred and seventy-six, which in part transferred the sum of three hundred and ten thousand dollars from the Oak street and Plain street school construction account for the purpose of planning improvements to the wastewater treatment facilities and sewerage system in said city is hereby validated and confirmed.

SECTION 3. Chapter two hundred and thirty of the acts of nineteen hundred and seventy-six is hereby repealed.

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

Approved October 11, 1977.

Chap. 618. AN ACT PROVIDING TENURE FOR LELAND J. FIGGINS, INCUMBENT OF THE OFFICE OF ASSISTANT CLERK OF COMMITTEES OF THE BOARD OF ALDERMEN OF THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Leland J. Figgins, incumbent of the office of assistant clerk of committees of the board of aldermen of the city of Somerville shall, on the effective date of this act, continue until the age of seventy during good behavior unless sooner incapacitated by physical or mental disability from performing the duties of said office; provided, however, that the appointing authority may, subject to section forty-three of chapter thirty-one of the General Laws, remove him therefrom for cause.

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

Approved October 11, 1977.

Chap. 619. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT A CERTAIN PORTION OF STATE HIGHWAY ROUTE 32 IN THE TOWNS OF PALMER AND WARE.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to repair and reconstruct wherever necessary for the purpose of removing hazardous curves on state highway route 32 in the towns of Palmer and Ware.

Approved October 11, 1977.

Chap. 620. AN ACT EXEMPTING CERTAIN SALES BY RESEARCH AND DEVELOPMENT CORPORATIONS FROM THE SALES TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (r) of section 6 of chapter 64H of the General Laws, as appearing in section 45 of chapter 555 of the acts of 1971, is hereby amended by striking out, in lines 8 to 10, inclusive, the words "or in the furnishing of gas, water, steam or electricity when delivered to consumers through mains, lines or pipes" and inserting in place thereof the words:- in the furnishing of gas, water, steam or electricity when delivered to consumers through mains, lines or pipes; or in research and development by

a manufacturing corporation or a research and development corporation within the meaning of sections thirty-eight C or forty-two B of chapter sixty-three.

SECTION 2. Paragraph (s) of said section 6 of said chapter 64H, as so appearing, is hereby amended by striking out, in lines 6 to 8, inclusive, the words “or in the furnishing of gas, water, steam or electricity when delivered to consumers through mains, lines or pipes” and inserting in place thereof the words:- in the furnishing of gas, water, steam or electricity when delivered to consumers through mains, lines or pipes; or in research and development by a manufacturing corporation or a research and development corporation within the meaning of section thirty-eight C or forty-two B of chapter sixty-three.

Approved October 11, 1977.

**Chap. 621. AN ACT RELATIVE TO THE VALIDITY OF SECURITIES
ISSUED PURSUANT TO DECISIONS OF THE DEPARTMENT OF
PUBLIC UTILITIES PENDING APPEALS OF SUCH DECISIONS.**

Be it enacted, etc., as follows:

Section 5 of chapter 25 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 575 of the acts of 1953, and inserting in place thereof the following paragraph:-

Any decision, order or ruling of the commission shall be effective and may be enforced according to its terms and the operation or enforcement thereof shall not be suspended or stayed by the entry of an appeal therefrom. The procedure before the court, except as otherwise set forth herein, shall be that prescribed by its rules, which shall state upon what terms the operation or enforcement of the decision, order or ruling shall be stayed. Any stock, bonds, debentures, convertible debentures, coupon notes, notes or other evidences of indebtedness issued pursuant to and in accordance with a decision, order, or ruling of the commission shall, if issued more than sixty days after the date of service of such decision, order or ruling, be valid and binding in accordance with their terms notwithstanding such decision, order or ruling of the commission is later modified or set aside in whole or in part unless the operation or enforcement of such decision, order or ruling has been suspended or stayed by the court prior to such issuance.

Approved October 11, 1977.

Chap. 622. AN ACT MAKING CERTAIN CHANGES IN THE ELECTION LAWS RELATIVE TO CANDIDATE WITHDRAWAL AND VOTER REGISTRATION.

Be it enacted, etc., as follows:

SECTION 1. Section 44F of chapter 43 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "validity", in line 6, the words:- ; provided, however, that a person nominated at a preliminary election may withdraw his name from nomination by a request signed and duly acknowledged by him and filed with the city or town clerk within six days succeeding five o'clock in the afternoon of the day of holding such preliminary election. Such nominee shall be replaced by the candidate with the next highest number of votes in said preliminary, unless otherwise provided by the charter or by-laws of the city or town.

SECTION 2. Chapter 51 of the General Laws is hereby amended by inserting after section 42C the following section:-

Section 42D. The registrars or election commissioners may hold registration sessions in any regional high school, college or university, in any city or town in the commonwealth where there are persons entitled to be registered in their city or town who are regularly gathered there by reason of education or employment.

Approved October 11, 1977.

Chap. 623. AN ACT GRANTING IMMUNITY FROM SUIT FOR COMPLAINTS FILED IN GOOD FAITH AND WITHOUT MALICE WITH THE BOARD OF REGISTRATION AND DISCIPLINE IN MEDICINE.

Be it enacted, etc., as follows:

Section 5 of chapter 112 of the General Laws, as most recently amended by section 3 of chapter 362 of the acts of 1975, is hereby further amended by inserting after the third paragraph the following paragraph:-

No person filing a complaint or reporting or providing information concerning another person pursuant to this section shall be liable in any cause of action arising out of such information, provided the person making such complaint or reporting or providing such information does so in good faith and without malice.

Approved October 11, 1977.

Chap. 624. AN ACT GRANTING CERTAIN PROVISIONAL EMPLOYEES A RIGHT TO AN INFORMAL HEARING UPON TERMINATION IF THE REASON FOR SUCH TERMINATION IS TO BECOME PART OF THEIR PERMANENT RECORD.

Be it enacted, etc., as follows:

Paragraph (a) of section 43 of chapter 31 of the General Laws, as most recently amended by chapter 446 of the acts of 1976, is hereby further amended by adding the following paragraph:-

Every person holding office or employment under the provisional appointment in the official or labor service of the commonwealth or subdivisions thereof, who has been employed in such office or position for not less than nine months, shall be entitled, at their request in writing, to an informal hearing before the appropriate appointing authority or his designee within ten days of the discharge or removal of such provisional employee, if the reason for such discharge or removal is to become part of his or her permanent record and such termination arises from allegations relative to such employee's personal character or work performance, and not a specific result of failure to meet certain minimum work skills or specifications, or as the result of the establishment of an eligible list. The decision of the appointing authority shall be final and binding, and notification of the decision of the appointing authority shall be made in writing and sent to all parties concerned within ten days of such informal hearing. If the appointing authority finds that the action of such employee's supervisor or department head, as the case may be, was justified, such action shall be affirmed, and the appointing authority may direct the reasons for such termination to become part of said employee's permanent record, otherwise it shall be reversed and such allegations of said employee's conduct shall be stricken from their employment record.

Approved October 11, 1977.

Chap. 625. AN ACT EXEMPTING CERTAIN HEARING REQUIREMENTS UNDER THE WETLANDS LAW FROM CERTAIN PREVIOUSLY LICENSED DREDGING PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 21A of the General Laws is hereby amended by adding the following section:-

Section 14. The department of environmental quality engineering is hereby authorized and directed to issue permits for the disposal of dredged materials within the marine boundaries

of the commonwealth when it is determined that such disposal and such disposed material will not unreasonably degrade or endanger the marine environment or public health. Said permit shall include such terms and conditions as said department finds necessary to assure conformance with this section and any other general or special law within its jurisdiction. No person shall so dispose of dredged material except pursuant to and in accordance with the terms and conditions of such a permit. Any violation of any provision of this section or any rule or regulation promulgated pursuant thereto, shall be punishable by a fine of up to one thousand dollars per day each day that such violation continues.

Said department is further authorized and directed to promulgate rules and regulations for the transportation and disposal of such dredged material within the commonwealth so as to protect and enhance environmental quality, the public health, and natural resources.

SECTION 2. Section 40 of chapter 131 of the General Laws is hereby amended by inserting after the eighteenth paragraph the following three paragraphs:-

Notwithstanding the provisions of section fourteen of chapter twenty-one A or any other provision of law to the contrary, the notice of intention required in the first paragraph of this section shall not apply to a maintenance dredging project for which a license has been previously issued within ten years by the division of waterways of the department of environmental quality engineering. A person intending to fill or dredge under such previously issued license shall file a written notice by certified mail to the conservation commission or if none, to the board of selectmen in a town or mayor of a city in which the land upon which such dredging project is located. Such notice shall contain the name and address of the applicant.

If the conservation commission, the board of selectmen or mayor fails to notify the applicant at the applicant's address within twenty days of the receipt of such notice of the specific objections to the commencement of such dredging fill or maintenance dredging contemplated under said license, the applicant may commence such work without any further notice to other agencies of the commonwealth. Notwithstanding failure to notify an applicant, as hereinbefore provided, the conservation commission, the board of selectmen or mayor may at any time designate an area at which spoilage from the dredging may be placed and may require the relocation of shellfish before such maintenance dredging takes place.

If the conservation commission, the board of selectmen or mayor cites specific objections to the notice of intention, such conservation commission, board of selectmen or mayor may order a hearing as provided in this section and all other pertinent provisions of this section shall apply.

SECTION 3. Chapter three hundred and forty-seven of the acts of nineteen hundred and seventy-six is hereby repealed.

Approved October 11, 1977.

Chap. 626. AN ACT EXEMPTING LEONARD GERARD, JR., FROM THE AGE REQUIREMENT OF CIVIL SERVICE EXAMINATION FOR A PERMANENT CORRECTION OFFICER IN THE DEPARTMENT OF CORRECTION.

Be it enacted, etc., as follows:

Notwithstanding any law or rule to the contrary regulating the maximum age for applicants for appointment as a correction officer in the department of correction, Leonard Gerard, Jr., shall be eligible to take the next open competitive examination for correction officer and, the division of personnel administration shall certify said Leonard Gerard, Jr., as a permanent correction officer in said department, according to the grade he receives on such examination for said position, notwithstanding the fact that he had attained the maximum age for said position, provided that he fulfills all other requirements for certification of a permanent correction officer.

Approved October 11, 1977.

Chap. 627. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight.

ESSEX COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$522,490 00
2. For reduction of county debt		395,000 00
3. For county commissioners, salaries and expenses		145,865 3
1. Personal services	\$140,225 39	
2. Contractual services	3,700 00	
3. Supplies and materials	1,400 00	
4. Current charges and obligations	540 00	
4. For transportation and expenses of county and acting commissioners		1,200 00
5. For clerk of courts, salaries and expenses		377,023 54
1. Personal services	352,943 54	
2. Contractual services	14,000 00	
3. Supplies and materials	6,700 00	
4. Current charges and obligations	3,380 00	
6. For county treasurer, salaries and expenses		84,772 40
1. Personal services	78,915 40	
2. Contractual services	875 00	
3. Supplies and materials	2,800 00	
4. Current charges and obligations	1,435 00	
5. Equipment	747 00	
7. For sheriff, salary and expenses		105,588 80
1. Personal services	28,163 80	
2. Contractual services	2,550 00	
3. Supplies and materials	560 00	
4. Current charges and obligations	875 00	
6. All other	73,440 00	
8. For registry of deeds, salaries and expenses		
Southern District		600,111 00
1. Personal services	542,927 00	
2. Contractual services	14,425 00	
3. Supplies and materials	7,000 00	
4. Current charges and obligations	35,259 00	
5. Equipment	500 00	
Northern District		278,466 17
1. Personal services	248,136 17	
2. Contractual services	21,000 00	
3. Supplies and materials	3,000 00	
4. Current charges and obligations	2,185 00	
5. Equipment	4,145 00	

Item	Subtotal	Total
8a. For registry of probate, salaries and expenses		\$34,507 60
1. Personal services	\$8,387 60	
2. Contractual services	700 00	
3. Supplies and materials	8,500 00	
4. Current charges and obligations	16,920 00	
9. For law library, salaries and expenses		
Salem		35,380 28
1. Personal services	17,130 28	
2. Contractual services	175 00	
3. Supplies and materials	75 00	
4. Current charges and obligations	18,000 00	
Lawrence		34,516 19
1. Personal services	14,331 19	
2. Contractual services	2,145 00	
3. Supplies and materials	140 00	
4. Current charges and obligations	17,500 00	
5. Equipment	400 00	
10. For highways, including state highways, bridges and land damages		224,638 24
1. Personal services	207,373 24	
2. Contractual services	3,340 00	
3. Supplies and materials	3,955 00	
4. Current charges and obligations	2,970 00	
5. Equipment	7,000 00	
12. For superior court costs		1,330,640 64
1. Personal services	380,524 10	
2. Contractual services	897,000 00	
3. Supplies and materials	5,100 00	
4. Current charges and obligations	1,725 00	
5. Equipment	65 00	
6. All other	46,226 54	
13. For civil expenses in probate court		71,986 30
1. Personal services	46,429 30	
2. Contractual services	21,800 00	
3. Supplies and materials	3,100 00	
4. Current charges and obligations	442 00	
5. Equipment	215 00	
14. For district courts, salaries and expenses		
First District Court of Essex		538,673 01
1. Personal services	499,717 01	
2. Contractual services	24,200 00	
3. Supplies and materials	10,100 00	
4. Current charges and obligations	4,656 00	
Second District Court of Essex		182,450 65
1. Personal services	173,605 65	
2. Contractual services	3,700 00	
3. Supplies and materials	1,700 00	
4. Current charges and obligations	3,420 00	
5. Equipment	25 00	
Third District Court of Essex		89,737 95
1. Personal services	83,505 95	
2. Contractual services	1,680 00	

Item	Subtotal	Total
3. Supplies and materials	\$950 00	
4. Current charges and obligations	3,602 00	
Central District Court of Northern Essex		\$438,948 60
1. Personal services	410,913 60	
2. Contractual services	19,125 00	
3. Supplies and materials	5,610 00	
4. Current charges and obligations	3,300 00	
District Court of Eastern Essex		265,228 97
1. Personal services	249,702 97	
2. Contractual service	9,080 00	
3. Supplies and materials	4,900 00	
4. Current charges and obligations	1,546 00	
District Court of Lawrence		527,383 94
1. Personal services	493,703 94	
2. Contractual services	24,230 00	
3. Supplies and materials	5,600 00	
4. Current charges and obligations	2,550 00	
5. Equipment	1,300 00	
District Court of Southern Essex		571,307 20
1. Personal services	526,982 55	
2. Contractual services	24,914 65	
3. Supplies and materials	7,750 00	
4. Current charges and obligations	11,660 00	
District Court of Newburyport		182,522 55
1. Personal services	169,427 55	
2. Contractual services	3,650 00	
3. Supplies and materials	2,450 00	
4. Current charges and obligations	6,995 00	
District Court of Peabody		369,943 05
1. Personal services	347,801 45	
2. Contractual services	11,821 60	
3. Supplies and materials	8,100 00	
4. Current charges and obligations	2,070 00	
5. Equipment	150 00	
District Court - Juvenile Division		176,657 29
1. Personal services	169,582 29	
2. Contractual services	6,550 00	
3. Supplies and materials	250 00	
4. Current charges and obligations	275 00	
District Court - Legal counsel for indigent defendants		169,500 00
1. Personal services	144,000 00	
2. Contractual services	25,500 00	
District Court - Criminal justice planning		3,028 00
5. For medical examiners and commitments of insane		67,425 00
3. For jail and house of correction, maintenance and operation Lawrence		707,454 89
1. Personal services	506,652 89	
2. Contractual services	54,007 00	
3. Supplies and materials	119,915 00	
4. Current charges and obligations	4,000 00	
5. Equipment	21,380 00	
6. All other	1,500 00	
Salem		982,654 77
1. Personal services	716,953 82	

Item	Subtotal	Total
2. Contractual services	\$78,695 00	
3. Supplies and materials	142,063 00	
4. Current charges and obligations	4,175 00	
5. Equipment	40,017 95	
6. All other	750 00	
16a. For correctional alternatives center		\$127,299 10
18. For court houses and registry buildings, maintenance and operation		892,981 85
1. Personal services	596,173 85	
2. Contractual services	166,750 00	
3. Supplies and materials	65,485 00	
4. Current charges and obligations	63,870 00	
5. Equipment	553 00	
6. All other	150 00	
20. For agricultural school or county cooperative extension service		2,740,249 57
1. Personal services	2,112,678 57	
2. Contractual services	180,000 00	
3. Supplies and materials	294,500 00	
4. Current charges and obligations	121,165 00	
5. Equipment	28,370 00	
6. All other	3,536 00	
24. For noncontributory pensions		369,771 62
25. For contributory retirement system and supervisory expenses		1,003,908 60
26. For miscellaneous and contingent expenses		159,514 38
27. For unpaid bills of previous years		160,528 00
28. For reserve fund		80,000 00
28a. For reserve for salary increases		913,600 00
28b. For reserve for children's protective services		9,000 00
28e. For reserve for child care		10,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		150,000 00
31. For radio system for fire protection or police radio system		3,320 00
32. For forest development		3,443 94
34. For conservation district		15,000 00
35. For county planning		48,556 63

Item	Subtotal	Total
37. For human services		\$7,050 00
39. For group insurance		789,700 00
45. For central purchasing department		309,507 24
Total amount of appropriations		\$17,308,533 35
Less estimated amount available for reduction of county tax		3,152,898 00
And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		\$14,155,635 35

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

1. For interest on county debt	\$178,500 00
2. For reduction of county debt	1,040,000 00
Total	\$1,218,500 00

SECTION 2. All insurance contracts awarded by Essex county shall be awarded by competitive bidding.

SECTION 3. This act shall take effect as of July first, nineteen hundred and seventy-seven.

(The foregoing was laid before the Governor on the twenty-eight day of September, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 628. AN ACT FURTHER REGULATING THE APPOINTMENT OF ASSOCIATE MEMBERS OF WARD AND TOWN COMMITTEES.

Be it enacted, etc., as follows:

Section 4 of chapter 52 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 346 of the acts of 1938, and inserting in place thereof the following sentence:- Ward and town committees may appoint associate members by vote at any meeting.

Approved October 12, 1977.

EMERGENCY LETTER — October 14, 1977 @ 11:08 A. M.

Chap. 629. AN ACT PROVIDING FURTHER REQUIREMENTS FOR NOTICE OF SALE TO A MORTGAGOR UPON FORECLOSURE UNDER POWER OF SALE.

Be it enacted, etc., as follows:

Section 14 of chapter 244 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 342 of the acts of 1975, and inserting in place thereof the following sentence:- The mortgagee or person having his estate in the land mortgaged, or a person authorized by the power of sale, or the attorney duly authorized by a writing under seal, or the legal guardian or conservator of such mortgagee or person acting in the name of such mortgagee or person, may, upon breach of condition and without action, do all the acts authorized or required by the power; but no sale under such power shall be effectual to foreclose a mortgage, unless, previous to such sale, notice thereof has been published once in each of three successive weeks, the first publication to be not less than twenty-one days before the day of sale, in a newspaper, if any, published in the town where the land lies and notice thereof has been sent by registered mail to the owner or owners of record of the equity of redemption as of thirty days prior to the date of sale, said notice to be mailed fourteen days prior to the date of sale to said owner or owners to the address set forth in section sixty-one of chapter one hundred and eighty-five, if the land is then registered or, in the case of unregistered land, to the last address of the owner or owners of the equity of redemption appearing on the records of the holder of the mortgage, if any, or if none, to the address of the owner or owners as given on his deed or on the petition for probate by which he acquired title, if any, or if in either case no address appears, then to the address to which the tax collector last sent the tax bill for the mortgaged premises to be sold, or if no tax bill has been sent for the last preceding three years, then to the address of any of the parcels of property in the name of said owner of record which are to be sold under the power of sale.

Approved October 14, 1977.

Chap. 630. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO LEASE TO THE TOWN OF HUBBARDSTON A CERTAIN PARCEL OF LAND IN SAID TOWN FOR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the metropolitan district commission is hereby authorized and

directed to lease to the town of Hubbardston a parcel of land on the westerly shore of Asnacomet pond which lies within the Ware River watershed in said town. Said land shall be used as a public swimming facility for the residents of said town and others upon such terms and conditions as may be agreed upon between said commission and said town. Said land is shown on a plan entitled "Ware River Watershed, Request of the Town of Hubbardston", dated June 10, 1976, bounded and described as follows:-

Beginning at a point in the westerly shore of Asnacomet Pond of the Commonwealth of Massachusetts within the Ware River Watershed as shown on the aforesaid plan;

Thence the line runs in a general southeasterly direction by said pond, five hundred twenty (520) feet more or less to a point;

Thence turning and running south $57^{\circ} 27' 26''$ west, five hundred and 00/100 (500.00) feet to a point;

Thence turning and running north $23^{\circ} 32' 34''$ west, five hundred and 00/100 (500.00) feet to a point;

Thence turning and running north $57^{\circ} 27' 26''$ west, five hundred and 00/100 (500.00) feet to the point of beginning, being shown on the aforesaid plan and comprising five and 65/100 (5.65) acres more or less. Said lease shall contain a forty (40) foot right of way for access purposes to said land as and where shown on the aforesaid plan.

Approved October 14, 1977.

Chap. 631. AN ACT RELATIVE TO DEPOSIT OF FUNDS HELD IN TRUST, BELONGING TO INPATIENTS OR RESIDENTS OF MENTAL HOSPITALS.

Be it enacted, etc., as follows:

Subsection (a) of section 27 of chapter 123 of the General Laws, as amended by chapter 299 of the acts of 1974, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The superintendent may deposit in any bank lawfully doing business within the commonwealth funds belonging to persons who are inpatients or residents at such facility, funds deposited by relatives or friends of such persons and other funds belonging to such persons.

Approved October 14, 1977.

Chap. 632. AN ACT AUTHORIZING THE TOWN OF IPSWICH 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 town of Ipswich, with the approval of the board of selectmen of said town, is hereby authorized to renew one hundred and fourteen thousand four hundred dollars federal aid anticipation notes of the town, payable in not more than one year from their dates, in order to pay the federal aid anticipation notes of the town, dated November tenth, nineteen hundred and seventy-five, which were most recently renewed on November twenty-ninth, nineteen hundred and seventy-six, and which are due and payable on November tenth, nineteen hundred and seventy-seven. 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 October 14, 1977.

Chap. 633. AN ACT CLARIFYING THE STATUS OF THE TOWN OF AGAWAM UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. So much of chapter thirty-one of the General Laws, as provides that said chapter thirty-one shall apply to all cities shall not apply to the municipality known as the town of Agawam.

SECTION 2. The provisions of section one shall not impair the civil service status of any position in said town which is subject to said chapter thirty-one on the effective date of this act.

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

Approved October 14, 1977.

Chap. 634. AN ACT PROVIDING FOR NONPARTISAN NOMINATION AND ELECTION OF MUNICIPAL OFFICERS IN THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. So much of section sixteen of chapter forty-three of the General Laws, as amended by section five of chapter four

hundred and forty-eight of the acts of nineteen hundred and fifty-nine, provides that no primary or caucus for municipal officers shall be held except in a city under Plan F and so much as applies for the nomination at preliminary elections of candidates for elective municipal office in certain cities shall apply in the city of Brockton.

SECTION 2. The provisions of sections forty-four A to forty-four G, inclusive, of said chapter forty-three shall apply for the nomination and election of candidates for municipal elective office in the city of Brockton.

SECTION 3. Chapter one hundred and twenty-seven of the acts of nineteen hundred and sixty is hereby repealed.

SECTION 4. This act shall be submitted for acceptance to the voters of the city of Brockton at the city election to be held in the year nineteen hundred and seventy-seven in the form of the following question which shall be placed on the official ballot at said election: "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act providing for nonpartisan nomination and election of municipal officers in the city of Brockton', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then this act shall take full effect for the purposes of each biennial municipal election in said city thereafter, but not otherwise.

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

Approved October 14, 1977.

Chap. 635. AN ACT REDUCING THE FEE REQUIRED TO BE PAID UPON FILING FOR A CERTIFICATE OF CONVENIENCE AND ADVANTAGE FOR PROPOSED CREDIT UNIONS.

Be it enacted, etc., as follows:

The second paragraph of section 7 of chapter 172 of the General Laws is hereby amended by striking out the fourth sentence, inserted by section 17 of chapter 1149 of the acts of 1973, and inserting in place thereof the following sentence:- Such an application shall be accompanied by an investigation fee of one thousand dollars when made for a proposed trust company and one hundred dollars when made for a proposed credit union.

Approved October 14, 1977.

EMERGENCY LETTER — October 17, 1977 @ 12:04 P. M.

Chap. 636. AN ACT PROVIDING FOR RECOVERING AN AMOUNT FOR USE AND OCCUPANCY IN SUMMARY PROCESS ACTIONS.

Be it enacted, etc., as follows:

Chapter 239 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 123 of chapter 377 of the acts of 1975, and inserting in place thereof the following section:-

Section 2. Such person may bring an action in the superior court in the county, or in the district court in the judicial district, in which the land lies, by a writ in the form of an original summons to the defendant to answer to the claim of the plaintiff that the defendant is in possession of the land or tenements in question, describing them, which he holds unlawfully against the right of the plaintiff, and, if rent and use and occupation is claimed, that the defendant owed rent and use and occupation in the amount stated; provided, however, subject to the approval of the supreme judicial court, the judge of the housing court of the city of Boston shall determine the form of said writ in said actions brought in his court. Failure to claim rent and use and occupation in said action shall not bar a subsequent action therefor.

Approved October 14, 1977.

Chap. 637. AN ACT MAKING CERTAIN CHANGES IN THE PROBATE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 515 of the acts of 1976 is hereby amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. Said chapter 191 is hereby further amended by inserting after section 1 the following section:-

Section 1A. The following rules of construction shall apply to the provisions of a will:

1. The construction and legal effect of a disposition in a will shall be determined by the law of the commonwealth or by the local law of any foreign state or commonwealth selected by the testator in the will, unless the application of that law is contrary to the public policy of this commonwealth.

2. The intention of a testator as expressed in his will shall control the legal effect of his dispositions and the rules of construction expressed in the succeeding clauses three to five, inclusive, shall apply unless a contrary intention is indicated by the will.

3. In the case of bequeathed securities, the legatee shall be entitled only to (1) as much of the bequeathed securities as are a part of the estate at the time of the testator's death; (2) any additional or other securities of the same issuer owned by the testator or his estate by reason of action initiated by the issuer excluding any acquired by exercise of purchase options; and (3) securities of another issuer owned by the testator or his estate as a result of a merger, consolidation or reorganization or other similar action, received in exchange for the bequeathed securities.

4. No general residuary clause in a will and no will making general disposition of all of the testator's property shall exercise a power of appointment created by another instrument which does not specify a specific method of exercise unless reference is made to powers of appointment or there is some other indication of intention to exercise the power.

5. Where there is a residuary gift to two or more legatees or devisees and the share of one or more of them totally fails for any reason, such share or shares shall pass to the other residuary legatees or devisees proportionately.

SECTION 2. Said chapter 515 is hereby further amended by striking out sections 33 and 34 and inserting in place thereof the following section:-

Section 33. Section one A of chapter one hundred and ninety-one of the General Laws, as amended by section one of this act, shall take effect only with respect to wills executed or republished on or after January first, nineteen hundred and seventy-eight.

Approved October 14, 1977.

Chap. 638. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE BY EMINENT DOMAIN FOR HIGHWAY PURPOSES CERTAIN LAND IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled "Massachusetts Department of Public Works Urban Systems Project Huntington Avenue Acquisition of Public Lands owned by the city of Boston (fire department), October 9, 1975," which said department is hereby directed to file with the chief engineer of the department and is bounded and described as follows:

A rectangular parcel of land supposed to be owned by city of Boston (fire department) adjoining the southeasterly line of street of Huntington Avenue, so called, and located southwesterly about one hundred and sixteen (116) feet distant from Ruggles Street, so called, and being more fully described as follows:

Beginning at a point on said line of street, extending thence, leaving said line of street and running south $28^{\circ}-08'-41''$ east, sixteen and $71/100$ (16.71) feet to a point; thence running by a curve to the right of one thousand forty-two (1042.00) foot radius, thirty-five and $86/100$ (35.86) feet to a point; thence turning and running south $66^{\circ}-25'-13''$ west, seventy and $88/100$ (70.88) feet to a point; thence running by a curve to the left of nine hundred and fifty-eight (958.00) foot radius, fifty-nine and $46/100$ (59.46) feet to a point; then turning and running north $28^{\circ}-08'-41''$ west, five and $21/100$ (5.21) feet to a point on said line of street; thence turning and running along said line of street north $61^{\circ}-36'-23''$ east one hundred and sixty-five and $82/100$ (165.82) feet to the point of beginning, containing one thousand seven hundred and seventy-one (1771) square feet of land more or less.

For the purposes of this act the department of public works is hereby granted authority to divert to highway use, the above described lands or portions thereof presently being used by the fire department of the city of Boston.

Approved October 14, 1977.

Chap. 639. AN ACT PROVIDING FOR THE EXPENDITURE BY SCHOOL COMMITTEES OF RECEIPTS FROM CERTAIN PROGRAMS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 71D, inserted by section 2 of chapter 348 of the acts of 1977, the following section:-

Section 71E. In any city or town which accepts this section, all moneys received by the school committee in connection with the conduct of adult education and continuing education pro-

grams, including, but not limited to adult physical fitness programs conducted under section seventy-one B, summer school programs and programs designated by prior vote of said committee as community school programs, and in connection with the use of school property under section seventy-one, shall be deposited with the treasurer of the town or city and held as separate accounts. The receipts held in such a separate account may be expended by said school committee without further appropriation for the purposes of the program or programs from which the receipts held in such account were derived or, in the case of the use of school property account, for expenses incurred in making school property available for such use, notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws. A city or town may appropriate funds for the conduct of any such program or for expenses incurred in making school property available for such use, which funds shall be expended by the school committee in addition to funds provided from other sources. Three years from the date a city or town accepts the provisions of this paragraph, and every third year thereafter, said city or town may act to rescind its original acceptance.

Approved October 14, 1977.

Chap. 640. AN ACT RELATIVE TO THE RELOCATION OF UTILITY FACILITIES ON CERTAIN MASSACHUSETTS BAY TRANSPORTATION AUTHORITY CONSTRUCTION PROJECTS.

Be it enacted, etc., as follows:

Section 5 of chapter 161A of the General Laws is hereby amended by adding the following subsection:-

(m) The authority, during construction projects, may require the relocation or removal of public utility facilities; provided, that if such project is in whole or in part funded by a federal grant, the authority may reimburse said utility for such costs of relocation and removal as may be agreed upon by said utility and the authority.

Approved October 14, 1977.

Chap. 641. AN ACT RELATING TO THE COMPOSITION OF THE STATE RECLAMATION BOARD.

Be it enacted, etc., as follows:

Section 2 of chapter 252 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by

section 297 of chapter 706 of the acts of 1975, and inserting in place thereof the following sentence:- One employee of the department of environmental quality engineering designated by its commissioner, one employee of the department of food and agriculture designated by its commissioner, and one employee of the department of environmental management designated by its commissioner, shall constitute the state reclamation board, in this chapter called the board. *Approved October 14, 1977.*

EMERGENCY LETTER — October 20, 1977 @ 11:41 A.M.

Chap. 642. AN ACT ALLOWING COUNTIES TO USE CERTAIN FEDERAL FUNDS TO REDUCE THE TAX ASSESSMENTS ON CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Any funds received by any county from the federal antirecession fiscal assistance program during the period from July first, nineteen hundred and seventy-seven through June thirtieth, nineteen hundred and seventy-eight shall be used to reduce the tax assessment on the cities and towns of such county pursuant to the provisions of sections thirty and thirty-one of chapter thirty-five of the General Laws.

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

Approved October 14, 1977.

Chap. 643. AN ACT DESIGNATING CERTAIN BRIDGES LOCATED ON UNITED STATES HIGHWAY ROUTE 295 WHICH CROSSES OVER UNITED STATES HIGHWAY ROUTE 1 IN THE TOWN OF NORTH ATTLEBOROUGH AS THE VIETNAM VETERANS OF NORTH ATTLEBOROUGH MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

All bridges located on United States highway route 295 which crosses over United States highway route 1 in the town of North Attleborough shall be designated and known as the Vietnam Veterans of North Attleborough memorial bridges. The department of public works shall attach to each bridge a suitable marker bearing said designation in compliance with the standards of said department and as authorized by the federal highway administration.

Approved October 14, 1977.

Chap. 644. AN ACT TRANSFERRING THE MANAGEMENT AND CONTROL OF SCHOOL BUILDINGS OF THE CITY OF SOMERVILLE TO THE SCHOOL COMMITTEE OF SAID CITY.

Be it enacted, etc., as follows:

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

SECTION 2. Section 28 of chapter 240 of the acts of 1899 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The management and control of the public schools including school buildings shall be vested in a school committee, which shall exercise the powers conferred and discharge the duties imposed by law upon school committees.

SECTION 3. Section 2 of chapter 650 of the acts of 1953 is hereby amended by inserting after the word "buildings", in line 12, the words:- except school buildings.

SECTION 4. The employees of the division of buildings in the department of public works of the city of Somerville, who are assigned to the custodial service of the school buildings and who, immediately prior to the effective date of this act, held positions classified under chapter thirty-one of the General Laws are hereby transferred to the school committee; every such transfer shall be without impairment of civil service status, seniority, retirement and other rights of the employee, without interruption of his service within the meaning of said chapter thirty-one, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer.

SECTION 5. Notwithstanding the provisions of chapter one hundred and fifty E of the General Laws to the contrary, the current collective bargaining agreement negotiated by and between the city of Somerville, acting through its chief executive officer, and the Somerville Municipal Employees Association, acting through its duly elected or appointed representatives, as the terms of said agreement pertain to the employees of the division of buildings in the department of public works who may be transferred to the school committee under section four of this act, shall remain in full force until June thirtieth, nineteen hundred and seventy-eight, or until a successor agreement is entered into by both parties.

SECTION 6. This act shall take effect upon its acceptance by the city of Somerville.

Approved October 14, 1977.

Chap. 645. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO REIMBURSE HENRY S. MCCARTHY MONIES INCORRECTLY ASSESSED AND COLLECTED FROM HIM FOR REAL ESTATE TAXES.

Be it enacted, etc., as follows:

SECTION 1. The town of Braintree is hereby authorized to appropriate and after such appropriation the treasurer of said town is authorized to pay to Henry S. McCarthy, the sum of two hundred and seventy-three dollars to reimburse him for monies incorrectly assessed and collected against him by said town for a certain portion of his nineteen hundred and seventy-three real estate taxes.

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

Approved October 17, 1977.

Chap. 646. AN ACT AUTHORIZING CITIES AND TOWNS TO RECOVER IN CIVIL ACTIONS FROM THE PARTIES RESPONSIBLE CERTAIN COSTS AND EXPENSES RESULTING FROM INTENTIONAL OR NEGLIGENT INJURIES INFLICTED UPON POLICE OFFICERS AND FIREFIGHTERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately allow cities and towns to recover from third parties certain expenses incurred by police officers and firefighters, therefore 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 100 of chapter 41 of the General Laws is hereby amended by adding the following two paragraphs:-

Where the injury for which any payment is made under the provisions of this section by a city, town or fire or water district for reasonable hospital, medical, surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for chiropody (podiatry) was caused under circumstances creating a legal liability in some person to pay damages in respect thereof, either the person so in"ured or the city, town or fire or water district making such payment may proceed to enforce the liability of such person in any court of competent jurisdiction. The sum recovered shall be for the benefit of the city, town or fire or water district making such payment, unless the sum is greater than such payment, in the event the excess shall be retained by or paid to the person so in-

jured. For the purposes of this section, “excess” shall mean the amount by which the total sum received in payment for the injury, exclusive of interest and costs, exceeds the amount paid under this section. The party bringing the action shall be entitled to any costs recovered by him. Any interest received in such action shall be apportioned between the city, town or fire or water district and the person so injured in proportion to the amounts received by them respectively, exclusive of interest and costs. The expense of any attorney’s fees shall be divided between the city, town or fire or water district and the person so injured in proportion to the amounts received by them respectively.

Whoever intentionally or negligently injures a firefighter or police officer for which he is paid indemnification under this section shall be liable in tort to the city, town or fire or water district for the amount of indemnification so paid.

SECTION 2. Section 111F of said chapter 41 is hereby amended by adding the following two paragraphs:-

Where the injury causing the incapacity of a firefighter or police officer for which he is granted a leave without loss of pay and is paid compensation in accordance with the provisions of this section, was caused under circumstances creating a legal liability in some person to pay damages in respect thereof, either the person so injured or the city, town or fire or water district paying such compensation may proceed to enforce the liability of such person in any court of competent jurisdiction. The sum recovered shall be for the benefit of the city, town or fire or water district paying such compensation, unless the sum is greater than the compensation paid to the person so injured, in which event the excess shall be retained by or paid to the person so injured. For the purposes of this section, “excess” shall mean the amount by which the total sum received in payment for the injury, exclusive of interest and costs, exceeds the amount paid under this section as compensation to the person so injured. The party bringing the action shall be entitled to any costs recovered by him. Any interest received in such action shall be apportioned between the city, town or fire or water district and the person so injured in proportion to the amounts received by them respectively, inclusive of interest and costs. The expense of any attorney’s fees shall be divided between the city, town or fire or water district and the person so injured in proportion to the amounts received by them respectively.

Whoever intentionally or negligently injures a firefighter or police officer for which he is granted a leave without loss of pay and is paid compensation in accordance with the provisions of

this section shall be liable in tort to the city, town or fire or water district paying such compensation for all costs incurred by such city, town or fire or water district in replacing such injured police officer or firefighter which are in excess of the amount of compensation so paid.

Approved October 17, 1977.

Chap. 647. AN ACT ESTABLISHING TEMPORARY SUPPORTIVE RESIDENCES FOR WOMEN IN TRANSITION.

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

Be it enacted, etc., as follows:

Subsection (A) of section 2 of chapter 18 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1967, is hereby amended by adding the following clause:-

(14) temporary residential programs providing counseling and supportive assistance for women in transition, and their children.

For the purposes of this clause, the term "women in transition" shall mean:

(a) a woman and her children, who may have been the victims of one or more incidences of domestic violence, and who require temporary shelter and assistance to establish a household separate from the scene of domestic violence;

(b) a woman and her children for whom supportive residential assistance would prevent institutionalization;

(c) a woman and her children for whom supportive residential assistance would help establish a more stable living arrangement to overcome crises resulting from situations such as homelessness and transition and other situations for which there is community documentation of need for service or research.

The programs authorized by this clause shall be established and operated under the provisions of an annual contract between the department of public welfare and any corporation organized under the provisions of chapter one hundred and eighty which provides a program of temporary residential, counseling, and supportive services for women in transition. The operation costs and research for said programs shall be funded by said depart-

ment through the use of federal funds obtained pursuant to 42 United States Code, Sections 1397-1397(f).

Approved October 17, 1977.

Chap. 648. AN ACT AUTHORIZING CITIES AND TOWNS TO RESTRICT CERTAIN PARKING AREAS FOR DISABLED VETERANS AND HANDICAPPED PERSONS AND TO PENALIZE THE UNAUTHORIZED USE OF SUCH AREAS.

Be it enacted, etc., as follows:

Section 22A of chapter 40 of the General Laws, as most recently amended by section 1 of chapter 183 of the acts of 1973, is hereby further amended by adding the following paragraph:-

Any city or town acting under this section may further regulate the parking of vehicles on ways within its said control by restricting certain areas thereon for the parking of any vehicle owned and driven by a disabled veteran or handicapped person whose vehicle bears the distinctive number plates authorized by section two of chapter ninety. The cost of acquisition, installation and maintenance and operation of any signs or other regulatory devices used to designate such restricted areas shall be considered as a necessary expense for the regulation of parking and shall be paid from appropriations authorized by this section. Any such ordinance, by-law, order, rule or regulation promulgated pursuant to the provisions of this paragraph shall not contain a penalty in excess of twenty dollars.

Approved October 17, 1977.

Chap. 649. AN ACT PROVIDING IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY FOR CERTAIN PERSONS AIDING INJURED OR INCAPACITATED PERSONS OR TRANSPORTING THEM TO A HOSPITAL OR OTHER SAFE PLACE.

Be it enacted, etc., as follows:

Chapter 111C of the General Laws is hereby amended by adding the following section:-

Section 14. No emergency medical technician certified under the provisions of this chapter and no police officer or firefighter, who in the performance of his duties and in good faith renders emergency first aid or transportation to an injured person or to a person incapacitated by illness shall be personally in any way liable as a result of rendering such aid or as a result of transport-

ing such person to a hospital or other safe place, nor shall he be liable to a hospital for its expenses if, under emergency conditions, he causes the admission of such person to said hospital.

Approved October 17, 1977

EMERGENCY LETTER — October 20, 1977 @ 11:41 A. M.

Chap. 650. AN ACT ESTABLISHING THE POSITION OF COMPTROLLER WITHIN THE AUDITOR'S DEPARTMENT OF THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

There is hereby established in the auditor's department of the city of Fall River the position of comptroller. Said position shall be filled by appointment by the city auditor for a term of three years, subject to his annual review and approval. A person holding the position of comptroller shall not be suspended, removed or lowered in compensation during his term of office except for just cause, after hearing, in the manner provided by section forty-three of chapter thirty-one of the General Laws.

Approved October 17, 1977.

Chap. 651. AN ACT AUTHORIZING THE TOWN OF LANESBOROUGH TO PAY A CERTAIN AMOUNT OF MONEY TO HARRIS PRINTING.

Be it enacted, etc., as follows:

SECTION 1. The town of Lanesborough is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said town is authorized to pay an unpaid bill to Harris Printing in said town in the amount of two thousand five hundred dollars, for the printing of the nineteen hundred and seventy-seven town reports, payment for which is 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 services or goods for which said bill was submitted were ordered by an official or an employee of said town, and that such goods or services 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 goods or services 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 October 19, 1977.

Chap. 652. AN ACT AUTHORIZING THE TOWN OF NORTH READING TO ACQUIRE CERTAIN LAND IN THE TOWNS OF WILMINGTON AND ANDOVER.

Be it enacted, etc., as follows:

For the purpose of protecting the water supply of the town of North Reading, said town is hereby authorized to acquire by eminent domain under the provisions of chapter seventy-nine of the General Laws, or by purchase or otherwise certain land located in the town of Wilmington and the town of Andover and shown as parcels 8, 10, 11 and 12 on a plan of land entitled "Plan of Land in Andover, Mass., Wilmington, Mass., North Reading, Mass., dated September 7, 1971" and drawn by Robert E. Anderson, Inc. Said land is bounded and described as follows:

Parcel #8: Land located adjacent to Route 125 in Wilmington, Mass., bounded and described as follows:

Northerly by land of owner unknown; Easterly by the Wilmington-North Reading, Mass. Town line; Southerly by Route 125; Westerly by Town land now or formerly of the Town of Wilmington, Mass.; said parcel containing 175 more or less square feet and believed to be owned by Michael and Mary Benevento.

Parcel #10: Land located adjacent to the Wilmington-Andover-North Reading, Mass. Town boundaries in Wilmington, Mass., bounded and described as follows:

Easterly by the Wilmington-Andover, Mass. Town line; Southerly by land now or formerly of the Town of Wilmington, Mass.; Westerly by land now or formerly of Ernest Sciarappa; said parcel containing 46,695 more or less square feet and believed to be owned by Ernest Sciarappa.

Parcel #11: Land located adjacent to the Andover-Wilmington-North Reading, Mass. Town boundaries in Andover, Mass., 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 more or less square feet and believed to be owned by Ernest Sciarappa.

Parcel #12: Land located adjacent to Route 125 in Andover, Mass., 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 more or less square feet and believed to be owned by Michael Benevento;.

Approved October 19, 1977.

Chap. 653. AN ACT FURTHER REGULATING THE REGISTRATION OF DRUG STORES.

Be it enacted, etc., as follows:

Section 39 of chapter 112 of the General Laws is hereby amended by adding the following paragraph:-

The board shall, within one hundred and fifty days after the filing of an application render a final decision denying or allowing registration. Failure to render such decision, except when such failure to act is caused by the delay of the applicant, shall constitute an approval of the application and a permit shall be issued.

Approved October 19, 1977.

Chap. 654. AN ACT REQUIRING A PHYSICIAN TO HAVE CONSENT IN WRITING BEFORE PERFORMING SURGICAL OR MEDICAL PROCEDURES RESULTING IN STERILIZATION.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 12V the following section:-

Section 12W. No physician shall perform, other than in an emergency, an operation which is intended to result in the sterilization of an individual unless he has a knowledgeable consent in writing from such individual. A physician who performs said operation without such consent shall be punished by a fine of not more than ten thousand dollars.

Approved October 19, 1977.

Chap. 655. AN ACT ESTABLISHING A PROCEDURE FOR APPEALS FROM
THE FAILURE TO WAIVE CERTAIN BONDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 239 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 3 of chapter 667 of the acts of 1975, and inserting in place thereof the following section:-

Section 5. If the defendant appeals from a judgment of the superior court, a housing court, or a district court, rendered for the plaintiff for the possession of the land or tenements demanded or for rent as provided in section three, he shall file a notice of appeal with said court within ten days after the entry of said judgment. No execution upon a judgment rendered pursuant to section three shall issue until the expiration of ten days after the entry of said judgment. Except as provided in section six, the defendant shall, before any appeal under this section is allowed, give bond in such sum as the court orders, payable to the plaintiff, with sufficient surety or sureties approved by the court, or secured by cash or its equivalent deposited with the clerk, in a reasonable amount to be fixed by the court. In an appeal from a judgment of a district court such bond shall be conditioned to enter the action in the superior court for that county at the return day next after the appeal is taken. In an appeal from a judgment of the superior court or a housing court such bond filed shall be conditioned to enter the action in the appeals court. Appeals from judgments of the superior court or a housing court shall otherwise be governed by the Massachusetts Rules of Appellate Procedure. Such bond shall also be conditioned to pay to the plaintiff, if final judgment is in plaintiff's favor, all rent accrued at the date of the bond, all intervening rent, and all damage and loss which the plaintiff may sustain by the withholding of possession of the land or tenements demanded and by any injury done thereto during such withholding, with all costs, until delivery of possession thereof to him.

In appeals from a district court the deposit shall be transmitted by the clerk with the papers to the clerk of the superior court, who shall thereupon deliver a receipt therefor to such clerk, but in such appeals from a judgment of the superior court or a housing court the deposit shall not be transmitted to the appeals court unless specifically requested by said appeals court. The superior court or a housing court may give directions as to the manner of keeping such deposit. Upon final judgment for the plaintiff, all money then due to him may be recovered in an action on the bond.

A defendant may make a motion to waive the appeal bond if the defendant has insufficient funds available to him to furnish the necessary bond or security without depriving himself or his family of the necessities of life. Such motion shall, together with a notice of appeal and any supporting affidavits, be filed within the time limits set forth in this section. The court shall forthwith make a decision on the motion. The court shall require any person for whom such bond or security has been waived to pay in installments as the same becomes due, pending appeal, all or any portion of any rent which shall become due after the date of such waiver. If such motion is made, no execution shall issue until the expiration of six days from the court's decision on the motion or until the expiration of the time specified in this section for the taking of appeals, whichever is later.

Any party aggrieved by the denial of a motion to waive such bond or who wishes to contest the amount of periodic payments required by the court may seek review of such decision as hereinafter provided. If the motion was made in the superior court or a housing court, the request for review shall be to the single justice of the appeals court at the next sitting thereof. If the motion was made in any district or municipal court, the request for review 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. The court receiving the request shall review the findings, the amount of bond or deposit, if any, and the amount of periodic payment required, if any, as if it were initially deciding the matter, and said court may withdraw or amend any finding or reduce or rescind any amount of bond, deposit or periodic payment when in its judgment the facts so warrant.

Any party may file a request for such review with the clerk of the court originally hearing the request to waive bond within the time period provided in this section for filing notice of appeal, or within six days after receiving notice of the decision of the court on the motion to waive bond, whichever is later. Said court shall then forward the motion, the court's findings and any other documents relevant to the appeal to the clerk of the court reviewing such decision who, upon receipt thereof, shall schedule a speedy hearing thereon and send notice thereof to the parties. Any request for review filed pursuant to this section shall be heard upon statements of counsel, memoranda and affidavits submitted by the parties. Further testimony shall be taken if the reviewing court shall find that the taking of further testimony would aid the disposition of the review.

Upon the rendering of a decision on review, the reviewing court shall give notice of the decision to the parties and the defendant shall comply with the requirements of such decision within five days after receiving notice thereof. If the defendant fails to file with the clerk of the court rendering the judgment, the amount of bond, deposit or periodic payment required by the decision of the reviewing court within five days from receipt of notice of said decision, the appeal from the judgment shall be dismissed. Where a defendant seeks review pursuant to this section, no execution shall issue until the expiration of five days from the date defendant has received notice of the decision of the reviewing court.

SECTION 2. The first sentence of section 97 of chapter 231 of the General Laws, as appearing in section 193 of chapter 1114 of the acts of 1973, is hereby amended by inserting after the word "thereof", in line 5, the words:- provided that appeals in actions commenced pursuant to chapter two hundred and thirty-nine shall be taken within the time limits specified in section five of said chapter two hundred and thirty-nine.

Approved October 19, 1977.

Chap. 656. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO PAY A CERTAIN AMOUNT OF MONEY TO FREDERICK J. KUZDZAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized to pay from any available funds to Frederick J. Kuzdzal of the city of Springfield the sum of five hundred and seventy-one dollars and ninety-two cents for services rendered to said county as a court reporter during the year nineteen hundred and seventy-two and which debt is legally unenforceable against said county.

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

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

Approved October 19, 1977.

Chap. 657. AN ACT AUTHORIZING THE CITY OF MEDFORD TO APPROPRIATE AND PAY TO CERTAIN EMPLOYEES OF ITS POLICE DEPARTMENT A RETROACTIVE PAY RAISE.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the city of Medford is hereby authorized to appropriate a sum not to exceed fifty thousand dollars, and after such appropriation the treasurer of said city is authorized to pay to certain employees of the police department of said city a pay raise retroactive to July first, nineteen hundred and seventy-five, said pay raise being the result of a collective bargaining agreement signed on July first, nineteen hundred and seventy-seven.

Approved October 19, 1977.

Chap. 658. AN ACT EXEMPTING EMPLOYEES OF THE COMMONWEALTH WHO ARE REPRESENTED BY A COLLECTIVE BARGAINING AGENT FROM THE RIGHT TO CERTAIN APPEALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately exempt certain state employees from the right to certain appeals, therefore 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 49 of chapter 30 of the General Laws, as most recently amended by section 45 of chapter 835 of the acts of 1974, is hereby further amended by adding the following paragraph:-

The provisions of this section, as they relate to appeals on the reallocation of a class or group of classes to a higher job group or job groups, shall not apply to any employee whose position is included in a collective bargaining unit represented by an

employee organization certified in accordance with the provisions of section four of chapter one hundred and fifty E.

SECTION 2. Section 53 of said chapter 30, as most recently amended by section 46 of said chapter 835 is hereby further amended by adding the following paragraph:-

The provisions of this section shall not apply to any employee whose position is included in a collective bargaining unit represented by an employee organization with a collective bargaining agreement that has been reached in accordance with the provisions of section seven of chapter one hundred and fifty E and that includes any of the conditions of employment.

Approved October 21, 1977.

Chap. 659. AN ACT ESTABLISHING THE BERKSHIRE AND HAMPDEN DISTRICTS FOR THE ADMINISTRATION OF CRIMINAL LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out sections 13 and 14 and inserting in place thereof the following two sections:-

Section 13. For the administration of the criminal law, Suffolk county shall constitute the Suffolk district; Middlesex county, the northern district; Essex county, the eastern district; Norfolk county, the Norfolk district; Plymouth county, the Plymouth district; Bristol county, the Bristol district; Barnstable, Nantucket and Dukes counties, the Cape and Islands district; Worcester county, the middle district; Berkshire county, the Berkshire district; Hampden county, the Hampden district; and Franklin and Hampshire counties, the northwestern district.

Section 14. District attorneys of the following districts may appoint the following officers, as herein specified, and may at their pleasure remove them:

For the Suffolk district, thirty-three assistant district attorneys.

For the northern district, fifteen assistant district attorneys.

For the middle district, fourteen assistant district attorneys.

For the eastern district, nine assistant district attorneys.

For the Norfolk district, five assistant district attorneys.

For the Berkshire district, two assistant district attorneys.

For the Hampden district, eight assistant district attorneys.

For the Bristol district, seven assistant district attorneys.

For the Cape and Islands district, four assistant district attorneys.

For the Plymouth district, seven assistant district attorneys.

For the northwestern district, five assistant district attorneys.

SECTION 2. Said chapter 12 is hereby further amended by striking out section 16, as most recently amended by section 2 of chapter 542 of the acts of 1976, and inserting in place thereof the following section:-

Section 16. Assistant district attorneys shall devote their time during ordinary business hours to their duties, shall neither directly nor indirectly engage in the practice of law and shall receive from the commonwealth salaries as follows: for the Suffolk district, two assistants, a sum equivalent to ninety per cent of the salary of the district attorney; eight assistants, a sum equivalent to eighty per cent of the salary of the district attorney; seven assistants, a sum equivalent to seventy per cent of the salary of the district attorney; ten assistants, a sum equivalent to sixty per cent of the salary of the district attorney; six assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistants, a sum equivalent to forty per cent of the salary of the district attorney; for the northern district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; two assistants, a sum equivalent to eighty per cent of the salary of the district attorney; three assistants, a sum equivalent to seventy per cent of the salary of the district attorney; five assistants, a sum equivalent to sixty per cent of the salary of the district attorney; four assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the middle district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; two assistants, a sum equivalent to eighty per cent of the salary of the district attorney; four assistants, a sum equivalent to seventy per cent of the salary of the district attorney; four assistants, a sum equivalent to sixty per cent of the salary of the district attorney; three assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the eastern district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to eighty per cent of the salary of the district attorney; two assistants, a sum equivalent to seventy per cent of the salary of the district attorney; three assistants, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assist-

ant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Norfolk district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; two assistants, a sum equivalent to eighty per cent of the salary of the district attorney; two assistants, a sum equivalent to seventy per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Berkshire district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to eighty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Hampden district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to eighty per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; three assistants, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equal to forty per cent of the salary of the district attorney; for the Bristol district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to eighty per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; two assistants, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Cape and Islands district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; one assistant, a sum equivalent to sixty per cent of the salary of the district attorney; one assistant, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Plymouth district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; two assistants, a sum equivalent to eighty per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; two assistants, a sum equivalent to sixty per cent of the salary of the district attorney; one assistant, a

sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; and for the northwestern district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; one assistant, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney.

SECTION 3. Said chapter 12 is hereby further amended by striking out section 18, as amended by section 5 of chapter 423 of the acts of 1948, and inserting in place thereof the following section:-

Section 18. If there is no assistant district attorney, the district attorney may, with the approval of the superior court, employ a clerk to aid him; and in the northern, eastern, middle, Norfolk, Plymouth, Berkshire, Hampden and northwestern districts, the court may appoint, for the sitting at which the appointment is made, a competent person to act as an assistant to the district attorney. The compensation of any person employed or appointed hereunder shall be paid from the county treasury, or, if two or more counties constitute the district, equally from the treasury of each.

SECTION 4. The provisions of section sixteen of chapter twelve of the General Laws, inserted by section two, shall take effect on January first, nineteen hundred and seventy-nine; provided, however, that any district attorney, assistant district attorney or special assistant district attorney who devotes his entire time during ordinary business hours to these duties and who neither directly nor indirectly engages in the practice of law before the effective day of chapter five hundred and forty-two of the acts of nineteen hundred and seventy-six and files notice of compliance thereof with the clerk of the supreme judicial court for Suffolk county, shall forthwith receive the salary specified in said section sixteen.

SECTION 5. The provisions of sections thirteen, fourteen and eighteen of chapter twelve of the General Laws, as amended by sections one and three of this act shall take effect at the biennial state election to be held in the year nineteen hundred and seventy-eight.

Approved October 21, 1977.

Chap. 660. AN ACT AUTHORIZING THE MASSACHUSETTS TURNPIKE AUTHORITY AND THE MASSACHUSETTS PORT AUTHORITY TO INDEMNIFY THEIR MEMBERS, OFFICERS AND EMPLOYEES AGAINST CERTAIN CLAIMS BROUGHT AGAINST THEM.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 354 of the acts of 1952, as most recently amended by section 196C of chapter 234 of the acts of 1977, is hereby further amended by adding the following paragraph:-

The Authority may indemnify any member, officer or employee from personal expense or damages incurred, arising out of any claim, suit, demand or judgement which arose out of any act or omission of the individual including the violation of the civil rights of any person under any federal law, if at the time of such act or omission the member, officer or employee was acting within the scope of his official duties or employment; provided that the defense or settlement of such claim shall have been made by the resident counsel of the Authority, by an attorney retained for such purpose by the Authority, or by an attorney provided by an insurer obligated under the terms of a policy of insurance to defend against such claims.

SECTION 2. Section 3 of chapter 465 of the acts of 1956 is hereby amended by adding after clause (r), added by chapter 208 of the acts of 1974, the following clause:-

(s) To indemnify its members, officers or employees from personal expense or damages incurred, arising out of any claim, suit, demand or judgement which arose out of any act or omission of the individual including the violation of the civil rights of any person under any federal law, if at the time of such act or omission the member, officer or employee was acting within the scope of his official duties or employment. The defense or settlement of any such claim against a member, officer or employee shall be made by the chief counsel of the Authority, by an attorney retained for such purpose by the Authority, or by an attorney provided by an insurer obligated under the terms of a policy of insurance to defend against such claims.

Approved October 21, 1977.

Chap. 661. AN ACT AUTHORIZING THE TRANSFER OF CERTAIN LAND IN THE TOWN OF STERLING FROM THE METROPOLITAN DISTRICT COMMISSION TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of section forty-four A of chapter thirty of the General Laws and of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the metropolitan district commission is hereby authorized to transfer to the department of public works, certain land for the construction of state highway route 110, known as "rainbow Curve", in the town of Sterling for such consideration as may be acceptable to the metropolitan district commission.

Said parcel is shown on a plan on file in the department of public works and is bounded and described as follows:

A parcel of land now under the jurisdiction and control of the metropolitan district commission, located on the southerly side of the August 29, 1972 state highway location of a road (auto route 110) known as Rainbow Curve, in the town of Sterling, needed by the department of public works to improve the horizontal and vertical sight distance thereof extending between stations 37 and 85.91 and 46 and 50 of the baseline of said location and containing about 0.4 acres; and including the right in the department of public works to construct slopes of excavation or embankment appurtenant to said improvement outside of the new location.

For the purposes of this act the department of public works is hereby authorized to divert to highway use the above described lands or portions thereof presently in public use as park lands, recreational areas and nature preserves.

Approved October 21, 1977.

Chap. 662. AN ACT DIRECTING THE MASSACHUSETTS BOARD OF REGIONAL COMMUNITY COLLEGES TO TRANSFER CERTAIN LAND IN THE CITY OF GARDNER TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of section forty-four A of chapter thirty of the General Laws and chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the Massachusetts board of regional community colleges is hereby authorized and directed to transfer the care, custody and control to the depart-

ment of public works certain land for the construction of relocated state highway route 140 in the city of Gardner.

Said parcel is shown on a plan on file in the department of public works, office of the chief engineer, and bounded and described as follows:

A parcel of land to be taken for highway purposes in behalf of the city of Gardner for relocated Matthews street in conjunction with the relocation of route 140 in the city of Gardner. This parcel of land is owned now or formerly by the commonwealth of Massachusetts and under the care, custody and control of the board of regional community colleges and being used as a part of the Mount Wachusett Community College, located on the easterly edge of the college property near Paige road and Matthews street, more fully described as follows:

Beginning at a point on the proposed northerly city location line of the proposed relocated Matthews street and on the centerline of Paige road, (now abandoned), said point being thirty (30) feet left of baseline station $85 + 67 \pm$ of said proposed street;

Thence running southeasterly along said centerline of Paige road crossing said baseline at station $85 + 61 \pm$ for a distance of two hundred thirty-six (236) \pm feet to a point, said point being the intersection of centerline of said Paige road and another road, and two hundred two (202) \pm feet right of baseline station $851 + 18 \pm$ of said proposed street;

Thence running northwesterly along the centerline of said road, crossing said baseline at station $84 + 66 \pm$ for a distance of two hundred thirty-nine (239) \pm feet to a point, said point being on the proposed northerly city location line and thirty (30) feet left of baseline station $84 + 58 \pm$ of said proposed street;

Thence running northeasterly along said proposed northerly location line for a distance of one hundred nine (109) \pm feet to a point, said point being the point of beginning.

Unless otherwise mentioned in the above description all offsets from the proposed baseline are perpendicular to said baseline.

The heretofore described parcel of land owned now or formerly by the commonwealth under the custody and control of the board of regional community colleges contains an area of three-tenths of an acre, more or less.

Approved October 21, 1977.

Chap. 663. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE CITY OF GARDNER FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the department of public works, acting for and on behalf of the commonwealth is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted in the city of Gardner are shown on a map entitled "Commonwealth of Massachusetts Department of Public Works -Public Lands Needed for Highway Purposes, September 19, 1975," 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 are bounded and described as follows:

Parcel 1.

Beginning at a point on the proposed westerly state highway location line of the proposed relocated route 140, said point being one hundred and thirty (130) feet left of and perpendicular to baseline sta. 157 + 00 of said proposed highway;

Thence continuing northwesterly along said westerly location line for a distance of three hundred and seventy one (371) ± feet to a point, said point being two hundred and fifty (250) feet left of baseline sta. 160 + 50 of said proposed highway;

Thence continuing northerly along said westerly location line for a distance of four hundred and sixty five (465) ± feet to a point, said point being one hundred and thirty (130) feet left of baseline sta. 165 + 00 of said proposed highway;

Thence continuing northwesterly along said westerly location line parallel to said baseline for a distance of eight hundred and fifty four (854) ± feet to a point on a stonewall said point being on the southerly property line of land owned now or formerly by the Worcester North Savings Institution and one hundred and twenty nine (129) ± feet left of and radial to baseline sta. 173 + 53 ± of said proposed highway;

Thence running northeasterly along said stone wall and said southerly property line crossing said baseline at sta. 173 + 63 ± for a distance of two hundred and fifty seven (257) ± feet to a

point, said point being on the easterly proposed state highway location line of said proposed highway and one hundred and twenty seven (127) ²feet right of and radial to baseline sta. 173 + 72 ± of said proposed highway;

Thence continuing southeasterly along said easterly location line for a distance of seventy four (74) ± feet to a point, said point being one hundred and thirty five (135) feet right of and radial to baseline sta. 173 + 00 of said proposed highway.

Thence continuing southeasterly along said easterly location line for a distance of eight hundred and fifty four (854) ± feet to a point, said point being eighty (80) feet right of and perpendicular to baseline sta. 165 + 50 of said proposed highway;

Thence continuing southeasterly along said easterly location line for a distance of five hundred and fourteen (514) ± feet to a point, said point being one hundred and ninety five (195) feet right of baseline sta. 160 + 50 of said proposed highway;

Thence continuing southeasterly along said easterly location line for a distance of four hundred and fourteen (414) ± feet to a point, said point being ninety (90) feet right of baseline sta. 156 + 50 of said proposed highway;

Thence continuing southeasterly along said easterly location line for a distance of seventy eight (78) ± feet to a point, said point being on a northerly street line of Chapel street and ninety seven (97) ± feet right of baseline sta. 155 + 73 ± of said proposed highway;

Thence running westerly along said northerly street line crossing said baseline at sta. 155 + 95 ±, for a distance of two hundred and thirty three (233) ± feet to a point, said point being on the proposed westerly state highway location line and one hundred and twenty-seven (127) ± feet left of baseline station 156 + 36 ± of said proposed highway;

Thence continuing northwesterly along said westerly location line for a distance of sixty-five (65) ± feet to a point, said point being the point of beginning.

Unless otherwise mentioned in the description all offsets from the proposed baseline are perpendicular to said baseline.

The heretofore described parcel of land owned now or formerly by the commonwealth under the control of the department of mental health contains an area of eleven and four-tenths acres, more or less.

Parcel 2.

Beginning at a point on the proposed westerly state highway location line of the proposed relocated route 140, said point being

one hundred and forty (140) feet left and perpendicular to baseline station 208 + 75 of said proposed highway;

Thence continuing westerly along said westerly location line for a distance of one hundred and sixty-two (162) ± feet to a point, said point being on the easterly layout line of Pearl street (route 101) and two hundred and fifty-seven (257) ± feet left of baseline station 209 + 87 ± of said proposed highway;

Thence running northerly along said easterly layout line of Pearl street, and crossing said baseline at station 212 + 50 ± for a distance of eight hundred and forty (840) feet to a point, said point being on the proposed easterly state highway location line of said proposed highway and three hundred and twenty-eight (328) ± feet right of baseline station 215 + 90 ± of said proposed highway;

Thence continuing southerly along said easterly location line for a distance of three hundred and fifty (350) ± feet to a point, said point being one hundred and fifty-four (154) ± feet right of baseline station 212 + 90 ± of said proposed highway;

Thence continuing southeasterly along said easterly location line for a distance of five hundred and thirty-six (536) ± feet to a point, said point being on the northerly street line of an old unnamed road and one hundred and sixty-two (162) ± feet right of baseline station 207 + 55 ± of said proposed highway;

Thence running southwesterly along said northerly street line and crossing said baseline at station 207 + 70 ± for a distance of three hundred and seven (307) ± feet partially along a stone wall to a point, said point being on the westerly state highway location line of said proposed highway and one hundred and forty-four (144) ± feet left of baseline station 207 + 77 ± of said proposed highway;

Thence continuing northwesterly along said westerly location line for a distance of ninety nine (99) ± feet to a point, said point being the point of beginning.

Unless otherwise mentioned in the description all offsets from the proposed baseline are perpendicular to said baseline.

The heretofore described parcel of land owned now or formerly by the commonwealth under the control of the department of mental health contains an area of three and nine-tenths acres, more or less.

Approved October 21, 1977.

Chap. 664. AN ACT INCREASING THE PENALTY FOR FAILURE TO PAY WEEKLY WAGES TO EMPLOYEES.

Be it enacted, etc., as follows:

Section 148 of chapter 149 of the General Laws is hereby amended by striking out the sixth paragraph, as amended by chapter 590 of the acts of 1971, and inserting in place thereof the following paragraph:-

Whoever violates this section shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in a house of correction for not more than two months, or both.

Approved October 21, 1977.

Chap. 665. AN ACT PERMITTING CITIES AND TOWNS TO ESTABLISH RECREATION AND PARK SELF-SUPPORTING SERVICE REVOLVING FUNDS.

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by inserting after section 53C the following section:-

Section 53D. Notwithstanding the provisions of section fifty-three, any city or town which accepts the provisions of this section may establish in the town treasury a revolving fund which shall be kept separate and apart from all other monies by the treasurer and in which shall be deposited the receipts received in connection with the conduct of self-supporting recreation and park services of said city or town. The principal and interest thereon shall be expended at the direction of the authority, commission, board or official of such city or town with said responsibility without further appropriation, but only with the written approval of the mayor in cities, or city manager in Plan E cities, or the selectmen in towns, or in towns which have adopted the town manager form of government the town manager and only for the purpose of operating self-supporting recreation and park services. The city auditor or town accountant shall submit annually a report of said revolving fund to the mayor, city council, city manager, board of selectmen or town manager for their review and a copy of said report shall be submitted to the director of the bureau of accounts; provided that funds in said revolving fund shall not be used to employ or pay the salary of any employee or for the purchase of equipment; provided further that said revolving fund shall not exceed the sum of five thousand dollars and any amount in excess of five thousand dollars shall be

paid into the city or town treasury as provided in section fifty-three.

A city or town which has accepted the provisions of this section may, in like manner, revoke its acceptance.

Approved October 21, 1977.

Chap. 666. AN ACT PROVIDING THAT THE REGISTRAR OF MOTOR VEHICLES SHALL ISSUE IDENTIFICATION CARDS TO PERSONS WHO DO NOT POSSESS LICENSES TO OPERATE MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 8D, inserted by section 1 of chapter 879 of the acts of 1975, the following seven sections:-

Section 8E. Any person eighteen years of age or older who does not have a valid license to operate motor vehicles may make application to the registrar of motor vehicles and be issued an identification card by the registrar and attested by the registrar as to true name, correct age, photograph and other identifying data as the registrar may require. Every application for an identification card shall be signed and verified by the applicant before a person authorized to administer oaths and shall contain such bona fide documentary evidence of the age and identity of such applicant as the registrar may require. The registrar shall require payment of a fee of five dollars at the time application for an identification card is made.

Section 8F. Every identification card shall expire, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue, except as otherwise provided by section eight I. Renewal of any identification card shall be made for a term of four years and shall expire in a like manner as the originally issued identification card, unless surrendered earlier. Any application for renewal received later than ninety days after expiration of the identification card shall be considered to be an application for an original identification card. The registrar shall, at the end of four years and six months after the issuance or renewal of an identification card, destroy any record of the card if it has expired and has not been renewed. A fee of five dollars shall be charged by the registrar for each identification card renewal.

Section 8G. In the event an identification card issued pursuant to this act is lost, destroyed, mutilated, or a new name is

acquired, the person to whom said card was issued shall obtain a duplicate card upon furnishing satisfactory proof of loss to the registrar and payment of a fee of two dollars. Any person who loses an identification card and who, after obtaining a duplicate, finds the original card, shall immediately surrender the original card to the registrar. The same documentary evidence shall be furnished for a duplicate as for an original identification card.

Section 8H. No person shall: (a) display, cause or permit to be displayed, or have in his possession, any canceled, fictitious, fraudulently altered, or fraudulently obtained identification card;

(b) lend his identification card to any other person or knowingly permit the use thereof by another;

(c) display or represent any identification card not issued to him as being his card;

(d) permit any unlawful use of an identification card issued to him;

(e) photograph, photostat, duplicate, or in any way reproduce any identification card or facsimile thereof in such a manner that it could be mistaken for a valid identification card, or display or have in his possession any such photograph, photostat, duplicate, reproduction, or facsimile unless authorized by the provisions of this chapter.

Section 8I. The identification card shall resemble in appearance, so far as is practicable, a license to operate motor vehicles. It shall adequately describe the registrant, and bear the following:- "Commonwealth of Massachusetts" - "identification card No. ", "this card is provided solely for the purpose of establishing that the bearer described on the card was not a holder of a valid license to operate motor vehicles as of the date of issuance of this card". The identification card shall be sealed in transparent plastic or similar substance.

Section 8J. Whenever a person after applying for and receiving an identification card acquires an address different from the address shown on the identification card issued to him; he shall, within thirty days thereafter, notify the registrar in writing of his old and new address. The registrar thereupon may take such action as necessary to insure that the identification card reflects the proper address of the identification card holder.

Section 8K. When used in reference to an identification card "cancellation" means that an identification card is terminated without prejudice and shall be surrendered. Cancellation of a card may be made when such card has been issued through error when voluntarily surrendered to the registrar.

SECTION 2. The first paragraph of section 24B of said chapter 90, as most recently amended by chapter 176 of the acts of 1971, is hereby further amended by inserting after the word "vehicles", in lines 3 and 12, in each instance, the words:- , an identification card issued under section eight E.

SECTION 3. This act shall take effect on January first, nineteen hundred and seventy-eight.

Approved October 21, 1977

EMERGENCY LETTER — October 21, 1977 @ 4:41 P. M.

Chap. 667. AN ACT REGULATING THE REQUIREMENT THAT THE STATE SECRETARY PUBLISH NEWSPAPER ADS DURING ELECTION.

Be it enacted, etc., as follows:

Chapter 54 of the General Laws is hereby amended by striking out section 52, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 52. Before every state election, the state secretary shall make available a list of all candidates to be voted for in each senatorial district, except that in the county of Suffolk the publication shall be of all candidates to be voted for therein. He shall also publish with said lists the form of any question to be submitted to the voters. Such lists shall be public records and one copy shall be sent to every newspaper in the commonwealth listed in the Directory of New England Newspapers and Periodicals, to be used at the discretion of said newspapers. Before every city election, city clerks shall make available a list of all candidates to be voted for in their respective cities, and the form of any question to be submitted to the voters at such election. Such lists shall be public records and one copy shall be sent to every newspaper listed in the Directory of New England Newspapers and Periodicals, located in such city, to be used at the discretion of said newspapers.

Approved October 21, 1977.

Chap. 668. AN ACT REGULATING THE TRANSMISSION OF PUNCH CARD BALLOTS TO TABULATION CENTERS.

Be it enacted, etc., as follows:

SECTION 1. Section 33F of chapter 54 of the General Laws, as appearing in section 5 of chapter 564 of the acts of 1967, is

hereby amended by inserting after the first sentence the following sentence:- Said tabulation center may be located in any municipality within the commonwealth provided that said center is of no greater distance than fifty miles from the municipality conducting said primary, preliminary election or election.

SECTION 2. The sixth paragraph of section 105A of said chapter 54, as appearing in section 14 of chapter 564 of the acts of 1967, is hereby amended by inserting after the letter "F", in line 5, the words:- , if located within said municipality.

SECTION 3. Said sixth paragraph of said section 105A of said chapter 54, as so appearing, is hereby further amended by striking out the fourth and fifth sentences and inserting in place thereof the following six sentences:- If the tabulation center is located outside said municipality, the container from each precinct shall be brought by the presiding officer, precinct clerk, and a police officer to the city or town clerk's office where said container shall be transported to the tabulation center only after all of the containers have arrived at said clerk's office. Upon arrival at the city or town clerk's office each presiding officer shall transfer possession of the key to his container to said clerk. Transportation of the containers to a tabulation center outside said municipality shall be in vehicles designated by said clerk and owned by the municipality conducting the election. The containers shall be loaded for transportation to said tabulation center in full view of the public. The unloading of the containers at said tabulation center shall be done in the presence of the election officers appointed under section thirty-three H. The vehicle transporting said containers outside said municipality shall be accompanied by the city or town clerk or his designee and a police escort at all times during transportation to the tabulation center and said containers shall not be opened at any time during their transportation from the precincts to the city or town clerk's office and then to the tabulation center.

SECTION 4. Said section 105A of said chapter 54, as so appearing, is hereby further amended by inserting after the sixth paragraph the following paragraph:-

The counted ballots, both absentee and other, shall be sealed in separate envelopes and shall be transmitted, in accordance with the provisions of section one hundred and seven, to the office of the city or town clerk forthwith. The voting lists shall also be sealed in separate envelopes and transmitted to the office of the city or town clerk.

Approved October 21, 1977.

Chap. 669. AN ACT FURTHER REGULATING THE FEES OF COLLECTORS OF LOCAL TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 60 of the General Laws is hereby amended by striking out section 15, as most recently amended by section 1 of chapter 525 of the acts of 1977, and inserting in place thereof the following section:-

Section 15. Except as provided in section five and section fifteen A, the following interest, charges and fees, and no other, when accrued, shall severally be added to the amount of the tax and collected as a part thereof:-

1. For interest, as provided by law;
2. For each written demand provided for by law, two dollars;
3. For preparing advertisement of sale or taking, two dollars for each parcel of real estate included in the advertisement;
4. For advertisement of sale or taking in newspaper, the cost thereof;
5. For posting notices of sale or taking, two dollars for each parcel or real estate included in the notice;
6. For affidavit, one dollar for each parcel of land included therein;
7. For recording affidavit, two dollars for each parcel of land included therein;
8. For preparing deed or instrument of taking, five dollars;
9. For the issuance and delivery of a warrant to an officer, two dollars;
10. For notice by mail or other means to the delinquent that warrant has been issued, five dollars;
11. For exhibiting a warrant or delivering a copy thereof to the delinquent or his representative or leaving it at his last and usual place of abode or of business, before and without distraint or arrest, ten dollars;
12. For distraining goods of the delinquent, five dollars and the necessary cost thereof;
13. For the custody and safekeeping of the distrained goods of the delinquent, not more than ten dollars for each day or not more than eight hours for the keeper while he is in charge, and twenty dollars a day for the officer, for a period not exceeding seven days, together with the expense of parking, storage, labor and towing or teaming, and other necessary expenses;
14. For selling goods distrained, the cost thereof;
15. For arresting the body, ten dollars, and a sum, not exceeding fifteen dollars for travel, at the rate of fifteen cents per

mile, from the office of the collector to the place where the arrest is made;

16. For custody of the body arrested, if payment of the delinquent tax is not made forthwith, five dollars, and in addition thereto travel at the rate of fifteen cents per mile from the place of arrest to the jail or, if payment is made before commitment to jail, for the distance from the place where the arrest is made to the place where payment is made;

17. For service of demand and notice under section fifty-three, if served in the manner required by law for the service of subpoenas on witnesses in civil cases, one dollar and travel at the rate of fifteen cents per mile from the office of the collector to the place where service is made, but in no event more than fifteen dollars;

18. For the mailing of each written demand or notice by registered mail, the cost thereof.

The collector shall account to the town treasurer for all interest, charges and fees collected by him; but the town shall reimburse or credit him for all expenses incurred by him hereunder, including all lawful charges and fees paid or credited by him for collecting taxes.

SECTION 2. The provisions of this act shall take effect for the fiscal years commencing on and after July first, nineteen hundred and seventy-eight.

Approved October 21, 1977.

Chap. 670. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO CONSTRUCT A BATHHOUSE AT SANDY NECK BEACH.

Be it enacted, etc., as follows:

SECTION 1. The town of Barnstable is hereby authorized to construct a bathhouse with a ground area of sixteen hundred square feet at Bodfish park in said town, as shown on plans on file with the town engineer of said town.

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

Approved October 24, 1977.

Chap. 671. AN ACT RELATIVE TO TEACHERS APPEALS TO THE SUPERIOR COURT.

Be it enacted, etc., as follows:

The second paragraph of section 43A of chapter 71 of the General Laws, as appearing in chapter 337 of the acts of 1975, is

hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The court shall advance the appeal for a speedy hearing and, after such notice to the parties as it deems reasonable, it shall hear the cause de novo, review such action, and determine whether or not upon all the evidence such action was justifiable.

Approved October 24, 1977.

Chap. 672. 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 is hereby amended by striking out the first sentence, as amended by chapter 220 of the acts of 1974, and inserting in place thereof the following sentence:- The county commissioners of Franklin county may, for the purposes of advertising the recreational, agricultural and industrial advantages of said county, expend such sums, not exceeding, in the aggregate, 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 triple the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purposes aforesaid.

Approved October 24, 1977.

Chap. 673. 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, AGRICULTURAL AND INDUSTRIAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 588 of the acts of 1967 is hereby amended by striking out the word "thirty", inserted by chapter 221 of the acts of 1974, and inserting in place thereof the word:- fifty.

Approved October 24, 1977.

Chap. 674. AN ACT AUTHORIZING THE COMMISSIONER OF ENVIRONMENTAL MANAGEMENT TO GRANT CERTAIN EASEMENTS ON, OVER AND ACROSS CERTAIN LAND IN THE TOWNS OF WRENTHAM AND PLAINVILLE FOR THE TRANSMISSION OF ELECTRIC POWER TO THE NEW ENGLAND POWER COMPANY.

Be it enacted, etc., as follows:

The commissioner of environmental management in the name and on behalf of the commonwealth, is hereby authorized to grant to the New England Power Company, an electric corporation organized and existing under the laws of the commonwealth, an easement for the construction, maintenance and operation of towers, poles and wires for the transmission of electricity on, over and across land of the commonwealth in the towns of Plainville and Wrentham, said land being used for forest purposes and under the control of the commissioner of environmental management. Said land contained in the easement area consists of four certain parcels of land.

The first parcel of land which is situated in the town of Wrentham contains 4,485 square feet of land and is bounded and described as follows:

Beginning at the southwest corner of said parcel at a point on the division line between other land of the Commonwealth of Massachusetts and land now or formerly of Blanche M. Lobdell et al, said point being N. 29° 17' 09" E., a distance of 1,140 feet from a point on the northerly side of Interstate Route 495;

thence running N. 29° 17' 09" E. by said other land of the Commonwealth of Massachusetts, 152.72 feet to a point at land now or formerly of Blanche M. Lobdell et al;

thence turning and running S. 38° 04' 59" E., 63.64 feet to a point;

thence turning and running S. 53° 53' 54" W., 141.04 feet to the point of beginning -said last two courses and distances being by said land now or formerly of Blanche M. Lobdell et al.

The second parcel of land which is situated in the town of Wrentham contains 4,697 square feet of land and is bounded and described as follows:

Beginning at the southwest corner of said parcel at a point on the division line between other land of the Commonwealth of Massachusetts and land now or formerly of Blanche M. Lobdell et al, said point being N. 29° 17' 09" E., a distance of 158.37 feet from the most northerly corner of the above described first parcel of land;

thence running N. $29^{\circ} 17' 09''$ E. by said other land of the Commonwealth of Massachusetts, 159.01 feet to a point at land of New England Power Company;

thence turning and running S. $36^{\circ} 51' 20''$ E. by said land of New England Power Company, 64.60 feet to a stake and stones at land now or formerly of Blanche M. Lobdell et al;

thence turning and running S. $53^{\circ} 15' 19''$ W. by said land now or formerly of Blanche M. Lobdell et al, 145.43 feet to the point of beginning.

The third parcel of land which is situated in the town of Wrentham contains 10,876 square feet of land and is bounded and described as follows:

Beginning at the most northerly corner of said parcel at a point on the southwesterly side of Madison Street at other land of the Commonwealth of Massachusetts, said point being S. $37^{\circ} 31' 20''$ E., a distance of 118.20 feet from a drill hole in a wall located on the southwesterly side of Madison Street;

thence running S. $37^{\circ} 31' 20''$ E. by Madison Street, 98.14 feet to a point at land of New England Power Company;

thence turning and running S. $53^{\circ} 18' 00''$ W. by said land of New England Power Company, 221.67 feet to a point at other land of the Commonwealth of Massachusetts;

thence turning and running N. $29^{\circ} 17' 09''$ E. by said other land of the Commonwealth of Massachusetts, 241.13 feet to the point of beginning.

The fourth parcel of land which is situated in the town of Plainville contains 3,288 square feet of land and is bounded and described as follows:

Beginning at the southeast corner of said parcel at a stake located on the westerly side of George Street at land of New England Power Company, said stake being N. $14^{\circ} 13'$ W., a distance of 79.20 feet from a stone bound located in a corner of walls on the westerly side of George Street;

thence running S. $63^{\circ} 07'$ W., 50.00 feet to a stake;

thence turning and running N. $15^{\circ} 15'$ W., 58.44 feet to a point at other land of the Commonwealth of Massachusetts -said last two courses and distances being by said land of New England Power Company;

thence turning and running N. $56^{\circ} 05'$ E. by said other land of the Commonwealth of Massachusetts, 60.36 feet to a point in a wall on the westerly side of George Street;

thence turning and running S. $8^{\circ} 20'$ E. by said wall by said George Street, 68.17 feet to the place of beginning.

Said easement deed to be in such form and on such terms as said commissioner may approve and deem proper.

Approved October 24, 1977.

Chap. 675. AN ACT DESIGNATING CERTAIN METROPOLITAN DISTRICT COMMISSION PARK LAND AS THE LEO E. DOWLING MEMORIAL PARK.

Be it enacted, etc., as follows:

The park land located on William T. Morrissey boulevard in the Dorchester district of the city of Boston and commonly known as Patten's cove shall be designated and known as the Leo E. Dowling Memorial park, in memory of Leo E. Dowling, who was prominent in local, civic and church affairs. A suitable marker bearing such designation shall be attached thereon by the metropolitan district commission.

Approved October 24, 1977.

Chap. 676. AN ACT RELATIVE TO THE MAKING OF INCLUSIVE LISTS OF PERSONS BY CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 10A of chapter 51 of the General Laws, as most recently amended by chapter 263 of the acts of 1977, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Every innholder licensed under any provisions of chapter one hundred and forty and every keeper of a lodging house or public lodging house licensed thereunder and every multi-dwelling unit owner shall deliver to the person performing the duties required by section four, on a suitable blank to be furnished him by said person a statement, signed under the penalties of perjury, showing the name of every person three years of age or older on January first of said year whose place of residence on said January first was at such inn, lodging house, public lodging house or multi-dwelling unit.

SECTION 2. Chapter 56 of the General Laws is hereby amended by striking out section 4, as amended by section 2 of chapter 132 of the acts of 1974, and inserting in place thereof the following section:-

Section 4. 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, or anyone so authorized under section fourteen A of chapter fifty-one to perform such duties, or whoever being an owner or an occupant of a building, or a clerk, superintendent, manager, or other person having in charge the affairs of a hotel, lodging house, public lodging house or multi-dwelling unit as referred to in section ten A of said chapter fifty-one refuses or neglects to give the full and true information within his or her knowledge relating to all persons residing in such building or unit, when asked by such registrar or other authorized person, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year. Whoever, being a licensed innholder, keeper of a lodging house or public lodging house or keeper or owner of a multi-dwelling unit, fails in any respect to make the reports required by said section ten A of said chapter fifty-one in the detail and manner and within the time therein provided shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved October 24, 1977.

Chap. 677. AN ACT RELATIVE TO THE NOTICE REQUIREMENTS FOR
ADJOURNED REPRESENTATIVE TOWN MEETINGS IN THE
TOWN OF DARTMOUTH.

Be it enacted, etc., as follows:

The second paragraph of section 3 of chapter 26 of the acts of 1927 is hereby amended by striking out the third sentence, as amended by chapter 1095 of the acts of 1973, and inserting in place thereof the following sentence:- Notice of every adjourned representative town meeting shall be posted by the town clerk in the town office building.

Approved October 24, 1977.

Chap. 678. AN ACT PROVIDING FOR ADDITIONAL DEPUTY REGISTERS
OF PROBATE IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

Section 28 of chapter 217 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the word "two" and inserting in place thereof the word:- four.

Approved October 25, 1977.

Chap. 679. AN ACT PROHIBITING THE USE OF CERTAIN ANIMALS AS LURES OR BAIT.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by striking out section 77, as most recently amended by chapter 46 of the acts of 1972, and inserting in place thereof the following section:-

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

Approved October 25, 1977.

Chap. 680. AN ACT DECREASING THE AMOUNT OF MONEY THE CITY OF WORCESTER MAY BORROW FOR THE CONSTRUCTION OF CIVIC CENTER FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (a) of section 9 of chapter 216 of the acts of 1976 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- For the purpose of paying all or any part of the cost incurred or to be incurred pursuant to sections four and five of this act, the city of Worcester may borrow from time to time such sums of money as may be necessary, not exceeding, in the aggregate, seven million nine hundred thousand dollars, and may issue bonds or notes

therefor, which shall bear on their face the words City of Worcester Civic Center Loan, Act of 1976.

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

Approved October 28, 1977.

Chap. 681. AN ACT VALIDATING THE ACTION OF THE WEST WARREN WATER DISTRICT IN AUTHORIZING A CERTAIN BORROWING OF MONEY TO PAY CERTAIN OPERATING AND MAINTENANCE EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. The West Warren Water District may, for the purpose of paying expenses of maintenance and operation, borrow, at one time or from time to time, such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor. Each issue shall constitute a separate loan payable in not more than twenty years from its date. Indebtedness incurred hereunder shall be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation on indebtedness contained therein.

SECTION 2. Sums necessary to provide for the payment of loans authorized by this act shall be raised as set forth in section five of chapter one hundred and forty-five of the acts of nineteen hundred and seventy-one.

SECTION 3. Action taken by the West Warren Water District at the special district meeting held July twenty-fifth, nineteen hundred and seventy-seven to authorize debt in the amount of fifty thousand dollars is hereby ratified, validated and confirmed, in all respects as if this act had been in effect at the time the warrant for said meeting was posted.

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

Approved October 28, 1977.

Chap. 682. AN ACT AUTHORIZING THE TOWN OF SCITUATE TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO WALTER T. DRISCOLL, JR., A SERGEANT IN THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Scituate is hereby authorized to raise and appropriate, and after such appropriation the treasurer of said town is authorized to pay, the sum of eighteen thousand and

eighty-nine dollars to Walter T. Driscoll, Jr. in reimbursement of the legal expenses he incurred in successfully defending the suspension and removal proceedings against him as a sergeant in the police department of said town.

SECTION 2. The action taken by the town of Scituate under Article 13 of the warrant for the annual town meeting of said town, held on May second, nineteen hundred and seventy-seven and at the adjourned session thereof held on May ninth, nineteen hundred and seventy-seven is hereby validated and confirmed to the same extent as though section one of this act had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved October 28, 1977.

Chap. 683. AN ACT PROVIDING THAT THE CLERK OF THE DRACUT WATER SUPPLY DISTRICT SHALL BE ELECTED FOR A TERM OF THREE YEARS.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 433 of the acts of 1905 is hereby amended by inserting after the second sentence the following sentence:- Said district shall at its next annual meeting and at every third annual meeting thereafter elect by ballot a clerk for a term of three years.- and by inserting after the word "board", in line 20, the words:- or in the office of clerk.

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

Approved October 28, 1977.

Chap. 684. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO REALLOCATE THE PROCEEDS OF CERTAIN BONDS ISSUED FOR THE WESTOVER DEVELOPMENT PROJECT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the proceeds of the bonds dated March first, nineteen hundred and seventy-seven in the principal amount of six hundred thousand dollars issued by the city of Chicopee pursuant to the loan order of the board of aldermen approved by the mayor on February nineteenth, nineteen hundred and seventy-five as amended by orders approved February twenty-fifth and April eighth, nineteen hundred and

seventy-six, for the purposes of constructing surface drains, sewers and public ways and laying water mains all in connection with the Westover development project, so called, may be expended for said project without restriction as to allocation among those specific purposes.

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

Approved October 28, 1977.

Chap. 685. AN ACT LIMITING THE DURATION OF ATTACHMENTS TO THIRTY DAYS AFTER EXECUTION ISSUED UPON JUDGMENT.

Be it enacted, etc., as follows:

Section 59 of chapter 223 of the General Laws, as most recently amended by section 34 of chapter 377 of the acts of 1975, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Upon judgment for the plaintiff in a civil action, property which has been attached in connection with said action shall remain subject to attachment for thirty days after the date which appears on the execution issued upon such judgment pursuant to chapter two hundred and thirty-five, unless sooner dissolved.

Approved October 28, 1977.

Chap. 686. AN ACT REGULATING VEHICLES ENTERING INTERSECTIONS, ROTARIES OR TURNING WITHIN AN INTERSECTION.

Be it enacted, etc., as follows:

Chapter 89 of the General Laws is hereby amended by striking out section 8, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 8. When two vehicles approach or enter an intersection of any ways, as defined in section one of chapter ninety, at approximately the same instant, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right. Any operator intending to turn left, in an intersection, across the path or lane of vehicles approaching from the opposite direction shall, before turning, yield the right-of-way until such time as the left turn can be made with reasonable safety. Any operator of a vehicle entering a rotary intersection shall yield the right-of-way to any vehicle already in the intersection. The foregoing provisions of this section shall not apply when an operator is otherwise directed by a police officer, or by a lawful traffic

regulating sign, device or signal maintained by or with the written approval of the department of public works and while said approval is in effect or otherwise lawfully maintained.

Approved October 28, 1977.

Chap. 687. AN ACT AUTHORIZING THE ISSUANCE BY THE REGISTRY OF MOTOR VEHICLES OF CERTAIN REGISTRATION PLATES TO HANDICAPPED PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 2 of chapter 90 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 581 of the acts of 1960, and inserting in place thereof the following sentence:- The registrar may also furnish plates displaying the "International sign for handicappers" for a pleasure passenger vehicle owned or leased by and used by a blind person or a person who has suffered the loss or permanent loss of use of one or both feet, or of one or both hands, and he may determine such standards of disability and handicap and of qualification for the issuance of said plates as he deems proper.

SECTION 2. The provisions of this act shall take effect on January first, nineteen hundred and seventy-nine.

Approved October 28, 1977.

Chap. 688. AN ACT EXPANDING THE DUTIES OF THE MASSACHUSETTS INDUSTRIAL MORTGAGE INSURANCE AGENCY.

Be it enacted, etc., as follows:

SECTION 1. Section 30 of chapter 23A of the General Laws, as appearing in section 1 of chapter 865 of the acts of 1975, is hereby amended by striking out the definition of "Industrial enterprise" and inserting in place thereof the following definition:-

"Industrial enterprise", any enterprise engaged in giving new shapes, new qualities or new combinations to matter as material products, or seafood collection and processing, by the application of skill and labor thereto.

SECTION 2. The definition of "Industrial development facilities" in said section 30 of said chapter 23A, as so appearing, is hereby amended by inserting after the word "wharves", in line 6, the words:-, vessels, seafood processing plants.

SECTION 3. Said section 30 of said chapter 23A, as so appearing, is hereby further amended by striking out the definition of "Primary employment" and inserting in place thereof the following definition:-

"Primary employment", work which pays at least one hundred and fifty per cent of the non-manufacturing minimum wage as defined in chapter one hundred and forty-nine, offers fringe benefits, and is full-time.

SECTION 4. The first paragraph of section 31 of said chapter 23A, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:-The agency shall maintain a close liaison with the department of commerce and development, the Massachusetts Community Development Finance Corporation and the state Industrial Finance Board in order to facilitate a coordinated effort in the area of industrial development.

Approved October 28, 1977.

Chap. 689. AN ACT PROVIDING THAT A CERTAIN NUMBER OF PARKING SPACES IN MUNICIPAL OFF-STREET PARKING AREAS BE RESERVED FOR VEHICLES OF HANDICAPPED PERSONS.

Be it enacted, etc., as follows:

Section 22B of chapter 40 of the General Laws, as most recently amended by section 2 of chapter 183 of the acts of 1973, is hereby further amended by adding the following paragraph:-

A city or town may reserve parking spaces in off-street parking areas for vehicles of handicapped persons according to the following formula:- If the number of parking spaces in any such area is more than one but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five per cent of such spaces but not less than two; more than forty but not more than one hundred, four per cent of such spaces but not less than three; more than one hundred but not more than two hundred, three per cent of such spaces but not less than four; more than two hundred but not more than five hundred, two per cent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one half per cent of such spaces but not less than ten; more than one thousand but not more than two thousand, one per cent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one per cent of such spaces but not less than twenty; and more than five thousand, one half of one per cent of such spaces but not less than thirty.

Approved October 28, 1977.

Chap. 690. AN ACT PROVIDING FOR THE APPOINTMENT OF A TREE WARDEN IN TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 1, as most recently amended by chapter 1134 of the acts of 1973, and inserting in place thereof the following section:-

Section 1. Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its registered voters the following town officers for the following terms of office:

A town clerk for the term of one or more years.

A town treasurer for the term of one or three years.

One or more collectors of taxes for the term of one or three years, unless the town votes otherwise or votes to authorize its treasurer to act as collector.

Three or five selectmen for the term of one or three years, subject to the provisions of section twenty-one.

One, three or five assessors for the term of three years.

One or three auditors for the term of one or three years, except where such office is abolished as provided in section fifty-five.

One or more highway surveyors for the term of one or three years; or

A road commissioner for the term of one year; or

Three road commissioners for terms of three years, as the town may vote.

A sewer commissioner for the term of one year; or

Three sewer commissioners for the terms of three years if the town has provided for such officers, unless the town by vote authorizes its road commissioners to act as sewer commissioners.

A tree warden for the term of one or three years, unless the town by vote or by-law provides that he shall be appointed.

One or more constables for a term of three years, unless the town by vote provides that they shall be appointed.

Three, five, six, seven or nine members of the school committee for terms of three years.

Three or more assistant assessors, if the town so votes, for the term of three years.

Three members of the board of health for the term of three years if the town provides for such board, otherwise the selectmen shall act as a board of health.

All other town officers shall be appointed by the selectmen unless other provision is made by law or by vote of the town.

Women shall be eligible to all town offices, notwithstanding any special law to the contrary.

In any town or district in which the election date of the officers, authorized under this section, is changed, the officers currently serving shall continue to hold their offices until the appointment or election and qualification of their successors.

In any case where three or more members of a board are to be elected for terms of more than one year, as nearly one third as may be shall be elected annually.

The provisions of this section or any of the following sections of this chapter which authorize or require the fixing of the terms of office of members of any board, commission or body in such a manner that all such terms would not expire at the same time shall not apply with respect to such board, commission or body after the town has voted under section two of chapter fifty-four A to elect the members thereof by the proportional representation method of election.

SECTION 2. Said chapter 41 is hereby further amended by striking out section 21, as most recently amended by chapter 157 of the acts of 1977, and inserting in place thereof the following section:-

Section 21. By vote of a town meeting called for the purpose in any town at least sixty days before an annual meeting, or upon request by petition of ten per cent of the qualified voters of any town filed with the selectmen thereof at least sixty days before an annual town meeting, asking that the selectmen act as a water and sewer board, water commissioners, water and municipal light commissioners, municipal light board, sewer commissioners, park commissioners, board of public works, board of health, assessors, or commission of public safety, or perform the duties of such boards or officers or any of them or that cemetery commissioners, assessors, a superintendent of streets, a chief of the police and fire departments or board of health be thereafter appointed by the selectmen, the selectmen of such town shall include in the warrant for such annual meeting for submission to the voters such question or questions in the following form, to be placed on the official ballot in towns using such ballot:-

Shall the town vote to have its selectmen act as
_____?

YES	
NO	

Shall the town vote to have its selectmen ap-
point _____?

YES	
NO	

If a town, in which the selectmen are elected for terms of one year, shall vote in accordance with this section that its selectmen shall act as or perform the duties of any of the aforesaid boards or officers, it shall, at the next annual meeting, elect one selectman for one year, one for two years and one for three years, or, if five are to be elected, one for one year, two for two years and two for three years, and thereafter in either event shall elect them for terms of three years. Upon the election and qualification of the selectmen at such next annual meeting, and upon the appointment and qualification by oath of the officers herein authorized to perform the duties of any existing town board or officer, the term of office of such existing board or officer shall thereupon terminate, and all the duties, powers and obligations of said boards and officers shall be transferred to and imposed upon their successors.

SECTION 3. Said chapter 41 is hereby further amended by striking out section 106, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 106. If the town provides by vote or by-law that the tree warden shall be appointed, such appointment shall be made by the selectmen.

Approved October 28, 1977.

Chap. 691. AN ACT RELATIVE TO THE FAIR INFORMATION PRACTICE ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent potential conflicts between the demands of individual rights of privacy and the need to make certain information available to the public, therefore 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. Subclause (c) of clause Twenty-sixth of section 7 of chapter 4 of the General Laws, as appearing in section 1 of chapter 1050 of the acts of 1973, is hereby amended by inserting after the word "an", in line 3, the word:- unwarranted.

SECTION 2. Section 167 of chapter 6 of the General Laws, as appearing in section 1 of chapter 805 of the acts of 1972, is hereby amended by striking out the definition of "Criminal offender record information" and inserting in place thereof the following three definitions:-

“Criminal offender record information”, records and data in any communicable form compiled by a criminal justice agency which concern an identifiable individual and relate to the nature or disposition of a criminal charge, an arrest, a pre-trial proceeding, other judicial proceedings, sentencing, incarceration, rehabilitation, or release. Such information shall be restricted to that recorded as the result of the initiation of criminal proceedings or any consequent proceedings related thereto. Criminal offender record information shall not include evaluative information, statistical and analytical reports and files in which individuals are not directly or indirectly identifiable, or intelligence information. Criminal offender record information shall be limited to information concerning persons who have attained the age of seventeen and shall not include any information concerning criminal offenses or acts of delinquency committed by any person before he attained the age of seventeen; provided, however, that if a person under the age of seventeen is adjudicated as an adult, information relating to such criminal offense shall be criminal offender record information. Criminal offender record information shall not include information concerning any offenses which are not punishable by incarceration.

“Evaluative information”, records, data, or reports concerning individuals charged with crime and compiled by criminal justice agencies which appraise mental condition, physical condition, extent of social adjustment, rehabilitative progress and the like, and which are primarily used in connection with bail, pre-trial or post-trial release proceedings, sentencing, correctional and rehabilitative planning, probation or parole.

“Intelligence information”, records and data compiled by a criminal justice agency for the purpose of criminal investigation, including reports of informants, investigators or other persons, or from any type of surveillance associated with an identifiable individual. Intelligence information shall also include records and data compiled by a criminal justice agency for the purpose of investigating a substantial threat of harm to an individual, or to the order or security of a correctional facility.

SECTION 3. Section 171 of said chapter 6, as so appearing, is hereby amended by adding the following paragraph:-

The content and use of evaluative information, and the inspection, receipt of copies and challenge of such information by an individual shall not be governed by the provisions of this act except as provided in this paragraph. Each criminal justice agency holding evaluative information shall, pursuant to section two of chapter thirty A, promulgate regulations to govern the content

and use of evaluative information, and to govern, limit or prohibit the inspection, receipt of copies and challenge of such information by an individual referred to therein. The adoption of such regulations by each criminal justice agency shall be subject to the approval of the board, and shall be promulgated within time limits set by the board. If any criminal justice agency holding evaluative information fails to promulgate such regulations, then the board shall promulgate such regulations with respect to that criminal justice agency. Evaluative information shall be subject to the provisions of section one hundred and seventy-two and section one hundred and seventy-eight, as if such information was criminal offender record information.

SECTION 4. Said chapter 6 is hereby further amended by striking out section 172, as most recently amended by section 1 of chapter 365 of the acts of 1977, and inserting in place thereof the following section:-

Section 172. Except as otherwise provided in sections one hundred and seventy-three to one hundred and seventy-five, inclusive, criminal offender record information, and where present, evaluative information, shall be disseminated, whether directly or through any intermediary, only to (a) criminal justice agencies; (b) such other agencies and individuals required to have access to such information by statute; and (c) any other agencies and individuals where it has been determined that the public interest in disseminating such information to these parties clearly outweighs the interest in security and privacy. The extent of such access shall be limited to that necessary for the actual performance of the criminal justice duties of criminal justice agencies under clause (a); to that necessary for the actual performance of the statutory duties of agencies and individuals granted access under clause (b); and to that necessary for the actual performance of the actions or duties sustaining the public interest as to agencies or individuals granted access under clause (c).

The board shall, after consultation with the council, certify those agencies and individuals requesting access to criminal offender record information that qualify for such access under clauses (a) or (b) of this section, and shall specify for each such agency or individual certified, the extent of its access. The board shall make a finding in writing of eligibility, or noneligibility of each such agency or individual which requests such access. No such information shall be disseminated to any agency or individual prior to the board's determination of eligibility, or, in cases in which the board's decision is appealed, prior to the final

judgment of a court of competent jurisdiction that such agency or individual is so eligible.

No agency or individual shall have access to criminal offender record information under clause (c), unless a majority of the board, and a majority of the council, each voting as a separate body, determines and certifies that the public interest in disseminating such information to such party clearly outweighs the interest in security and privacy. The extent of access to such information under clause (c) shall be determined by majority vote of persons comprising the membership of the board and the council voting as a single group at a duly scheduled board meeting. Certification for access under clause (c) may be either access to information relating to a specific identifiable individual, or individuals, on a single occasion; or a general grant of access for a specified period of time not to exceed two years. A general grant of access need not relate to a request for access by the party or parties to be certified. Except as otherwise provided in this paragraph the procedure and requirements for certifying agencies and individuals under clause (c) shall be according to the provisions of the preceding paragraphs of this section.

Each agency holding or receiving criminal offender record information shall maintain, for such period as the board shall determine, a listing of the agencies or individuals to which it has released or communicated such information. Such listings, or reasonable samples thereof, may from time to time, be reviewed by the board or the council to determine whether any statutory provisions or regulations have been violated.

Dissemination of criminal offender record information shall, except as provided in this section and for purposes of research programs approved under section one hundred and seventy-four, be permitted only if the inquiry is based upon name, fingerprints, or other personal identifying characteristics. The board shall adopt rules to prevent dissemination of such information where inquiries are based upon categories of offense or data elements other than said characteristics; provided, however, that access by criminal justice agencies to criminal offender record information on the basis of data elements other than personal identifying characteristics, including but not limited to, categories of offense, mode of operation, photographs and physical descriptive data generally, shall be permissible, except as may be limited by the regulations of the board.

Any individual or agency, public or private, that receives or obtains criminal offender record information, in violation of the provisions of this statute, whether directly or through any in-

termediary, shall not collect, store, disseminate, or use such criminal offender record information in any manner or for any purpose. Notwithstanding the provisions of this section, the dissemination of information relative to a person's conviction of automobile law violations as defined by section one of chapter ninety C, or information relative to a person's charge of operating a motor vehicle while under the influence of intoxicating liquor which resulted in his assignment to a driver alcohol program as described in section twenty-four D of chapter ninety, shall not be prohibited where such dissemination is made, directly or indirectly, by the motor vehicle insurance merit rating board established pursuant to section one hundred and eighty-three of chapter six, to an insurance company doing motor vehicle insurance business within the commonwealth, or to such insurance company's agents, independent contractors or insurance policyholders to be used exclusively for motor vehicle insurance purposes.

SECTION 5. Section 63 of chapter 30 of the General Laws, added by section 2 of chapter 776 of the acts of 1975, is hereby amended by striking out, in lines 1 and 2, the words "agency which operates automated or manual personal data systems, as those terms are" and inserting in place thereof the words:-holder, as that term is.

SECTION 6. Chapter 66A of the General Laws is hereby amended by striking out section 1, as amended by section 1 of chapter 249 of the acts of 1976, and inserting in place thereof the following section:-

Section 1. As used in this chapter, the following words shall have the following meanings unless the context clearly indicates otherwise:-

"Agency", any agency of the executive branch of the government, including but not limited to any constitutional or other office, executive office, department, division, bureau, board, commission or committee thereof; or any authority created by the general court to serve a public purpose, having either statewide or local jurisdiction.

"Automated personal data system", a personal data system in which personal data is stored, in whole or in part, in a computer or in electronically controlled or accessible files.

"Computer accessible", recorded on magnetic tape, magnetic film, magnetic disc, magnetic drum, punched card, or optically scannable paper or film.

"Criminal justice agency", an agency at any level of government which performs as its principal function activity relating to

(a) the apprehension, prosecution, defense, adjudication, incarceration, or rehabilitation of criminal offenders; or (b) the collection, storage, dissemination, or usage of criminal offender record information.

“Data subject”, an individual to whom personal data refers. This term shall not include corporations, corporate trusts, partnerships, limited partnerships, trusts or other similar entities.

“Holder”, an agency which collects, uses, maintains or disseminates personal data or any person or entity which contracts or has an arrangement with an agency whereby it holds personal data as part or as a result of performing a governmental or public function or purpose. A holder which is not an agency is a holder, and subject to the provisions of this chapter, only with respect to personal data so held under contract or arrangement with an agency.

“Manual personal data system”, a personal data system which is not an automated or other electronically accessible or controlled personal data system.

“Personal data”, any information concerning an individual which, because of name, identifying number, mark or description can be readily associated with a particular individual; provided, however, that such information is not contained in a public record, as defined in clause Twenty-sixth of section seven of chapter four and shall not include intelligence information, evaluative information or criminal offender record information as defined in section one hundred and sixty-seven of chapter six.

“Personal data system”, a system of records containing personal data, which system is organized such that the data are retrievable by use of the identity of the data subject.

SECTION 7. The first paragraph of section 2 of said chapter 66A, as appearing in section 1 of chapter 776 of the acts of 1975, is hereby amended by striking out, in line 1, the words “agency maintaining a personal data system” and inserting in place thereof the words:- holder maintaining personal data.

SECTION 8. Said section 2 of said chapter 66A is hereby amended by striking out clause (c), as so appearing, and inserting in place thereof the following clause:-

(c) not allow any other agency or individual not employed by the holder to have access to personal data unless such access is authorized by statute or regulations which are consistent with the purposes of this chapter or is approved by the data subject whose personal data are sought if the data subject is entitled to access under clause (i). Medical or psychiatric data may be made available to a physician treating a data subject upon the request

of said physician, if a medical or psychiatric emergency arises which precludes the data subject's giving approval for the release of such data, but the data subject shall be given notice of such access upon termination of the emergency. A holder shall provide lists of names and addresses of applicants for professional licenses and lists of professional licensees to associations or educational organizations recognized by the appropriate professional licensing or examination board. A holder shall comply with a data subject's request to disseminate his data to a third person if practicable and upon payment, if necessary, of a reasonable fee;.

SECTION 9. Said section 2 of said chapter 66A is hereby amended by striking out clause (f), as so appearing, and inserting in place thereof the following clause:-

(f) in the case of data held in automated personal data systems, and to the extent feasible with data held in manual personal data systems, maintain a complete and accurate record of every access to and every use of any personal data by persons or organizations outside of or other than the holder of the data, including the identity of all such persons and organizations which have gained access to the personal data and their intended use of such data and the holder need not record any such access of its employees acting within their official duties;.

SECTION 10. Said section 2 of said chapter 66A is hereby amended by striking out clause (i), as so appearing, and inserting in place thereof the following clause:-

(i) inform in writing an individual, upon his request, whether he is a data subject, and if so, make such data fully available to him or his authorized representative, upon his request, in a form comprehensible to him, unless doing so is prohibited by this clause or any other statute. A holder may withhold from a data subject for the period hereinafter set forth, information which is currently the subject of an investigation and the disclosure of which would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest, but this sentence is not intended in any way to derogate from any right or power of access the data subject might have under administrative or judicial discovery procedures. Such information may be withheld for the time it takes for the holder to complete its investigation and commence an administrative or judicial proceeding on its basis, or one year from the commencement of the investigation or whichever occurs first. In making any disclosure of information to a data subject pursuant to this chapter the holder may remove personal identifiers relating to a third person, except where such third person is an officer or

employee of government acting as such and the data subject is not. No holder shall rely on any exception contained in clause Twenty-sixth of section seven of chapter four to withhold from any data subject personal data otherwise accessible to him under this chapter.

SECTION 11. Said section 2 of said chapter 66A is hereby further amended by striking out clause (j), added by section 2 of chapter 249 of the acts of 1976.

SECTION 12. Said section 2 of said chapter 66A is hereby further amended by striking out clause (k), as appearing in section 1 of chapter 776 of the acts of 1975, and inserting in place thereof the following two clauses:-

(k) maintain procedures to ensure that no personal data are made available in response to a demand for data made by means of compulsory legal process, unless the data subject has been notified of such demand in reasonable time that he may seek to have the process quashed;

(l) not collect or maintain more personal data than are reasonably necessary for the performance of the holder's statutory functions.

SECTION 13. Section 3 of said chapter 66A, as so appearing, is hereby amended by adding the following two sentences:- Any agency not within any such executive office shall be subject to the regulations of the commissioner of administration. The attorney general, the state secretary, the state treasurer and the state auditor shall adopt applicable regulations for their respective departments.

SECTION 14. Section 3B of chapter 214 of the General Laws, inserted by section 3 of said chapter 776, is hereby amended by striking out, in lines 1, 5, 7, 11, and 15, respectively, the word "agency" and inserting in place thereof, in each instance, the word:- holder.

Approved October 29, 1977.

Chap. 692. AN ACT RELATIVE TO REPRESENTATIVE TOWN MEETINGS
IN THE TOWN OF DARTMOUTH.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 26 of the acts of 1927 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- Upon every revision of the precincts where the number of precincts is changed, the terms of office of all town meeting members from every precinct revised shall cease upon the election of their successors.

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

Approved October 31, 1977.

Chap. 693. AN ACT RELATIVE TO MAKING REPAIRS ON PRIVATE WAYS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the adoption of ordinances or by-laws relative to repairs on private ways, therefore it is hereby declared to be an emergency law, necessary for the preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Sections six E to six I, inclusive, and section six M of chapter forty of the General Laws are hereby repealed.

SECTION 2. Said chapter 40 is hereby further amended by striking out section 6N, inserted by chapter 551 of the acts of 1975, and inserting in place thereof the following section:-

Section 6N. Cities and towns may by ordinance or by-law provide for making temporary repairs on private ways. Such ordinance or by-law shall determine (a) the type and extent of repairs; (b) if drainage shall be included; (c) if the repairs are required by public necessity; (d) the number of percentage of abutters who must petition for such repairs; (e) if betterment charges shall be assessed; (f) the liability limit of the city or town on account of damages caused by such repairs; (g) if the ways shall have been opened to public use for a term of years; and (h) if a cash deposit shall be required for said repairs.

SECTION 3. Sections six E to six I, inclusive, and section six M of chapter forty of the General Laws, repealed by section one of this act, shall remain in effect in a city or town until July first, nineteen hundred and seventy-eight, or until such city or town has adopted an ordinance or by-law pursuant to section six N of said chapter forty, inserted by section two of this act or whichever occurs first.

Approved October 31, 1977.

Chap. 694. AN ACT ALLOWING THE SALE OF IMITATION FROZEN DESSERTS AND FROZEN DESSERTS MADE WITH MILK FAT SUBSTITUTES.

Be it enacted, etc., as follows:

Section 65L of chapter 94 of the General Laws is hereby amended by striking out paragraphs (d) and (e), as appearing in section 7 of chapter 356 of the acts of 1957.

Approved October 31, 1977.

Chap. 695. AN ACT AUTHORIZING THE GROUP INSURANCE COMMISSION TO TRANSFER OR MAINTAIN CUSTODY OF ITS SPECIAL CLAIMS OR RATE STABILIZATION RESERVES APPLICABLE TO GROUP LIFE AND GROUP HEALTH INSURANCE POLICIES.

Be it enacted, etc., as follows:

Section 9 of chapter 32A of the General Laws, as most recently amended by section 1 of chapter 432 of the acts of 1971, is hereby further amended by adding the following paragraph:-

Where the terms and conditions of a policy or policies of group life and accidental death and dismemberment insurance and group general or blanket hospital, surgical, medical, dental and other health insurance as authorized by this chapter provide for the establishment, revival or continuance of a special claims or rate stabilization reserve customarily developed by an insurance carrier on behalf of the commission from one or more periods of experience accounting and therefore not classified under this section as a dividend, its equivalent or other refund or rate credit, the commission, upon conclusion of the period of the contract or termination of such policy or policies, may transfer said reserve to the new policy or policies with the same or different insurance carrier or carriers, or, the commission may require the transfer of such reserves to its own custody and control in which event said reserves shall be deposited by the commission in the group insurance commission trust fund and maintained separately as a special claims or rate stabilization reserve subject to the conditions of investment and expenditure as provided in section nine A.

Approved October 31, 1977.

Chap. 696. AN ACT RELATIVE TO THE CIVIL SERVICE STATUS OF POLICE CADETS APPOINTED TO THE REGULAR POLICE FORCE OF THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 358 of the acts of 1977 is hereby amended by adding the following sentence:- A person appointed to the regular police force of the city of Springfield under the provisions of this act shall, after satisfactory completion of the probationary period, be deemed to be permanently appointed to said police force and subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect as of June thirtieth, nineteen hundred and seventy-seven.

Approved October 31, 1977.

Chap. 697. AN ACT PROVIDING THAT ALL SESSIONS OF THE FOURTH DISTRICT COURT OF PLYMOUTH SHALL BE HELD IN THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

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

The fourth district court of Plymouth, held at Wareham; Middleborough, Wareham, Lakeville, Marion, Mattapoisett, Rochester and Carver.

Approved October 31, 1977.

Chap. 698. AN ACT INCREASING THE MEMBERSHIP OF THE JUDICIAL COUNCIL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase the membership of the judicial council, therefore 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 221 of the General Laws is hereby amended by striking out section 34A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 34A. There shall be a judicial council for the continuous study of the organization, rules and methods of procedure and practice of the judicial system of the commonwealth, the work accomplished, and the results produced by that system and its various parts. Said council shall be composed of the chief justice of the supreme judicial court or some other justice or former justice of that court appointed from time to time by him; the chief justice of the appeals court or some other justice or former justice of that court appointed from time to time by him; the chief justice of the superior court or some other justice or former justice of that court appointed from time to time by him; the chief judge of the probate courts in the commonwealth or some other judge or former judge of those courts appointed from time to time by him; the judge of the land court or some other judge or former judge of that court appointed from time to time by him; the chief justice of the district courts in the commonwealth or some other justice or former justice of those courts appointed from time to time by him; the chief justice of the

municipal court of the city of Boston or some other justice or former justice of that court appointed from time to time by him; and not more than four members of the bar all to be appointed by the governor, with the advice and consent of the executive council. The appointments by the governor shall be for such periods, not exceeding four years, as he shall determine.

Approved November 1, 1977.

Chap. 699. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO TRANSFER MONIES FROM ITS STABILIZATION FUND TO THE GENERAL TREASURY OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section five B of chapter forty of the General Laws, the town of Mashpee may, at an annual or special town meeting called for the purpose, by a two-thirds vote of the voters present and voting thereon, transfer all or part of the money in its stabilization fund into the general treasury of said town.

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

Approved November 1, 1977.

Chap. 700. AN ACT GRANTING A REAL ESTATE TAX EXEMPTION DURING THE CALENDAR YEAR NINETEEN HUNDRED AND SEVENTY-SEVEN 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-seven shall be entitled to receive during said calendar year the real estate tax exemption provided for such widows or children by clause Forty-second or Forty-third of section five of chapter fifty-nine of the General Laws; provided, that such widows or children would otherwise qualify for such exemption under the provisions of said clauses; and provided further, however, that 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 shall be twelve.

Approved November 1, 1977.

Chap. 701. AN ACT INCREASING THE SALARY OF THE COMMISSIONER OF REHABILITATION.

Be it enacted, etc., as follows:

The second sentence of section 75 of chapter 6 of the General Laws is hereby amended by striking out the words "twenty-one thousand seven hundred and ten", inserted by section 18 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-seven thousand five hundred.

Approved November 3, 1977.

EMERGENCY LETTER — November 4, 1977 @ 1:36 P. M.

Chap. 702. AN ACT PROVIDING CIVIL SERVICE STATUS FOR CERTAIN EMPLOYEES OF THE HALE HOSPITAL AND THE GLYNN MEMORIAL HOSPITAL, BOTH LOCATED IN THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law or rule to the contrary, all persons who are presently employed by the Hale Hospital and the Glynn Memorial Hospital and who have been so employed for a period of six months or longer prior to July first, nineteen hundred and seventy-seven, and who are not otherwise exempt from the provisions of the civil service law in accordance with section five of chapter thirty-one of the General Laws, shall be deemed to be appointed under the provisions of said civil service law provided that said employees meet any and all license or registration requirement, where appropriate, for their positions, and provided, further, that each such employee shall be a resident of the commonwealth within one hundred and eighty days after the effective date of this act. The personnel administrator of the division of personnel administration shall review all such licenses and registrations to ensure compliance with applicable requirements, and shall determine all classifications for such positions.

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

Approved November 3, 1977.

Chap. 703. AN ACT EXTENDING THE TIME WITHIN WHICH THE ELIGIBLE LIST FOR POLICE SERGEANT WITHIN THE POLICE DEPARTMENT OF THE CITY OF LAWRENCE SHALL BE EFFECTIVE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the eligible list for the position of police sergeant of the police department of the city of Lawrence, established on September twenty-second, nineteen hundred and seventy-five shall be revived and extended until December thirty-first, nineteen hundred and seventy-seven.

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

Approved November 3, 1977.

Chap. 704. AN ACT PROVIDING LIFE TENURE FOR FRANCIS J. O'NEIL, INCUMBENT OF THE OFFICE OF CHAIRMAN OF THE BOARD OF ELECTION COMMISSIONERS OF THE CITY OF FALL RIVER, AS A MEMBER OF SAID BOARD AND THE FULL TIME MEMBER THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixteen A of chapter fifty-one of the General Laws, the tenure of office of Francis J. O'Neil, incumbent of the office of chairman of the board of election commissioners of the city of Fall River and the full time member of said board, shall be unlimited as a full time member of said board during good behavior until he attains the age of seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be placed on the official ballot in said city at the municipal election in the year nineteen hundred and seventy-nine in the form of the following question: "Do you approve of an act approved by the General Court in the year nineteen hundred and seventy-seven, providing life tenure for Francis J. O'Neil, incumbent of the office of chairman of the board of election commissioners of the city of Fall River, as a member of said board and the full time member thereof?"

Approved November 3, 1977.

Chap. 705. AN ACT PROVIDING THAT CEMETERY-OWNED VEHICLES MAY BE OPERATED ON THE WAYS OF THE COMMONWEALTH WITHOUT REGISTRATION AS A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES.

Be it enacted, etc., as follows:

Section 9 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 653 of the acts of 1968, and inserting in place thereof the following six sentences:- No person shall operate, push, draw or tow any motor vehicle or trailer, and the owner or custodian of such a vehicle shall not permit the same to be operated, pushed, drawn or towed upon or to remain upon any way except as authorized by section three, unless such vehicle is registered in accordance with this chapter and carries its register number displayed as provided in section six, and, in the case of a motor vehicle, is equipped as provided in section seven. A tractor, trailer or truck may be operated without such registration upon any way for a distance not exceeding one half mile, if said tractor, trailer or truck is used exclusively for agricultural purposes, or for a distance not exceeding three hundred yards, if such tractor, trailer or truck is used for industrial purposes other than agricultural purposes, for the purpose of going from property owned or occupied by the owner of such tractor, trailer or truck to other property so owned or occupied. A new automobile being delivered to a dealer by means of a tractor and trailer may be unloaded on a public way and driven by the person so delivering or his agents or servants without such registration to a dealer's premises over a public way for a distance not exceeding three hundred feet provided that the person so delivering, with respect to such new automobile, shall have filed with the registrar a motor vehicle liability policy or bond in compliance with the provisions of this chapter. A motor vehicle designed for the carrying of golf clubs and not more than four persons may be operated without such registration upon any way if such motor vehicle is being used solely for the purpose of going from one part of the property of a golf course to another part of the property of said golf course, provided that the owner of such motor vehicle shall have filed with the registrar a public liability policy or bond providing for the payment of damages to any person to the amount provided by section thirty-four A due to injuries sustained as a result of the operation of such vehicle. A motor vehicle owned by a cemetery may be operated without such registration upon any way if such motor vehicle is being used solely for the purpose of

going from one part of the property of a cemetery to another part of the property of said cemetery, provided that such vehicle shall not travel more than one mile on any public way and the owner of such motor vehicle shall have filed with the registrar a public liability policy or bond providing for the payment of damages to any person to the amount provided by section thirty-four A due to injuries sustained as a result of the operation of such vehicle. An earth-moving vehicle used exclusively for the building, repair and maintenance of highways which exceed the dimensions or weight limits imposed by section nineteen and the weight limits imposed by section thirty of chapter eighty-five may be operated without such registration for a distance not exceeding three hundred yards on any way adjacent to any highway or toll road being constructed, relocated or improved under contract with the commonwealth or any agency or political subdivision thereof or by a public instrumentality, provided that a permit authorizing the operation of such a vehicle in excess of the stated weight or dimension limits has been issued by the commissioner of public works or the board or officer having charge of such way, and provided that such earth-moving vehicle shall be operated under such permit only when directed by an officer authorized to direct traffic at the location where such earth-moving vehicle is being operated.

Approved November 3, 1977.

Chap. 706. AN ACT EXTENDING THE STATUTE OF LIMITATIONS IN EMPLOYMENT SECURITY CASES TO SIX YEARS.

Be it enacted, etc., as follows:

Section 47 of chapter 151A of the General Laws is hereby amended by striking out the fourth paragraph, as amended by section 4 of chapter 321 of the acts of 1972, and inserting in place thereof the following paragraph:-

Complaint against any person for a violation of any provision of this section may be made within six years after the date of such violation. All fines collected under this section shall be paid to the director and after clearance shall be deposited in the contingent fund.

Approved November 3, 1977.

Chap. 707. AN ACT PROVIDING THAT CERTAIN INTERCHANGEABLE DRUG VIOLATIONS BE REPORTED TO THE BOARD OF REGISTRATION IN PHARMACY AND THE BOARD OF REGISTRATION AND DISCIPLINE IN MEDICINE.

Be it enacted, etc., as follows:

The sixth paragraph of section 12D of chapter 112 of the General Laws, as appearing in section 2 of chapter 470 of the acts of 1976, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Said secretary shall refer the matter to the board of registration in pharmacy and, where appropriate, to the board of registration and discipline in medicine, for appropriate action.

Approved November 3, 1977.

Chap. 708. AN ACT REQUIRING THE BOARD OF PUBLIC WORKS IN THE CITY OF SPRINGFIELD TO HOLD PUBLIC HEARINGS RELATIVE TO UTILITY POLE LOCATIONS IN SAID CITY.

Be it enacted, etc., as follows:

The first paragraph of section 4 of chapter 334 of the acts of 1872 is hereby amended by adding the following sentence:- It shall be the duty of said board to hold public hearings, as provided in section twenty-two of chapter one hundred and sixty-six of the General Laws, and investigate and report on all matters referred to them by the city council, relating to petitions for permission to erect or construct upon, along, under or across the public ways the wires, poles, piers, abutments or conduits necessary for the transmission of intelligence by electricity or by telephone, whether by electricity or otherwise, or for the transmission of television signals, whether by electricity or otherwise, or for the transmission of electricity for lighting, heating or power, or for the construction and operation of a street railway or an electric railroad.

Approved November 3, 1977.

Chap. 709. AN ACT FURTHER REGULATING BALLOT LABELS FOR ELECTRONIC VOTING MACHINES.

Be it enacted, etc., as follows:

Section 45 of chapter 54 of the General Laws is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

Where voting machines or electronic voting systems are used, the state secretary or the city or town clerk, as the case may be, shall provide sets of ballot labels equal to at least one and one half sets for each such machine or marking unit, provided that at least two sets are provided for each precinct. Official ballots shall also be furnished where voting machines are used, in accordance with section thirty-five A.

Approved November 3, 1977.

Chap. 710. AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE TOWN OF FREETOWN TO HOLD ITS BUSINESS MEETINGS BEYOND THE BOUNDARIES OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the school committee of the town of Freetown is hereby authorized, when it deems it necessary, to hold its business meetings beyond the boundaries of said town but within the limits of the Freetown-Lakeville school district.

Approved November 3, 1977.

Chap. 711. AN ACT AUTHORIZING THE TOWN OF FREETOWN TO HOLD THE DELIBERATIVE SESSIONS OF ITS ANNUAL AND SPECIAL TOWN MEETINGS BEYOND THE BOUNDARIES OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the town of Freetown is hereby authorized to hold the deliberative sessions of its annual and special town meetings beyond the boundaries of said town but within the limits of the Freetown-Lakeville school district.

Approved November 3, 1977.

Chap. 712. AN ACT TERMINATING THE MEMBERSHIP OF THE TOWN OF BURLINGTON IN THE IPSWICH RIVER WATERSHED DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 682 of the acts of 1966 is hereby amended by striking out, in line 3, the word “, Burlington”.

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

SECTION 3. No assessment shall be levied upon said town of Burlington on account of membership in the Ipswich River Watershed District after the effective date of this act.

Approved November 3, 1977.

Chap. 713. AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO APPROPRIATE MONEY FOR THE PURPOSE OF PURCHASING MEMORIAL PLAQUES IN MEMORY OF THE LATE WILLIAM H. BARRETT AND JOHN KENNEDY, FORMER SELECTMAN AND TREE WARDEN, RESPECTIVELY, OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the town of Plymouth is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said town is hereby authorized to pay for the purchase of memorial plaques in memory of William H. Barrett and John Kennedy, former selectman and tree warden, respectively, of said town.

Approved November 3, 1977.

Chap. 714. AN ACT RELATIVE TO THE METROPOLITAN SEWERAGE DISTRICT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for necessary additional sewerage relief within the Metropolitan Sewerage District, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 803 of the acts of 1972 is hereby amended by inserting after the word "disposal", in line 27, the words:- ; and to construct, including investigations, borings, designs, plans and specifications, the necessary sewers and other related works to provide relief for the Millbrook Valley sewer and also to extend said relief sewers upstream to eliminate the current joint use sewer of the towns of Bedford and Lexington.

Section 2. The ten per cent of the total cost of this project which is to be borne by the towns of Bedford and Lexington shall upon vote of the selectmen of said town of Bedford be paid in total by said town of Bedford.

Approved November 7, 1977.

Chap. 715. AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO PAY A CERTAIN SUM OF MONEY TO JAMES LEE, A FIRE FIGHTER OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Franklin is hereby authorized to transfer the sum of one hundred and fifty dollars from the excess and deficiency fund to pay wages earned by James Lee, as a fire fighter in said town, in June, nineteen hundred and seventy-six, said sum to be expended under the direction of the board of selectmen.

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

Approved November 7, 1977.

Chap. 716. AN ACT FURTHER EXTENDING THE TIME FOR WITHDRAWAL OF ADDITIONAL DEDUCTIONS PAID INTO THE ANNUITY SAVINGS FUND OF CONTRIBUTORY RETIREMENT SYSTEMS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow forthwith certain public employees to withdraw pension deductions voluntarily paid into the annuity savings fund of contributory retirement systems, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 656 of the acts of 1954 is hereby amended by striking out section 2, as most recently amended by chapter 1034 of the acts of 1973, and inserting in place thereof the following section:-

Section 2. Withdrawal of accumulated additional deductions under paragraph (g) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, as amended by section one, shall be made upon written application to the board made prior to January first, nineteen hundred and seventy-nine.

Approved November 7, 1977.

Chap. 717. AN ACT FURTHER REGULATING BUSINESS PRACTICES BETWEEN MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS AND DEALERS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 93B of the General Laws is hereby amended by striking out paragraph (h), as appearing in section 1 of chapter 814 of the acts of 1970, and inserting in place thereof the following paragraph:-

(h) "Motor vehicle dealer", any person who, in the ordinary course of business, is engaged in the business of selling new or used motor vehicles to consumers or other end users. It shall not include (1) receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting under judgment, decree or order of any court, or (2) public officers while performing their duties as such officers.

SECTION 2. Subsection (2) of section 4 of said chapter 93B, as so appearing, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) to accept, buy or order any motor vehicle or vehicles, appliances, equipment, parts or accessories, or any other commodity or commodities or service or services which has not or have not been ordered or requested by such motor vehicle dealer; or, to require a motor vehicle dealer to accept, buy, order or purchase a motor vehicle or motor vehicles, appliances, equipment, optional parts or accessories, or any commodity or commodities or service or services or anything of value whether supplied or rendered by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division, or any agent, servant or employee thereof, in order to obtain any motor vehicle or vehicles or any other commodity or commodities which have been ordered or requested by such motor vehicle dealer.

SECTION 3. Subsection (3) of said section 4 of said chapter 93B, as so appearing, is hereby amended by striking out paragraphs (a) to (m), inclusive, and inserting in place thereof the following fourteen paragraphs:-

(a) to adopt, change, establish or implement a plan or system for the allocation and distribution of new motor vehicles to motor vehicle dealers which is arbitrary or unfair or to modify an existing plan so as to cause the same to be arbitrary or unfair.

(b) to fail or refuse to advise or disclose to any motor vehicle dealer having a franchise or selling agreement, upon written request therefor, the basis upon which new motor vehicles of the same line make are allocated or distributed to motor vehicle

dealers in the commonwealth and the basis upon which the current allocation or distribution is being made or will be made to such motor vehicle dealer.

(c) to refuse to deliver in reasonable quantities and within a reasonable time after receipt of dealer's order, to any motor vehicle dealer having a franchise or selling agreement for the retail sale of new motor vehicles sold or distributed by such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division, any such motor vehicles as are covered by such franchise or selling agreement specifically publicly advertised in media broadcast or distributed in the commonwealth by such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division to be available for immediate delivery; provided, however, that the failure to deliver any motor vehicle shall not be considered a violation of this act if such failure be due to an act of God, work stoppage or delay due to a strike or labor difficulty, shortage of materials, lack of available manufacturing capacity, freight embargo or other cause over which the manufacturer, distributor, or wholesaler, or any agent thereof, shall have no control.

(d) to coerce, or attempt to coerce, any motor vehicle dealer to enter into any agreement with such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, or officer, agent or other representative thereof, or to do any other act prejudicial to said dealer by threatening to cancel any franchise or any selling agreement existing between such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, and said dealer, provided, however, that notice in good faith to any motor vehicle dealer of said dealer's violation of any terms or provisions of such franchise or selling agreement or of any law or regulation applicable to the conduct of a motor vehicle dealership shall not constitute a violation of this chapter.

(e) notwithstanding any term or provision of a franchise or selling agreement, to cancel or terminate the franchise or selling agreement of a motor vehicle dealer without good cause and without giving notice as hereinafter provided; to fail or refuse to extend the franchise or selling agreement of a motor vehicle dealer upon its expiration without good cause and without giving notice as hereinafter provided; or, to offer a renewal, replacement or succeeding franchise or selling agreement containing terms and provisions the effect of which is to substantially change

or modify the sales and service obligations or capital requirements of the motor vehicle dealer arbitrarily and without good cause and without giving notice as hereinafter provided.

(1) If a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division intends to cancel or terminate a franchise or selling agreement or intends not to extend or renew a franchise or selling agreement on its expiration, it shall, at least sixty days prior to the effective date of such cancellation or termination or the expiration of the existing franchise or selling agreement, notify the affected motor vehicle dealer in writing of its decision; provided, however, that only fifteen days' notice shall be required if the reason for such action is that the business operations of the motor vehicle dealer under the franchise or selling agreement have been abandoned or closed for more than seven consecutive business days, or the conviction of or plea of *nolo contendere* by the motor vehicle dealer or any operator thereof in a court of competent jurisdiction of an offense punishable by imprisonment for more than two and one-half years. Such notice shall contain a detailed statement of the reasons for such action.

(2) If a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division intends to substantially change or modify the sales and service obligations or capital requirements of a motor vehicle dealer as a condition to extending or renewing the existing franchise or selling agreement of such motor vehicle dealer, it shall, at least ninety days prior to the expiration of such franchise or selling agreement, notify the affected motor vehicle dealer in writing of its decision. Such notice shall contain a detailed statement of the reasons for such action.

(3) Within the notification periods provided in subsections (1) and (2), either party may petition the superior court to determine whether such cancellation, termination, refusal to extend or renew such franchise or selling agreement is for good cause. Such petition shall be entitled to a speedy trial. The court may modify or stay the effective date of such cancellation or termination or extend the expiration date of such franchise or selling agreement pending a final determination of the issues raised by such petition upon such terms as it may determine. Any such modification or stay shall not be effective for more than thirty days unless extended by the court for good cause or unless the trial of such petition is then in progress.

(4) In determining whether good cause has been established for cancelling, terminating, refusing to extend or renew or

changing or modifying the obligations of the motor vehicle dealer as a condition to offering a renewal, replacement or succeeding franchise or selling agreement, the court shall consider all pertinent circumstances. These may include, but are not limited to:

(i) the amount of business transacted by the affected motor vehicle dealer during the three year period immediately preceding such notice as compared to the business available to it;

(ii) the investment necessarily made and obligations incurred by the affected motor vehicle dealer to perform its obligations under the existing franchise or selling agreement;

(iii) the permanency of the investment of the affected motor vehicle dealer;

(iv) whether it is injurious or beneficial to the public welfare for the franchise or selling agreement of the affected motor vehicle dealer to expire, to be modified, or to be terminated, or for the affected motor vehicle dealer to be replaced;

(v) whether the affected motor vehicle dealer has adequate motor vehicle sales and service facilities, equipment, vehicle parts and qualified personnel to reasonably provide for the needs of the consumers for motor vehicles handled by the affected motor vehicle dealer;

(vi) whether the affected motor vehicle dealer has been and is rendering adequate services to the public; and,

(vii) the existence and materiality of any breaches, defaults or violations by the affected motor vehicle dealer of the terms or provisions of the existing franchise or selling agreement or of applicable law.

(f) to offer to sell or to sell any new motor vehicle to any motor vehicle dealer located in the commonwealth at a lower actual price therefor than the actual price offered contemporaneously to any other motor vehicle dealer located in the commonwealth for the same model vehicle similarly equipped or to utilize any device including, but not limited to, sales promotion plans or programs which result in such lesser actual price unless available on equal terms to all such dealers; provided, however, that the provisions of this paragraph shall not apply to sales to a motor vehicle dealer for resale to any unit of the federal government or any agency thereof or to the commonwealth or any of its political subdivisions; and provided, further, that the provisions of this paragraph shall not apply to sales to a motor vehicle dealer of any motor vehicle ultimately sold, donated or used by said dealer in a driver education program; and provided further, that the provisions of this paragraph shall not apply so long as a manufacturer, distributor or wholesaler, or any agent

thereof, offers to sell or sells new motor vehicles to all motor vehicle dealers located in the commonwealth at an equal price.

(g) to offer to sell or lease or to sell or lease any new motor vehicle to any person located in the commonwealth, except a wholesaler or distributor, at a lower actual price therefor than the actual price offered and charged contemporaneously to a motor vehicle dealer located in the commonwealth for the same model vehicle similarly equipped or to utilize any device which results in such lesser actual price unless the same is available on equal terms to all such dealers. This clause, however, shall not apply to sales by a manufacturer, distributor or wholesaler to the federal government or any agency thereof or to the commonwealth or any of its political subdivisions.

(h) to offer to sell or to sell parts or accessories to any new motor vehicle dealer located in the commonwealth for use in his own business for the purpose of repairing or replacing the same or a comparable part or accessory, at a lower actual price therefor than the actual price charged contemporaneously to any other new motor vehicle dealer located in the commonwealth for similar parts or accessories for use in his own business; provided, however, that in those cases where motor vehicle dealers operate and serve as wholesalers of parts and accessories to retail outlets nothing herein contained shall be construed to prevent a manufacturer, distributor or wholesaler, or any agent thereof, from selling to a motor vehicle dealer who operates and services as a wholesaler of parts and accessories, such parts and accessories as may be ordered by such motor vehicle dealer for resale to retail outlets at a lower actual price than the actual price charged a motor vehicle dealer who does not operate or serve as a wholesaler of parts and accessories.

(i) to impose upon any motor vehicle dealer or any director, officer, partner or stockholder thereof or any other person holding or otherwise owning an interest therein, by or through the terms and provisions of a franchise, selling agreement, or otherwise, unreasonable restrictions upon the financial arrangement or structure of any such dealership, the method and manner by which such dealership finances or intends to finance its operation, equipment and facilities or the right of any individual, proprietor or stockholder to use, sell, transfer or otherwise dispose of, mortgage, pledge or hypothecate any interest in such dealership or to enter into and implement testamentary arrangement with respect thereto. A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division may require that any

director, officer, partner or stockholder of a motor vehicle dealer, or any other person holding or otherwise owning an interest therein be identified as such and may establish reasonable standards concerning the capital needed for dealership operations and concerning continuity of dealership management. There shall be no assignment, delegation or transfer of the franchise or management or control thereunder without the written consent of the manufacturer, distributor or wholesaler, which consent will not unreasonably be withheld.

(j) to obtain money, goods, services, anything of value, or any other benefit from any other person with whom the motor vehicle dealer does business, on account of or in relation to the transactions between the dealer and said other person as compensation except for services actually rendered, unless such benefit is promptly accounted for and transmitted to the motor vehicle dealer.

(k) to own and operate, either directly or indirectly through any subsidiary, parent or affiliated company or firm, a motor vehicle dealership within the relevant market area of a motor vehicle dealer of the same line make; provided, however, that a manufacturer, distributor or wholesaler shall not be deemed to be in violation of this paragraph when operating a dealership either temporarily for a reasonable period in any case not to exceed one year or in a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of said dealership on reasonable terms and conditions; and provided, further, that a distributor shall not be deemed to be in violation of this paragraph when a wholly owned subsidiary corporation of such distributor sells motor vehicles at retail if, for at least three years prior to January first, nineteen hundred and seventy-one, such subsidiary corporation has been a wholly owned subsidiary of such distributor and engaged in the sale of motor vehicles at retail; and provided, further, that an exclusive motor truck manufacturer when selling vehicles having a gross vehicle weight over six thousand pounds shall not be deemed to be in violation of this paragraph when operating a dealership which sells motor trucks at retail if, for at least six years prior to January first, nineteen hundred and seventy-one, such manufacturer has continuously so operated such dealership. As used in this paragraph, the relevant market area of a motor vehicle dealer with respect to any given line make is the more narrowly defined and circumscribed geographical area immediately surrounding its existing dealer location within which it obtained, during the

period of time the dealership business has been operated from said location or the three-year period immediately preceding the expiration of said one-year period, whichever is the lesser, at least two-thirds of (i) its retail sales of new motor vehicles of said line make or (ii) its retail service sales, regardless of whether its franchise or selling agreement delineates or establishes a specific area of responsibility or whether, by custom or usage, a specific area of responsibility has been established or another motor vehicle dealer with a franchise or selling agreement covering the same line make has a place of business in such market area.

(1) arbitrarily and without notice to existing franchisees as hereinafter provided, to grant or enter into a franchise or selling agreement to or with an additional franchisee who intends or would be required by such franchise or selling agreement to conduct its dealership operations from a place of business situated within the relevant market area of an existing franchisee or franchisees representing the same line make, or whose specific area or areas of responsibility encompasses or includes all or a substantial portion of the relevant market area of such existing franchisee or franchisees regardless of whether such franchise or selling agreement delineates a specific area of responsibility or recites that the area of responsibility of such appointee is to be shared or operated in common with others.

The appointment of a successor motor vehicle dealer at the same location as its predecessor or within a two-mile radius therefrom within one year from the date on which its predecessor ceased operations or was terminated, whichever occurred later, shall not be construed as a grant or the entering into of an additional franchise or selling agreement.

Any manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division which intends to grant or enter into an additional franchise or selling agreement, shall, at least sixty days' prior to granting such franchise or entering into such agreement, give written notice of its intention to do so to each motor vehicle dealer with a franchise or selling agreement covering the same line make within a twenty mile radius of the location where the business of the proposed franchise will be located. Such notice shall state the date on or after which such proposed franchise shall be granted or entered into.

Prior to the date set forth in said notice on or after which such franchise or selling agreement will be granted or entered into, any motor vehicle dealer with a franchise or selling agreement covering the same line make as that offered to the proposed fran-

chisee may, if such proposed franchisee intends to conduct or otherwise operate its business from any place or places within the relevant market area of such motor vehicle dealer or if the proposed franchise or selling agreement requires or specifies that the proposed franchisee conduct or otherwise operate its business from any place or places within the relevant market area of such motor vehicle dealer, petition the superior court to determine whether such appointment or proposed appointment is arbitrary; provided always, however, that such motor vehicle dealer first give written notice of its intention to do so to such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division within thirty days from the date on which it received notice of such intention to grant or enter into the additional franchise or selling agreement. Such petition shall be entitled to a speedy trial. The court shall have authority to modify or stay the effective date of such proposed franchise or selling agreement or restrain its implementation pending a final determination of the issues raised by such petition upon such terms as it may determine. Any such modification or stay of the effective date of such proposed franchise or selling agreement or restraint on its implementation shall not be effective for more than thirty days unless extended by the court for good cause or unless the trial of such petition is then in progress.

As used in this subsection, the relevant market area of a motor vehicle dealer with respect to any given line make is the more narrowly defined and circumscribed geographical area immediately surrounding its existing dealer location within which it obtained, during the period of time the dealership business has been operated from said location or the three-year period immediately preceding the date of said notice of intent to grant or enter into an additional franchise or selling agreement, whichever is the lesser, at least two-thirds of (i) its retail sales of new motor vehicles of said line make or (ii) its retail service sales, regardless of whether its franchise or selling agreement delineates or establishes a specific area of responsibility or whether, by custom or usage, a specific area of responsibility has been established or another motor vehicle dealer with a franchise or selling agreement covering the same line makes has a place of business in such market area.

In determining whether such proposed appointment is arbitrary, the court shall consider all pertinent circumstances. These may include but are not limited to:

(i) whether the establishment of such additional franchise appeared to be warranted by economic and marketing conditions including anticipated future changes;

(ii) the retail sales and service business transacted by the objecting motor vehicle dealer or dealers and other motor vehicle dealers of the same line make with a place of business in the market area to be served by the additional franchisee during the three year period immediately preceding such notice as compared to the business available to them;

(iii) the investment necessarily made and obligations incurred by the objecting motor vehicle dealer or dealers and other motor vehicle dealers of the same line make with a place of business in the market area to be served by the additional franchisee to perform their obligations under existing franchises or selling agreements;

(iv) the permanency of the investment of the objecting motor vehicle dealer or dealers and other motor vehicle dealers of the same line make with a place of business in the market area to be served by the additional franchisee;

(v) whether it is beneficial or injurious to the public welfare for an additional franchise to be established;

(vi) whether the objecting motor vehicle dealer or dealers and other motor vehicle dealers of the same line make with a place of business in the market area to be served by the additional franchisee are providing adequate competition and convenient consumer care for the motor vehicles of the same line make owned or operated by residents and persons with places of business in the area to be served by the additional franchisee;

(vii) whether the objecting motor vehicle dealer or dealers and other motor vehicle dealers of the same line make with a place of business in the market area to be served by the additional franchisee have adequate motor vehicle sales and service facilities, equipment, vehicle parts and qualified personnel to reasonably provide for the needs of the consumer; and,

(viii) whether the establishment of an additional franchise would increase competition and therefore be in the public interest.

(m) to coerce a motor vehicle dealer to assent to a release, assignment, novation, waiver or estoppel which would relieve any person from liability imposed by this chapter.

(n) to resort to or use any false or misleading advertisement in connection with his business as such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or

division, or wholesale branch or division, or officer, agent or other representative thereof.

SECTION 4. Said chapter 93B is hereby further amended by inserting after section 5A the following two sections:-

Section 5B. Notwithstanding any terms or provisions of a franchise or selling agreement to the contrary, a manufacturer, wholesaler, distributor, distributor branch or division, factory branch or division or wholesale branch or division shall indemnify its franchisees and hold them harmless from and against all damages, liabilities, losses, and reasonable expenses of suit, including reasonable attorney's fees, arising out of or incurred in the defense of any claim brought by any person seeking compensation or other relief predicated upon the negligent design or manufacture of a new motor vehicle, or any part or component thereof, manufactured or distributed by such manufacturer, wholesaler, distributor, distributor branch or division, factory branch or division or wholesale branch or division, where the basis for liability is finally determined by a court to be solely the result of such negligence by such manufacturer, wholesaler, distributor, distributor branch or division, factory branch or division or wholesale branch or division and not in any way the result of any fault or neglect on the part of the franchisee, if the manufacturer, wholesaler, distributor, distributor branch or division, factory branch or division or wholesale branch or division, after having been notified in writing by a franchisee that such a claim has been asserted and is pending, fails to assume the defense thereof and to resolve the same at its own expense.

Section 5C. Notwithstanding any terms or provisions of a franchise or selling agreement to the contrary, a motor vehicle dealer or franchisee shall indemnify the manufacturer of any new motor vehicle purchased or otherwise acquired by such franchisee, or the wholesaler, distributor, distributor branch or division, factory branch or division or wholesale branch or division through which it purchased or acquired the same and hold them harmless from and against all damages, liabilities, losses and reasonable expenses of suit, including reasonable attorney's fees, arising out of or incurred in the defense of any claim brought by any person seeking compensation or other relief predicated upon the negligent act or omission of said motor vehicle dealer or franchisee, where the basis for liability is finally determined by a court to be solely the result of such negligence by such motor vehicle dealer or franchisee and not in any way the result of any fault or neglect on the part of the manufacturer, wholesaler, distributor, distributor branch or division, factory

branch or division or wholesale branch or division, if said motor vehicle dealer or franchisee, after having been notified in writing by a manufacturer, wholesaler, distributor, distributor branch or division, factory branch or division or wholesale branch or division that such a claim has been asserted and is pending, fails to assume the defense thereof and to resolve the same at its own expense.

SECTION 5. Said chapter 93B is hereby further amended by striking out section 12, as appearing in section 1 of chapter 814 of the acts of 1970, and inserting in place thereof the following two sections:-

Section 12. Upon the written request of a motor vehicle dealer, manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division or wholesale branch or division, the attorney general may enforce compliance with the provisions of this chapter in accordance with sections four to eight, inclusive, of chapter ninety-three A.

Section 12A. Any franchisee or motor vehicle dealer who suffers any loss of money or property, real or personal, as a result of the use or employment by a manufacturer, wholesaler, distributor, distributor branch or division, factory branch or division, wholesale branch or division, or any agent, servant or employee thereof, of an unfair method of competition or an unfair or deceptive act or practice declared unlawful by sections three through eleven, inclusive, or by any rule or regulation issued under paragraph (c) of section three may bring an action in the superior court for damages and equitable relief, including injunctive relief. A motor vehicle dealer, if it has not suffered any loss of money or property, may obtain final equitable relief if it can be shown that the unfair method of competition, or unfair act or practice may have the effect of causing such loss of money or property.

Approved November 7, 1977.

Chap. 718. AN ACT ABOLISHING THE SINKING FUND COMMISSION OF THE TOWN OF CHELMSFORD.

Be it enacted, etc., as follows:

The sinking fund commission of the town of Chelmsford is hereby abolished and the management and administration of such fund shall be by the treasurer of said town.

Approved November 7, 1977.

Chap. 719. AN ACT DESIGNATING THE BRIDGE EXTENDING FROM MILTON STREET TO WOLCOTT SQUARE IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON AS THE FATHER JOHN J. HART MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge connecting Milton street to Wolcott square in the Hyde Park district of the city of Boston, now being improved by the department of public works, shall upon completion of said improvements be designated and known as the Father John J. Hart Memorial bridge in memory of the Reverend John J. Hart who served the people of the Hyde Park, Readville and Roslindale districts of the city of Boston with dedication and distinction for forty-five years. A suitable marker bearing said designation shall be attached thereto by said department.

Approved November 7, 1977.

Chap. 720. AN ACT MODIFYING THE FINANCING PROVISIONS OF THE EMPLOYMENT SECURITY LAW AND PROVIDING FOR ITS CONFORMITY WITH THE FEDERAL LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide that the employment security law of the commonwealth shall conform with the federal employment security law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151A of the General Laws is hereby amended by striking out subsection (i), as appearing in section 1 of chapter 685 of the acts of 1941, and inserting in place thereof the following subsection:-

(i) "Employer", any employing unit subject to this chapter, the commonwealth, its instrumentalities, political subdivisions, their instrumentalities, any instrumentality of more than one of the foregoing, and any instrumentality of any of the foregoing and one or more other states or political subdivisions. An instrumentality of a political subdivision may include municipal hospitals, municipal electric companies, municipal water companies, regional school districts and any such other instrumentalities as are financially independent and are created by statute.

For the purposes of this chapter, the commonwealth, including all its branches and departments and its hospitals and in-

stitutions of higher education, shall be deemed to be one employer. Each political subdivision shall be deemed to be one employer. Each instrumentality of the commonwealth, or of any political subdivision, or of any combination thereof including any one or more of the foregoing and any one or more states shall be deemed to be a separate employer. In a city or town "employer" for the purpose of electing to become a rated governmental employer or to make payment in lieu of contribution shall mean the city manager in a city having a city manager, the mayor in any other city, the town manager in a municipality having a town council form of government and the selectmen in any other town.

SECTION 2. Section 1 of said chapter 151A is hereby further amended by striking out subsection (k), as appearing in section 1 of chapter 940 of the acts of 1971, and inserting in place thereof the following subsection:-

(k) "Employment", service, including service in interstate commerce, performed for wages or under any contract, oral or written, express or implied, by an employee for his employer as provided in this section and in sections two, three, four A, five, six and eight C.

SECTION 3. Said chapter 151A is hereby further amended by striking out section 4A, inserted by section 4 of chapter 940 of the acts of 1971, and inserting in place thereof the following section:-

Section 4A. The term "employment" shall include any service performed prior to January first, nineteen hundred and seventy-eight which was employment as provided by this chapter prior to such date, and, subject to the other provisions of this chapter, service performed after December thirty-first, nineteen hundred and seventy-seven, by an individual:-

(a) in the employ of the commonwealth or any of its instrumentalities, or any political subdivision thereof or any of its instrumentalities, or any instrumentality of more than one of the foregoing or any instrumentality of any of the foregoing and one or more other states or political subdivisions; provided that such service is excluded from "employment" as defined in the Federal Unemployment Tax Act solely by reason of section 3306(c)(7) of that act and is not excluded from "employment" under section six of this chapter. Benefits paid to unemployed individuals who had performed service during the base period in employment as defined in this subsection shall be financed in accordance with the provisions of section fourteen A, or section fourteen C. A governmental employer as described in this subsection which does not otherwise elect to become a reimbursable employer

under section fourteen A, shall become a rated governmental employer under section fourteen C.

(b) in the employ of a farm employing unit in agricultural labor as defined in section 3306(c)(1) of the Federal Unemployment Tax Act.

(c) in the employ of a domestic employing unit in a private home, local college club or local college fraternity or sorority.

(d) in the employ of a religious, charitable, educational or other organization if the service is excluded from "employment" as defined in the Federal Unemployment Tax Act solely by reason of section 3306(c)(8) of that act and is not excluded from "employment" under section six of this chapter.

(e) who is a citizen of the United States, outside the United States after December thirty-first, nineteen hundred and seventy-one, except in Canada and except in the Virgin Islands, prior to January first of the year following the year in which the United States Secretary of Labor approves the unemployment compensation law of the Virgin Islands under section 3304(a) of the Internal Revenue Code, in the employ of an American employer other than service which is deemed "employment" under the provisions of section three or the parallel provisions of another state's law if:

(1) The employer's principal place of business in the United States is located in the commonwealth; or

(2) The employer has no place of business in the United States, but (i) the employer is an individual who is a resident of the commonwealth; or (ii) the employer is a corporation which is organized under the laws of the commonwealth; or (iii) the employer is a partnership or a trust and the number of the partners or trustees who are residents of the commonwealth is greater than the number who are residents of any other state.

An "American employer", for purposes of this subsection, means a person who is an individual who is a resident of the United States; or a partnership if two-thirds or more of the partners are residents of the United States; or a trust, if all of the trustees are residents of the United States; or a corporation organized under the laws of the United States or of any state.

For the purposes of this chapter, the term "state" includes the District of Columbia, Commonwealth of Puerto Rico, and the Virgin Islands. The term "United States" when used in a geographical sense includes the states, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands. An individual who is a citizen of the Commonwealth of Puerto Rico,

or the Virgin Islands but not otherwise a citizen of the United States, shall be considered as a citizen of the United States.

(f) On or in connection with American vessels and American aircraft under a contract of service which is entered into within the United States or during the performance of which the vessel or aircraft touches at a port in the United States including service performed on or in connection with such vessel or aircraft outside the United States, and including service performed on or in connection with the operation of an American vessel operating on the navigable waters within or within and without the United States, or on American aircraft operating within or within and without the United States, and such operations are ordinarily and regularly supervised, managed, directed and controlled from an operating office managed by an employing unit in this commonwealth; provided, however, that the term "employment" shall not include service performed on a vessel of ten net tons or less engaged in catching, taking or harvesting of fish. The term "employment" shall include services performed within the commonwealth on or in connection with a vessel or aircraft not an American vessel or American aircraft, unless the individual is employed on and in connection with such vessel or aircraft when outside the United States.

SECTION 4. Section four B of said chapter one hundred and fifty-one A is hereby repealed.

SECTION 5. Section 6 of said chapter 151A is hereby further amended by striking out subsections (a) and (b) and inserting in place thereof the following two subsections:-

(a) service in agricultural labor, except as otherwise provided in subsection (b) of section four A and section eight C; nor service performed before January first, nineteen hundred and eighty in agricultural labor by an individual who is an alien admitted to the United States to perform agricultural labor pursuant to section 214(c) and 101(a)(15)(H) of the Immigration and Nationality Act.

(b) domestic service in a private home, local college club, or local chapter of a college fraternity or sorority, except as provided in subsection (c) of section four A.

SECTION 6. Section 6 of said chapter 151A is hereby amended by striking out subsection (f), as amended by section 6 of chapter 940 of the acts of 1971, and inserting in place thereof the following subsection:-

(f) Except as otherwise provided in subsection (a) of section four A, service performed in the employ of a state, or political subdivision thereof, or any instrumentality, or any instrumen-

tality of any one or more of the foregoing which is wholly owned by one or more states or political subdivisions; and any service performed in the employ of any instrumentality of one or more states or political subdivision to the extent that the instrumentality is, with respect to such service, immune under the constitution of the United States from the tax imposed by section 3301 of said Internal Revenue Code, or any acts in addition thereto and amendments thereof.

SECTION 7. Subsection (p) of said section 6 of said chapter 151A, inserted by chapter 358 of the acts of 1964, is hereby amended by inserting after the word "commission", in line 3, the words:- ; provided, however, that the term "employment" shall include service performed by a real estate broker or a salesman, if such service is performed for a governmental employer as defined in subsection (i) of section one.

SECTION 8. Subsection (q) of said section 6 of said chapter 151A, inserted by chapter 239 of the acts of 1968, is hereby amended by inserting after the word "assignment", in line 4, the words:- ; provided, however, that term "employment" shall include service performed as a poll taker or opinion taker, if such service is performed for a governmental employer as defined in subsection (i) of section one.

SECTION 9. Said section 6 of said chapter 151A is hereby further amended by striking out subsection (v), as appearing in section 8 of said chapter 940, and inserting in place thereof the following subsection:-

(v) service performed in a custodial or penal institution by an inmate of said custodial or penal institution.

SECTION 10. Said chapter 151A is hereby further amended by inserting after section 6 the following section:-

Section 6A. The term "employment" shall not include service performed by an individual in the employ of the commonwealth or any of its instrumentalities or any political subdivision thereof or any of its instrumentalities or any instrumentality of any of the foregoing and one or more states or political subdivisions if such individual performed such services as:

- (1) an elected official; or
 - (2) a member of, a legislative body; or
 - (3) a member of the judiciary; or
 - (4) a member of the National Guard or Air National Guard;
- or

(5) an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood, or similar emergency; or

(6) an employee serving in a position which, under or pursuant to the laws of the commonwealth, is appointed to either a nontenured policymaker or advisor, or in a policymaking or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week.

SECTION 11. Section 8 of said chapter 151A is hereby amended by striking out the introductory paragraph, as appearing in section 1 of chapter 685 of the acts of 1941, and inserting in place thereof the following paragraph:-

Any employing unit, other than one for which services described under subsections (a), (b) and (c) of section four A are performed, shall be subject to the provisions of this chapter who or which, or whose agent:-

SECTION 12. Subsection (b) of said section 8 of said chapter 151A, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out in lines 2 and 3 the words "subchapter C of chapter nine of the Federal Internal Revenue Code" and inserting in place thereof the words:- section 3301 of chapter 23 of the Internal Revenue Code of 1954.

SECTION 13. Said chapter 151A is hereby further amended by inserting after section 8 the following three sections:-

Section 8A. (a) An employing unit for which services described under subsection (a) of section four A are performed shall be subject to the provisions of this chapter notwithstanding the provisions of subsection (a) of section eight.

(b) An employing unit for which services described under subsection (b) of section four A are performed, shall be subject to the provisions of this chapter as of January first, nineteen hundred and seventy-eight, who or which, paid remuneration in cash in any calendar quarter during the year nineteen hundred and seventy-seven, amounting to twenty thousand dollars or more to individuals performing such services, or employed ten or more individuals performing such services on some day in each of twenty weeks during the year nineteen hundred and seventy-seven. The employment of ten or more individuals in service described under subsection (b) of section four A on some day in each of twenty weeks, or the payment of remuneration in cash amounting to twenty thousand dollars or more for such services in any calendar quarter in the year nineteen hundred and seventy-eight or in any subsequent year shall constitute the employing unit thereof an employer as of January first of the year in which such employment or payment of remuneration occurs.

(c) Any employing unit for which services described under subsection (c) of section four A are performed, who or which, or

whose agent paid remuneration in cash amounting to one thousand dollars or more in any calendar quarter during the year nineteen hundred and seventy-seven shall be subject to the provisions of this chapter as of January first, nineteen hundred and seventy-eight.

Any employing unit for which services described under subsection (c) of section four A are performed, who or which, or whose agent paid remuneration in cash amounting to one thousand dollars or more in any calendar quarter in the year nineteen hundred and seventy-eight or in any subsequent year, shall be subject to the provisions of this chapter as of January first of the year in which payment of such remuneration occurs.

(d) An employing unit for which services described under subsections (b) and (c) of section four A are performed shall be subject to the provisions of this chapter, who or which, or whose agent would be subject under subsections (b) to (h), inclusive, of section eight.

Section 8B. (a) The remuneration earned or the employment of an individual performing domestic service after December thirty-first, nineteen hundred and seventy-seven shall not be taken into account in determining whether or not an employing unit is an employer under this chapter where:

(1) the employing unit is one for which other than domestic service is performed and;

(2) such other service is service defined as employment in subsections (a), (b) and (d) of section four A and;

(3) the employing unit is not an employer solely by reason of service defined as employment in subsection (c) of section four A.

(b) The remuneration earned or the employment of an individual performing service in agricultural labor after December thirty-first, nineteen hundred and seventy-seven shall not be taken into account in determining whether or not an employing unit is an employer under this chapter where:

(1) the employing unit is one for which service other than service in agricultural labor is performed and;

(2) such other service is service defined as employment in subsections (c) and (d) of section four A and;

(3) the employing unit is not an employer solely by reason of service defined as employment in subsection (b) of section four A.

If an employing unit is determined an employer of agricultural labor, such an employing unit shall be determined an employer for the purposes of subsection (i) of section one and of section eight.

Section 8C. (a) Crew Leaders who are registered or provide specialized agricultural labor. For the purposes of subsection (h) of section 1, any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be treated as an employee of such crew leader if such crew leader holds a valid certificate of registration under The Farm Labor Contractor Registration Act of 1963 or substantially all the members of such crew operate or maintain tractors, mechanized harvesting or crop dusting equipment, or any other mechanized equipment, which is provided by such crew leader; and if such individual is not an employee of such other person within the meaning of section two.

(b) For purposes of subsection (b) of section eight A, in the case of any individual who is furnished by a crew leader to perform service in agricultural labor for any other person and who is not treated as an employee of such crew leader under this section, such other person and not the crew leader shall be treated as the employer of such individual; and such other person shall be treated as having paid cash remuneration to such individual in an amount equal to the amount of cash remuneration paid to each individual by the crew leader, either on his own behalf or on behalf of such other person, for the service in agricultural labor performed for such other person.

(c) For purposes of subsection (b) of section 8A the term "crew leader" means an individual who furnishes individuals to perform service in agricultural labor for any other person, pays, either on his own behalf or on behalf of such other person, the individual so furnished by him for the service in agricultural labor performed by them, and has not entered into a written agreement with such other person under which such individual is designated as an employee of such other person.

SECTION 14. The first paragraph of section 12 of said chapter 151A, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out the words "section eight", in line 4, and inserting in place thereof the words:- sections eight, eight A, eight B, or eight C.

SECTION 15. Section 14 of said chapter 151A is hereby amended by striking out the first paragraph, as most recently amended by section 12 of chapter 940 of the acts of 1971, and inserting in place thereof the following paragraph:-

Each employer shall make contributions for each year after the year nineteen hundred and seventy-seven at the applicable rate or rates as set forth in this section on so much of his payroll as is subject to this chapter; provided, that for the purposes of this sec-

tion, the term “wages” shall not include that part of remuneration which, after remuneration equal to six thousand dollars with respect to employment with such employer has been paid to an individual during any calendar year, is paid to such individual during such year; provided however, if the amount specified in the definition of “wages” in the Federal Unemployment Tax Act is higher with respect to a calendar year than the amount hereinbefore specified, such higher amount shall apply to such calendar year for the purposes of this section. In determining the initial remuneration six thousand dollars as hereinbefore provided, any remuneration shall be included which was earned in another state upon which contributions were required and paid under a similar law.

SECTION 16. Paragraph (2) of subsection (a) of said section 14 of said chapter 151A, as appearing in chapter 594 of the acts of 1972, is hereby amended by adding the following sentence:- In relation to the unemployment compensation fund, “reserve percentage” shall mean the balance of said fund, excluding the accounts established under subsection (f) of section fourteen C, on a computation date stated as a percentage of the total payrolls reported by all employers liable for contributions under section fourteen for the calendar year immediately preceding said computation date.

SECTION 17. Subsection (b) of said section 14 of said chapter 151A is hereby amended by striking out paragraph (3), as appearing in chapter 397 of the acts of 1953, and inserting in place thereof the following paragraph:-

(3) Permitting him to pay such lower experience rate is consistent with the conditions applicable to additional credit allowance under section 3303(a) of the federal unemployment tax act, as amended, any other provision of this chapter to the contrary notwithstanding.

SECTION 18. Paragraph (5) of subsection (e) of said section 14 of said chapter 151A, as so appearing, is hereby amended by striking out, in line 2 and in line 4, the word “three” and inserting in place thereof, in each instance, the word:- nine.

SECTION 19. Paragraph (6) of subsection (e) of section 14 of said chapter 151A, as amended by section 2 of chapter 614 of the acts of 1961, is hereby further amended by striking out, in line 2, the word “sixty” and inserting in place thereof the word:-seventy-six,- and by striking out, in lines 3 and 4, the word “thirteen” and inserting in place thereof the word:- fifteen.

SECTION 20. Paragraph (2) of subsection (h) of said section 14 of said chapter 151A, as appearing in chapter 397 of the acts of

1953, is hereby amended by striking out, in line 3, the word "chapter" and inserting in place thereof the following word:- section.

SECTION 21. Said section 14 of said chapter 151A is hereby further amended by striking out subsection (i), as amended by section 4 of chapter 614 of the acts of 1961, and inserting in place thereof the following subsection:-

(i) The contribution rate of each employer shall be two and seven-tenths per cent of that part of his payroll subject to this chapter, except as follows:

(1) With respect to calendar years beginning on or after January first, nineteen hundred and eighty, the experience rate of an employer qualifying therefor under subsection (b) shall be the rate which appears in the column headed by the unemployment compensation fund reserve percentage as of the applicable computation date and on the line with the applicable employer account reserve percentage as set forth in the experience rate table:

EXPERIENCE RATE TABLE.

UNEMPLOYMENT COMPENSATION FUND RESERVE PERCENTAGE.

Employer Account Reserve Percentage	A. 4% and over	B. 3.5% or more but less than 4%	C. 3% or more but less than 3.5%	D. 2.5% or more but less than 3%	E. 2% or more but less than 2.5%	F. 1.5% or more but less than 2%	G. Less more but less 1.5%
Negative Percentage							
6.0 or more	4.2	4.5	4.8	5.1	5.4	5.7	6.0
5.5 but less than 6.0	4.1	4.4	4.7	5.0	5.3	5.6	5.9
5.0 but less than 5.5	4.0	4.3	4.6	4.9	5.2	5.5	5.8
4.5 but less than 5.0	3.9	4.2	4.5	4.8	5.1	5.4	5.7
4.0 but less than 4.5	3.8	4.1	4.4	4.7	5.0	5.3	5.6
3.5 but less than 4.0	3.7	4.0	4.3	4.6	4.9	5.2	5.5
3.0 but less than 3.5	3.6	3.9	4.2	4.5	4.8	5.1	5.4
2.5 but less than 3.0	3.5	3.8	4.1	4.4	4.7	5.0	5.3
2.0 but less than 2.5	3.4	3.7	4.0	4.3	4.6	4.9	5.2
1.5 but less than 2.0	3.3	3.6	3.9	4.2	4.5	4.8	5.1
1.0 but less than 1.5	3.2	3.5	3.8	4.1	4.4	4.7	5.0
.5 but less than 1.0	3.1	3.4	3.7	4.0	4.3	4.6	4.9
0 but less than .5	3.0	3.3	3.6	3.9	4.2	4.5	4.8
Positive Percentage							
0 but less than .5	2.9	3.2	3.5	3.8	4.1	4.4	4.7
.5 but less than 1.0	2.8	3.1	3.4	3.7	4.0	4.3	4.6
1.0 but less than 1.5	2.7	3.0	3.3	3.6	3.9	4.2	4.5
1.5 but less than 2.0	2.6	2.9	3.2	3.5	3.8	4.1	4.4
2.0 but less than 2.5	2.5	2.8	3.1	3.4	3.7	4.0	4.3
2.5 but less than 3.0	2.4	2.7	3.0	3.3	3.6	3.9	4.2
3.0 but less than 3.5	2.3	2.6	2.9	3.2	3.5	3.8	4.1
3.5 but less than 4.0	2.2	2.5	2.8	3.1	3.4	3.7	4.0
4.0 but less than 4.5	2.1	2.4	2.7	3.0	3.3	3.6	3.9
4.5 but less than 5.0	2.0	2.3	2.6	2.9	3.2	3.5	3.8
5.0 but less than 5.5	1.9	2.2	2.5	2.8	3.1	3.4	3.7

Employer Account Reserve Percentage	A. 4% and over	B. 3.5% or more but less than 4%	C. 3% or more but less than 3.5%	D. 2.5% or more but less than 3%	E. 2% or more but less than 2.5%	F. 1.5% or more but less than 2%	G. Less more but less 1.5%
5.5 but less than 6.0	1.8	2.1	2.4	2.7	3.0	3.3	3.6
6.0 but less than 6.5	1.7	2.0	2.3	2.6	2.9	3.2	3.5
6.5 but less than 7.0	1.6	1.9	2.2	2.5	2.8	3.1	3.4
7.0 but less than 7.5	1.5	1.8	2.1	2.4	2.7	3.0	3.3
7.5 but less than 8.0	1.4	1.7	2.0	2.3	2.6	2.9	3.2
8.0 but less than 8.5	1.3	1.6	1.9	2.2	2.5	2.8	3.1
8.5 but less than 9.0	1.2	1.5	1.8	2.1	2.4	2.7	3.0
9.0 but less than 9.5	1.1	1.4	1.7	2.0	2.3	2.6	2.9
9.5 but less than 10.0	1.0	1.3	1.6	1.9	2.2	2.5	2.8
10.0 but less than 10.5	.9	1.2	1.5	1.8	2.1	2.4	2.7
10.5 but less than 11.0	.8	1.1	1.4	1.7	2.0	2.3	2.6
11.0 but less than 11.5	.7	1.0	1.3	1.6	1.9	2.2	2.5
11.5 but less than 12.0	.6	.9	1.2	1.5	1.8	2.1	2.4
12.0 but less than 12.5	.5	.8	1.1	1.4	1.7	2.0	2.3
12.5 or more	.4	.7	1.0	1.3	1.6	1.9	2.2

(2) With respect to the calendar years beginning January first, nineteen hundred and seventy-eight and January first, nineteen hundred and seventy-nine, the experience rate of an employer qualifying therefor under subsection (b) shall be the rate which appears in the column designated "E" and on the line with the applicable employer account reserve percentage, as set forth in the foregoing table.

(3) Each employer newly subject to this chapter shall pay contributions at the rate of two per cent until he or it has been an employer for not less than the twelve consecutive months period specified in paragraph (1) of subsection (b); thereafter, his or its contribution rate shall be determined in accordance with the preceding provisions of this subsection.

For the purposes of this subsection, an employer newly subject to this chapter is one which was never previously subject to this chapter or, if previously subject, ceased to be subject under the provisions of section eleven and, in either case, is not a transferee within the meaning of subsection (n) of this section and is not newly subject under the provisions of subsections (d), (e), (g), or (h) of section eight.

SECTION 22. Said section 14 of said chapter 151A is hereby amended by striking out subsection (o).

SECTION 23. Said section 14 of said chapter 151A is hereby further amended by adding the following subsection:-

(p) Benefits shall not be charged to an employer's account to the extent that the unemployment compensation fund is reimbursed for such benefits pursuant to section one hundred and twenty-one of P.L. 94-566 for benefits paid to an individual

whose base period wages include wages for previously uncovered services as defined in section one A.

SECTION 24. Said chapter 151A is hereby further amended by striking out section 14A, as most recently amended by section 4 of chapter 960 of the acts of 1973, and inserting in place thereof the following three sections:-

Section 14A. Benefits paid to employees of nonprofit organizations shall be financed in accordance with the provisions of this section. For the purpose of this section, a nonprofit organization is an organization, or group of organizations, described in section 501(c)(3) of the United States Internal Revenue Code which is exempt from income tax under section 501(a) of such Code.

(a) Any nonprofit organization which, pursuant to subsection (f) of section four A, is or becomes subject to this chapter on or after January first, nineteen hundred and seventy-two, shall pay contributions under the provisions of section fourteen, unless it elects, in accordance with this subsection, to pay into the unemployment compensation fund the amount equal to the amount of benefits, including dependency benefits, paid under any provision of this chapter to individuals for weeks of unemployment in a benefit year which begins during the effective period of such election and in any eligibility period, as defined in paragraph (j) of subsection (1) of section thirty A, applicable to such benefit year, to the extent that such benefits are attributable to service in the employ of such employer, and are not reimbursable by funds made available under any act of Congress.

Any governmental employer which, pursuant to subsection (a) of section four A, is or becomes subject to this chapter on or after January first, nineteen hundred and seventy-eight, shall pay contributions under the provisions of section fourteen C unless it elects to make payment in lieu of contributions in accordance with the provisions of this section. If such governmental employer elects to make payments under this section, it shall make payments in the manner described in the first paragraph of this subsection. In order to implement the provisions of section four A, whenever any political subdivision of the commonwealth or any instrumentality thereof, or any instrumentality of one or more such subdivisions, elects to make payment in lieu of contributions in accordance with the provisions of this section, the treasurer thereof, upon certification by the board of assessors, shall expend available funds in order to make said payments.

(1) Any nonprofit organization which is subject to this chapter on December thirty-first, nineteen hundred and seventy-one may elect to become liable for payments in lieu of contributions for a period of not less than one calendar year beginning with January first, nineteen hundred and seventy-two provided it files with the director a written notice of its election within the thirty day period immediately following such date.

Any governmental employer which is subject to this chapter on or after January first, nineteen hundred and seventy-eight may elect to pay contributions under the provisions of section fourteen C or to make payments in lieu of contributions under this section for a period of not less than two calendar years beginning with January first, nineteen hundred and seventy-eight provided it files with the director a written notice of its election within the thirty-day period immediately preceding such date.

(2) Any nonprofit organization which becomes subject to this chapter on or after January first, nineteen hundred and seventy-two may elect to become liable for payments in lieu of contributions for a minimum period commencing with the date of subjectivity and ending on December thirty-first of that calendar year, by filing a written notice of its election with the director not later than thirty days immediately following the date of the determination of such subjectivity.

Any governmental employer which becomes subject to this chapter on or after January first, nineteen hundred and seventy-eight may elect to become liable for payments in lieu of contributions for a minimum period of two years commencing with the date of subjectivity and ending on December thirty-first of the following calendar year by filing a written notice of its election with the director not later than thirty days immediately following the determination of such subjectivity.

(3) Any nonprofit organization which makes an election in accordance with paragraphs (1) or (2) of this subsection will continue to be liable for payments in lieu of contributions until it files with the director a written notice terminating its election not later than thirty days prior to the end of the election period, or not later than thirty days prior to the beginning of any subsequent calendar year. Any nonprofit organization which has terminated its election shall thereafter pay contributions under the provisions of section fourteen for a minimum period of two calendar years.

Any subsequent election as to the method of financing benefit payments in accordance with section fourteen or section fourteen

A shall not be terminable by the organization for two calendar years.

Any governmental employer which makes an election in accordance with paragraphs (1) or (2) of this subsection will continue to be liable for payments in lieu of contributions until it files with the director a written notice terminating its election not later than thirty days prior to the end of the election period, or not later than thirty days prior to the beginning of any subsequent calendar year. Any governmental employer which has terminated its election shall thereafter pay contributions under the provisions of section fourteen C for a minimum period of two calendar years. Any subsequent election as to the method of financing benefit payments in accordance with section fourteen A or section fourteen C shall not be terminable by such governmental employer for two calendar years.

(4) Any nonprofit organization which has been paying contributions under this chapter for a period subsequent to January first, nineteen hundred and seventy-two may change to a reimbursable basis by filing with the director not later than thirty days prior to the beginning of any calendar year a written notice of election to become liable for payments in lieu of contributions. Such election shall not be terminable by the organization for that year and the ensuing calendar year. Any subsequent election or change from payments in lieu of contributions to payment of contributions under section fourteen, or from payment of contributions under section fourteen to payments in lieu of contributions, shall not be terminable by the organization for two calendar years.

(5) The director may for good cause extend the period within which a notice of election, or a notice of termination, shall be filed and may permit an election to be retroactive but not any earlier than with respect to benefits paid after December thirty-first, nineteen hundred and seventy-five.

(6) The director, in accordance with such regulations as he may prescribe, shall notify each nonprofit organization or governmental employer of any determination which he may make of the effective date of any election which it makes and of any termination of such election. Such determinations shall be subject to review in accordance with the provisions of paragraph (2) of subsection (b) of this section.

(b) Payments in lieu of contributions shall be made in accordance with the provisions of this subsection as follows:

(1) At the end of each calendar quarter, or at the end of any other period as determined by the director, the director shall bill

each nonprofit organization or governmental employer, or group of such organizations or employers, which has elected to make payments in lieu of contributions for an amount equal to the full amount of benefits, including dependency benefits, paid under any provision of this chapter, to the extent that such benefits are attributable to service in the employ of such employer, and are not reimbursable by funds made available under any act of Congress.

(2) Payment of any bill rendered under paragraph (1) of this subsection shall be made not later than thirty day after such bill was mailed to the last known address of the nonprofit organization or governmental employer or was otherwise delivered to it, unless, not later than thirty days after the bill was mailed to its last known address or otherwise delivered to it, the organization or governmental employer files an application for review by the director, setting forth the grounds for such application. The director shall promptly review and reconsider the determination. Thereafter, notice of his decision shall be mailed to the employer and this decision shall be final.

(c) Payments made by any nonprofit organization or governmental employer under the provisions of this section shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of the organization or governmental employer.

(d) Past due payments of amounts in lieu of contributions shall be subject to the same interest and penalties that, pursuant to section fifteen, apply to past due contributions.

(e) In the discretion of the director, any nonprofit organization that elects to become liable for payments in lieu of contributions may be required within thirty days after the effective date of its election, to execute and file with the director a surety bond approved by him. The maximum amount of such surety bond shall not exceed a percentage of the employer's taxable payroll equal to the maximum rate that any employer, who is liable for contributions during the year in question would have to pay under the provisions of section fourteen of this chapter.

(1) Any bond deposited under this subsection shall be in force for a period of not less than two taxable years and shall be renewed with the approval of the director, at such times as the director may prescribe, but not less frequently than at two year intervals as long as the organization continues to be liable for payments in lieu of contributions. The director shall require adjustments to be made in a previously filed bond as he deems appropriate. If the bond is to be increased, the adjusted bond shall

be filed by the organization within thirty days of the date notice of the required adjustment was mailed or otherwise delivered to it. Failure by any organization covered by such bond to pay the full amount of payments in lieu of contributions when due, together with any applicable interest and penalties provided for in this section, shall render the surety liable on said bond to the extent of the bond, as though the surety was such organization.

(2) If any nonprofit organization fails to file a bond or to file a bond in an increased amount as provided under this subsection, the director may terminate such organization's election to make payments in lieu of contributions and such termination shall continue for a period commencing with the quarter in which the election is terminated and continuing through the ensuing calendar year, provided that the director may extend for good cause the applicable filing period by not more than thirty days.

(f) Benefits paid to an individual shall be charged to the accounts of base period employers, whether such employers are liable for contributions under the provisions of section fourteen or section fourteen C or liable for payments in lieu of contributions, in the same sequence as provided in subsection (d) of section fourteen.

(g) Two or more nonprofit organizations or governmental employers that have become liable for payments in lieu of contributions may file a joint application to the director for the establishment of a group account for the purpose of sharing the cost of benefits paid that are attributable to service in the employ of such organizations or governmental employers. Each such application shall identify and authorize a group representative to act as the group's agent for the purposes of this subsection. Upon his approval of the application, the director shall establish a group account for such organizations or governmental employers effective as of the beginning of the calendar quarter in which he receives the application and shall notify the group's representative of the effective date of the account. Such account shall remain in effect for not less than two years and thereafter until terminated at the discretion of the director or upon application by the group. Upon establishment of the account, each member of the group shall be liable for payments in lieu of contributions with respect to each calendar quarter in the amount that bears the same ratio to the total benefits paid in such quarter that are attributable to service performed in the employ of all members of the group as the total wages paid for service in employment by such member in such quarter bear to the total wages paid during such quarter for service performed in the employ of all members

of the group. The director shall prescribe such regulations as he deems necessary with respect to applications for establishment, maintenance and termination of group accounts that are authorized by this subsection, for addition of new members to, and withdrawal of active members from, such accounts, and for the determination of the amounts that are payable under this subsection by members of the group and the time and manner of such payments.

(h) Notwithstanding any provisions in this section, any non-profit organization that prior to January first, nineteen hundred and sixty-nine, paid contributions required under section fourteen, and, pursuant to this section, elected before April first, nineteen hundred and seventy-two to make payments in lieu of contributions, shall not be required to make any such payment on account of any benefits, including dependency benefits, paid under any provision of this chapter, to the extent that such benefits are attributable to service in the employ of such employer, and are not reimbursable by funds made available under any act of Congress, to individuals for weeks of unemployment which began on or after the effective date of such election until the amount of such benefits equals the amount of the positive balance in the experience rating of such organization.

(i) Any employer which elects to make payments in lieu of contributions into the unemployment compensation fund as provided in this section shall not be liable to make such payments with respect to the benefits paid to any individual whose base period wages include wages for previously uncovered services as defined in section one A to the extent that the unemployment compensation fund is reimbursed for such benefits pursuant to section 121 of P.L. 94-566.

(j) Notwithstanding any other provisions of this chapter, any nonprofit educational institution or educational institutions which are not institutions of higher education, that prior to October twentieth, nineteen hundred and seventy-six, paid contributions required by section fourteen, and elects within thirty days after the effective date of this subsection to make payments in lieu of contributions, shall not be required to make such payment on account of any benefits, including dependency benefits, paid under any provision of this chapter, to the extent that such benefits are attributable to service in the employ of such employer, and are not reimbursable by funds made available under any act of Congress, to individuals for weeks of unemployment which began on or after the effective date of such election until the amount of such benefits equals the amount of the

positive balance in the experience rating of such educational institution or educational institutions.

Section 14B. Notwithstanding any other provisions of this chapter to the contrary:

(a) (1) Each employer liable to make payments in lieu of contributions shall not be liable for such payments after October first, nineteen hundred and seventy-six with respect to any benefits paid, to the extent that the commonwealth is entitled to payments with respect to such benefits under section six of P.L. 94-444.

(2) Each such employer shall receive credit against liability existing on or after October first, nineteen hundred and seventy-six for payments in lieu of contributions for any such payments made on or before said date, to the extent that such payments were made with respect to benefits for which the commonwealth is entitled to receive payments under section six of P.L. 94-444.

(b) The account of any employer liable for payment of contributions under section fourteen or section fourteen C which employer has paid public service wages, as defined in section six of P.L. 94-444, shall be adjusted to reflect payments to which the commonwealth is entitled under section six of P.L. 94-444.

Section 14C. Notwithstanding the provisions of section fourteen, each governmental employer included in subsection (i) of section one which elects, or if it does not otherwise elect shall be deemed to have elected, to pay contributions under the provisions of this section shall make contributions for a period encompassing not less than two complete calendar years. Contributions shall be made on total wages. All contributions paid by rated governmental employers shall be pooled and available to pay any benefits required under this chapter. The accounts hereinafter established and maintained are book accounts for the calculation of contributions to be paid by each employer subject to this section.

(a) To elect to become a rated governmental employer, such employer shall file with the director a written notice of such election within the thirty day period immediately following the date on which determination of subjectivity to this chapter is issued.

(b) To elect to become a rated governmental employer, if a governmental employer of this state has previously elected otherwise, such employer shall file with the director a written notice of such election within the thirty day period immediately preceding January first of any calendar year.

(c) Any rated governmental employer shall continue to be liable as a rated governmental employer, until such employer

files with the director a written notice of election to terminate its status as a rated governmental employer, which notice shall be filed not later than thirty days prior to the beginning of the calendar year for which such termination shall first be effected.

(d) No rated governmental employer shall be eligible for a rate computed under subsection (h) of this section until there have been twenty-one consecutive calendar months immediately preceding the computation date as defined in paragraph (3) of subsection (a) of section fourteen throughout which benefits could have been charged against such employer's account. Provided that for calendar year nineteen hundred and eighty, fifteen consecutive calendar months immediately preceding the computation date shall be used.

(e) Each employer who has not been subject to this act for a sufficient period of time to have its rate computed under this subsection shall make quarterly payments at a calendar year rate expressed as a percentage of total wages and such rate shall be the same for all rated governmental employers not eligible for a computed rate.

(1) For calendar years nineteen hundred and seventy-eight and nineteen hundred and seventy-nine, the contribution rate for all rated governmental employers shall be one per cent of the total wages paid during the calendar quarter for which payment is due, except that the rate for the first quarter of nineteen hundred and seventy-eight shall be zero.

(2) For calendar year nineteen hundred and eighty, and subsequent years the rate for rated governmental employers not eligible for a computed rate will be equal to the average cost of all rated governmental employers as determined in paragraph (1) of subsection (h) of this section, but not less than one per cent.

(f) The director shall establish an employer's account for each governmental employer who is subject to this section, shall also maintain a subsidiary solvency account for the purposes set forth in section fourteen, and such accounts as are necessary for calculations under subsection (h).

(g) The director shall determine charges and credits to each employer's account according to the provisions of section fourteen except that all extended benefit payments shall be charged to the employer's account which are not reimbursable by funds made available under any act of Congress.

(h) Rated governmental employers eligible for a rate computation shall make quarterly payments at a calendar year rate determined by the experience of all rated governmental em-

ployers and by the individual employer's experience. The rate shall be computed by the following method:

(1) be determined by the rate, stated as a per cent, rounded to two decimal places, of total benefits paid in the prior fiscal year ending September thirtieth plus an adjustment factor of 0.5 times the total benefits paid less the current fund balance of the accounts established in subsection (f) of this section, all of which is divided by total wages reported by all rated governmental employers for the prior fiscal year ending September thirtieth.

$$\text{RY (Required Yield)} = \frac{\text{Total Benefits Paid} + (0.5 \text{ Total Benefits Paid} - \text{Current Fund Balance})}{\text{Total Wages Reported}}$$

Total Wages Reported

(a) For the calendar year nineteen hundred and eighty the adjustment factor shall be 0.2;

(b) For calendar years subsequent to nineteen hundred and eighty the adjustment factor shall be increased by 0.1 until nineteen hundred and eighty-three from which time it will remain 0.5;

(c) In no case shall the adjustment to total benefits paid be less than zero, or increase the Required Yield by more than 0.2.

(2) An individual experience factor, stated as a per cent rounded to two decimal places, shall be computed for each eligible rated governmental employer by dividing the benefits charged to the employer's account by such employer's wages reported, for two preceding fiscal years ending September thirtieth.

In no case shall the factor thus calculated be increased by more than two percentage points over the factor for the prior calendar year.

$$\text{IEF (Individual Experience Factor)} = \frac{\text{Benefits Charged}}{\text{Wages Reported}}$$

(3) An aggregate experience factor, stated as a per cent rounded to two decimal places, shall be computed for all eligible rated governmental employers by dividing the benefits charged to all employers' accounts by all such employers' wages reported, for two preceding fiscal years ending September thirtieth.

$$\text{AEF (Aggregate Experience Factor)} = \frac{\text{All Benefits Charged}}{\text{All Wages Reported}}$$

(4) The contribution rates to be effective for the subsequent calendar year shall be determined by adjusting proportionately the required yield determined under paragraph (1) of this subsection to the experience factor under paragraph (2) of this subsection adjusted by the aggregate experience factor under paragraph (3) of this subsection rounded to the nearest one-tenth of a per cent, except that no employer's rate for any calendar year will be less than one-tenth of one per cent.

$$\text{ETR (Employer Tax Rate)} = \frac{\text{RY} \times \text{IEF}}{\text{AEF}}$$

(5) An emergency rate increase shall be imposed at the beginning of any quarter in which the rated governmental employers' fund balances are less than the benefit payments charged to all rated governmental employers' accounts during the prior quarter. The emergency rate increase will be up to one per cent added to the rate calculated in paragraph (4) of subsection (h) and is to be effective for the balance of the rate year. If an emergency tax is imposed for more than two consecutive years, the director shall initiate a study and make appropriate recommendations to the general court in the following year.

(i) The director shall promptly notify each rated governmental employer of such employer's rate for the following calendar year which will become final unless application to the director for a review of his determination of its contribution rate is filed within sixty days of the date of such determination.

(j) In order to implement the provisions of section four A, whenever any political subdivision of the commonwealth or any instrumentality thereof, or any instrumentality of one or more such subdivisions, is liable for the payment of contributions as of January first, nineteen hundred and seventy-eight, the treasurer thereof, upon certification by the board of assessors, shall expend available funds in order to pay said contributions.

(k) To the extent that the provisions of this section do not cover all aspects of administration, the appropriate subsections of section fourteen shall apply.

SECTION 25. Subsection (a) of section 23 of said chapter 151A, as most recently amended by chapter 530 of the acts of 1955, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- No benefits shall be paid or become payable during said waiting period; thereafter benefits shall be payable weekly and shall be paid weekly; provided, however, that whenever, in the discretion of the director,

the public interest would be benefited thereby, benefits may be paid on a bi-weekly basis.

SECTION 26. Section 24 of said chapter 151A is hereby amended by striking out clause (a), as most recently amended by section 8 of chapter 473 of the acts of 1976, and inserting in place thereof the following clause:-

(a) Have been paid wages in the base period amounting to at least thirty times the weekly benefit rate, but not less than twelve hundred dollars, which provisions shall take effect on January first, nineteen hundred and seventy-eight and shall apply only with respect to claims in benefit years beginning on or after said effective date.

SECTION 27. Section 25 of said chapter 151A is hereby amended by adding the following two subsections:-

(g) Any week which commences during the period between two successive sports seasons or similar periods if such individual performed services substantially all of which consisted of participating in sports or athletic events or training or preparing to so participate if such individual performed such services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such service in the later of such seasons or similar periods.

(h) Any period, after December thirty-first, nineteen hundred and seventy-seven, on the basis of services performed by an alien, unless such alien was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 203(a)(7) or section 212(d)(5) of the Immigration and Nationality Act; provided, that any modifications to the provisions of section 3304(a)(14) of the Federal Unemployment Tax Act which specify other conditions or other effective dates than stated herein for the denial of benefits based on services performed by aliens and which modifications are required to be implemented under state law as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act, shall be deemed applicable under the provisions of this section.

Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of his alien status shall be made except upon a preponderance of the evidence.

SECTION 28. Section 28 of said chapter 151A is hereby further amended by striking out the second paragraph.

SECTION 29. Said chapter 151A is hereby further amended by striking out section 28A, inserted by section 15 of chapter 940 of the acts of 1971, and inserting in place thereof the following section:-

Section 28A. Benefits based on service in employment as defined in subsections (a) and (d) of section four A shall be payable in the same amount, on the same terms and subject to the same condiservice subject to this chapter, except that:

(a) with respect to service performed in an instructional, research, or principal administrative capacity for an educational institution, benefits shall not be paid on the basis of such services for any week commencing during the period between two successive academic years or terms, or when an agreement provides instead for a similar period between two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years or terms and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms;

(b) with respect to services performed in any other capacity for an educational institution, other than an institution of higher education as defined in this chapter, benefits shall not be paid on the basis of such services to any individual for any week commencing during a period between two successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms;

(c) with respect to services described in subsections (a) and (b), benefits shall not be paid to any individual on the basis of such services for any week commencing during an established and customary vacation period or holiday recess if such individual performs such services in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the

period immediately following such vacation period or holiday recess.

“Institution of higher education”, for the purpose of this section and section four A, means an educational institution which admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such certificate, and is legally authorized in the commonwealth to provide a program of education beyond high school, and provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, a program of post-graduate or post-doctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and is a public or other nonprofit institution. Notwithstanding any of the foregoing provisions, all colleges and universities of the commonwealth are institutions of higher education for purposes of this section.

SECTION 30. Subsection (d) of section 29 of said chapter 151A is hereby amended by adding the following paragraph:-

(5) An unemployed individual who during the base period, performed services as a teacher as defined in section one of chapter thirty-two and who is receiving, has received, or will receive payments in the form of retirement benefits under the provisions of said chapter thirty-two, shall have his weekly benefit rate reduced in accordance with the provisions of this subsection notwithstanding the fact that such payments are not financed in any part by a base period employer.

SECTION 31. Paragraph (d) of subsection (1) of section 30A of said chapter 151A, as appearing in section 1 of chapter 866 of the acts of 1970, is hereby amended by striking out subparagraph (2) and inserting in place thereof the following subparagraph:-

(2) Equalled or exceeded four per cent, provided that with respect to benefits for weeks of unemployment beginning after March thirtieth, nineteen hundred and seventy-seven the determination of whether there has been a state “on” or “off” indicator beginning or ending an extended benefit period shall be made under this subparagraph as if this paragraph did not contain subparagraph (1), and the figure “four” contained in this subparagraph were “five”; except that, notwithstanding any such provisions of this subsection, any week for which there would otherwise be a state “on” indicator shall continue to be such a week and shall not be determined to be a week for which there is a state “off” indicator.

SECTION 32. Said subsection (1) of said section 30A of said chapter 151A is hereby amended by striking out paragraph (*d*¹/₂), inserted by section 2 of chapter 381 of the acts of 1977.

SECTION 33. Said subsection (1) of said section 30A of said chapter 151A is hereby further amended by striking out paragraph (*e*), as amended by section 1 of chapter 483 of the acts of 1972, and inserting in place thereof the following paragraph:-

(*e*) There is a state "off" indicator for the commonwealth for any week if the director shall determine, for the period consisting of such week and the immediately preceding twelve weeks, either subparagraph (1) or (2) of paragraph (*d*) was not satisfied.

SECTION 34. Subsection (*b*) of section 38 of said chapter 151A, as amended by section 12 of chapter 473 of the acts of 1976, is hereby amended by inserting after the word "Failure", in line 12, the words:- without good cause.

SECTION 35. With respect to weeks of unemployment in benefit years beginning on or after January first, nineteen hundred and seventy-eight, wages for insured workers shall include wages paid for previously uncovered services; provided that such wages shall not be so included whenever they had been previously used to establish eligibility for benefits paid under P.L. 93-567. For purposes of this section, the term "previously uncovered services" means services which were not employment as defined in sections four A and four B of chapter one hundred and fifty-one A of the General Laws as appearing in section 4 of chapter 940 of the acts of 1971, at any time during the one-year period ending December thirty-first, nineteen hundred and seventy-five and which are:

(*a*) services in agricultural labor as defined in subsection (*b*) of section four A of said chapter 150A or domestic service as defined in subsection (*c*) of said section four A except to the extent that assistance under P.L. 93-567 was paid on the basis of such services.

(*b*) services performed by an employee of the commonwealth or any of its instrumentalities or any political subdivision thereof or any of its instrumentalities or any instrumentality of more than one of the foregoing or any instrumentality of any of the foregoing and one or more states or political subdivisions except to the extent that assistance under P.L. 93-567 was paid on the basis of such services.

(*c*) services performed by an employee of a nonprofit educational institution which is not an institution of higher education except to the extent that assistance under P.L. 93-567 was paid on the basis of such services.

SECTION 36. The provisions of this act are intended to bring the commonwealth into conformity with the requirements of the Federal-State Extended Unemployment Compensation Law. If it is a final determination by a court of competent jurisdiction that said Federal-State Extended Unemployment Compensation Law is unconstitutional because its application to a state is mandated and is not an election, then, in that case the provisions of this act shall as applicable to government employers become null and void.

Final determination as used in this section shall mean the exhaustion of all rights of appeal or the elapsing of the time allowed for appeal without an appeal being taken.

SECTION 37. Notwithstanding anything contained herein to the contrary, if P.L. 94-566, The Unemployment Compensation Amendments of 1976, is adjudged invalid or unconstitutional in its application to the employees of the commonwealth or any of its agencies or political subdivisions by a court of competent jurisdiction, then the coverage of those employees under this act is automatically repealed to the extent of the adjudged inapplicability. The repeal shall be effective the date of final disposition upon appeal or from the date of expiration of the right of appeal. If the effect of the said P.L. 94-566 as applied to employees of the commonwealth or any of its agencies or political subdivisions is suspended by injunction issued by a court of competent jurisdiction, then the coverage of those employees under this act is automatically suspended to the extent of the enjoined applicability of the said law.

SECTION 38. Sections nineteen and twenty shall take effect as of September first, nineteen hundred and seventy-seven and section fourteen A of chapter one hundred and fifty-one A of the General Laws, as appearing in section twenty-four of this act, shall take effect on January first, nineteen hundred and seventy-eight.

Approved November 8, 1977.

Chap. 721. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC HEALTH TO MAKE A CERTAIN DETERMINATION OF NEED FOR THE AMESBURY HOSPITAL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the approval of certain projects relative to the Amesbury hospital by 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:

Notwithstanding the provisions of section twenty-five C of chapter one hundred and eleven of the General Laws or any other general or special law, the department of public health is hereby authorized and directed to make an affirmative determination of need as set forth in said section twenty-five C of said chapter one hundred and eleven as to the project described in an application for such a determination submitted by the Amesbury Hospital and numbered Project No. 8-2588 and to approve said project.

(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, November 8, 1977, and, in concurrence, by the Senate, November 9, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 721A. AN ACT SUPPLEMENTING CERTAIN ITEMS IN THE GENERAL APPROPRIATION ACT FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT AND PROVIDING 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 three hundred and sixtythree A of the acts of the current year, for the fiscal year ending June thirtieth, nineteen hundred and seventy-eight, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Legislature.

Senate.

Item	
0111-0000	For the compensation of senators, prior appropriation continued \$50,000

Other Expenses.

0143-0000	For the legislative service bureau, prior appropriation continued \$275,000
0165-0000	For the annual membership fees of the commonwealth in the national conference of state legislators, the northeast legislative energy staff project, and the program for legislative improvement of the state legislative leaders foundation 30,000

Judiciary.

Supreme Judicial Court.

0301-0552	For the administration of Middlesex county juror selection and management, in accordance with chapter two hundred and thirty-four A of the General Laws \$25,000
-----------	--

Appeals Court.

0301-3102	For clerical assistance to the clerk \$9,000
-----------	--

Superior Court.

0302-0500	For payments to be made by the chief justice of the superior court to medical malpractice tribunals established in accordance with the provisions of section sixty B of chapter two hundred and thirty-one of the General Laws including payments of the prior year \$40,000
-----------	--

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.

0305-6091	Middlesex, including not more than ninety-one permanent positions \$7,500
-----------	---

Committee on Probation.

0309-0001	For the office of the commissioner of probation, including not more than sixty-three permanent positions \$75,000
-----------	---

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; provided, that a certain prior years salary may be paid from this item \$9,115
	Highway Fund 30.0%
	General Fund 70.0%

The Department of the Attorney General.

0810-0031	For expenses of administering the local consumer aid fund, established by section eleven G of chapter twelve of the General Laws .. \$200,000
-----------	---

Executive Office of Administration and Finance.

Group Insurance Commission.

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
-----------	--

Item

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; and provided further, that effective July first, nineteen hundred and seventy-seven, said commonwealth's share of the group insurance as provided, in section eight of said chapter thirty-two A shall be as follows:- eighty per cent of the total monthly premiums or rates as established by the commission effective July first, nineteen hundred and seventy-seven, and eighty-five per cent of the total monthly premiums or rates as established by the commission effective January first, nineteen hundred and seventy-eight; prior appropriation continued.

Miscellaneous.

- 1599-2098 For a reserve to meet the cost of certain salary adjustments authorized by certain collective bargaining agreements and for cost-of-living adjustments for certain employees; 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-eight, which are available in whole or in part for personal services, such amounts as are necessary to meet the cost of said adjustment for the fiscal year nineteen hundred and seventy-eight 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 several state or other funds to which such items of appropriation are charged \$16,100,000
- 1599-2029 For a reserve to meet the costs of certain increased allowances to employees for expenses as authorized by section seven of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven, as amended; 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-eight, which are available in whole or in part such amounts as are necessary to meet the cost of said increased allowances for the fiscal year nineteen hundred and seventy-eight 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 increased allowances to the several state or other funds to which such items of appropriation are charged .. 900,000

Executive Office of Environmental Affairs.

Department of Environmental Quality Engineering.

Bureau of Environmental Sanitation.

Item		
2250-0200	For the administration of the Lawrence experimental station, including not more than thirty-one permanent positions; provided, that all water supply testing services, including bacteriological and chemical testing, shall be made available to the cities and towns in the same manner and to the same extent that such services were available prior to June first, nineteen hundred and seventy-seven	\$50,000

Division of Waterways.

2270-0800	For a study by the division of waterways of the department of environmental quality engineering of the marketing, economic and environmental feasibility for the improvement, construction and reconstruction and maintenance of a new general purpose cargo shed and other related activities on the New Bedford state pier, as authorized by chapter fourteen of the resolves of nineteen hundred and seventy-seven	\$20,000
-----------	---	----------

Executive Office of Communities and Development.

Division of Community Services.

3731-2003	For expenses of community development and housing program services	\$25,000
-----------	--	----------

Executive Office of Human Services.

Massachusetts Rehabilitation Commission.

4120-0051	For a program of personal care assistance	\$100,000
-----------	---	-----------

Soldiers' Home in Holyoke.

4190-0100	Item 4190-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "three hundred and thirty-seven" and inserting in place thereof the words:- three hundred and forty-five	\$75,474
-----------	---	----------

Department of Public Welfare.

4400-1000	Item 4400-1000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by adding the words:- ; and provided further, that there shall be allowed and paid from this item one thousand five hundred and fifty-seven dollars and seventy cents for personnel services rendered in a prior year.	
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 ten permanent positions	\$657,000
4406-2000	Item 4406-2000 of section 2 of chapter three hundred and sixty-three A of the acts of nine-teen hundred and seventy-seven is hereby amended by striking out the wording and inserting in place thereof the following wording:-	

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

Item

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; provided further, that notwithstanding the provisions of any law to the contrary, *limited medical services* shall be provided to general relief recipients, including, physician office visits, basic dental care, drugs, laboratories, durable goods, eye care, and home health care; provided, that not more than four million dollars may be expended for said medical services; provided, however, that no funds shall be forwarded to the city of Boston under the provisions contained herein, unless said city maintains all facilities at the Mattapan chronic disease hospital.

Department of Public Health.

4510-0100 Item 4510-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by inserting, after the word "bureau" the words:- provided, that the position of assistant commissioner shall not be subject to chapter thirty-one of the General Laws.

4510-0700 For the administration of the medical assistance unit \$30,000

Bureau of Chronic Disease Control.

4512-0200 For the administration of the division of alcoholism, provided that a sum not exceeding two hundred and twenty thousand dollars shall be used for the maintenance of a detoxification center in Middlesex county, including *not more than ten permanent positions* \$220,000

4516-0201 Item 4516-0201 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by adding the words:- ; provided, that two thousand nine hundred and fifty dollars shall be paid from this item for certain services rendered.

4536-0001 Tewksbury hospital, including not more than one thousand and four permanent positions 60,000

4537-0001 Item 4537-0001 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "two hundred and ninety-six" and inserting in place thereof the words:- two hundred and eighty-eight.

Department of Mental Health.

5011-0000 Item 5011-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "three hundred and twenty" and inserting in place thereof the words:- three hundred and eleven.

5011-0011 Item 5011-0011 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "three hundred and five" and inserting in place thereof the words:- two hundred and ninety-two.

Region One.

5181-0000 Item 5181-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "seven hundred and sixty-three" and inserting in place thereof the words:- seven hundred and forty-nine.

5191-0000 Item 5191-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "eight hundred and eighty-five" and inserting in place thereof the words:- eight hundred and seventy-five.

Item		
5263-0100	For the maintenance of the Rutland Heights psychiatric unit, including not more than one hundred and forty-nine permanent positions	\$16,000
5276-0100	Item 5276-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by adding after the word "year" the words:- ; and provided further, that certain prior year expenses in the amount of fifty-six thousand nine hundred and five dollars charged to account 5011-9022, which expired on June thirtieth, nineteen hundred and seventy-seven, may be paid from this item	56,905
5293-0100	Item 5293-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "one thousand and seventy-two" and inserting in place thereof the words:- one thousand and thirty-three.	
5294-0100	Item 5294-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "eight hundred and fifty-three" and inserting in place thereof the words:- eight hundred and thirty-nine ..	20,000

Region Three.

5321-0000	Item 5321-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "one hundred and twenty-three"; and inserting in place thereof the words:- one hundred and twenty-two.	
5381-0000	Item 5381-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "one thousand one hundred and fifty-five" and inserting in place thereof the words:- one thousand one hundred and fifty.	
5381-0001	For a research project of the Tay Sachs disease	\$75,000

Region Four.

5421-0000	Item 5421-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "one hundred and eighty-one" and inserting in place thereof the words:- one hundred and seventy-nine.	
5481-0000	Item 5481-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "four hundred and forty-four" and inserting in place thereof the words:- four hundred and forty-three.	
5491-0000	Item 5491-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "nine hundred and twenty-six" and inserting in place thereof the words:- eight hundred and ninety-seven.	

Region Five.

5581-0000	Item 5581-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "six hundred and seventy-six" and inserting in place thereof the words:- six hundred and sixty-one.	
5591-0000	Item 5591-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "seven hundred and eleven" and inserting in place thereof the words:- seven hundred and nine.	
5592-0100	Item 5592-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "nine hundred and forty-one" and inserting in place thereof the words:- nine hundred and thirty-two.	
5593-0100	Item 5593-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by	

Item

striking out the words "seven hundred and twenty-one" and inserting in place thereof the words:- seven hundred.

Region Six.

- 5663-0100 Item 5663-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "two hundred and eighty-six" and inserting in place thereof the words:- two hundred and seventy-nine.
- 5664-0000 Item 5664-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "one hundred and eighty-four" and inserting in place thereof the words:- one hundred and eighty-three.
- 5691-1000 Item 5691-1000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "seven hundred and eighty-six" and inserting in place thereof the words:- seven hundred and fifty-eight.

Region Seven.

- 5781-0000 Item 5781-0000 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "nine hundred and twenty-four" and inserting in place thereof the words:- eight hundred and ninety-five.
- 5792-0100 Item 5792-0100 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the words "eight hundred and sixty-two" and inserting in place thereof the words:- eight hundred and sixty-one.
- 5792-0110 For a security fence at the secure detention unit at Taunton state hospital
\$18,000

Executive Office of Transportation and Construction.*Massachusetts Bay Transportation Authority.*

- 6005-0100 Item 6005-0100 of section two of chapter three hundred and sixty-three A is hereby amended by inserting after the word "studies" the words:- and for contracts to provide for the operation of commuter boat service between downtown Boston and the South Shore of the metropolitan Boston area between the period November first, nineteen hundred and seventy-seven and May first, nineteen hundred and seventy-eight.

Department of Public Works.

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:

- 6030-7403 For expenses of fleet management and maintenance equipment \$2,000,000
Highway Fund 100.0%
- 6034-0011 For the reimbursement to the town of New Marlborough for the repair of damages caused to public property by the floods and rains of September, nineteen hundred and seventy-seven 50,000
Highway Fund 100.0%

Executive Office of Educational Affairs.**Department of Education.**

- 7000-8751 Item 7000-8751 of section two of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four is hereby amended by striking out the wording and inserting in place thereof the following:-
For plans, site preparation and other preliminary work needed by the New England board of higher education or its designee to establish a regional

Item		
	school of veterinary medicine in the town of Grafton; provided, that the cost of such plans site preparation and other preliminary work shall be proportionately assessed to other participating New England states.	
7010-0013	For reimbursement to towns for payments of certain increased transportation costs incurred under the Metco program	\$400,000

Board of Higher Education.

The preamble under the heading "Board of Education" of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by adding the following paragraph:-

Notwithstanding any provision of law to the contrary, the board of trustees of all segments of institutions of higher education, during fiscal year nineteen hundred and seventy-eight, are hereby authorized to pay from the accounts of each public institution, as hereinafter provided, the amount due each employee for certain bonuses payable under collective bargaining agreements entered into on or before June thirtieth, nineteen hundred and seventy-seven, said agreements being those agreements in respect of which cost requests were, prior to said date, submitted to and approved by the governor for fiscal year nineteen hundred and seventy-seven, together with the amount of any such bonuses authorized by any such board for any of its employees to whom no such collective bargaining agreement is applicable; provided, however, that the monies hereby appropriated shall be applied to the payment of bonuses so authorized by any such board in amounts no greater than the amounts provided for in the aforesaid collective bargaining agreements; and provided further, that no such amount shall be payable hereunder to any such employee pursuant to any of the aforesaid collective bargaining agreements whenever in respect of any such agreement provision has been made, pursuant to any successor or other agreement, for payments in lieu of said bonuses; such amounts to be in addition to amounts otherwise appropriated for personal services for fiscal year nineteen hundred and seventy-eight, and to be expended solely for the payment of the aforesaid bonuses.

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
-----------	---	----------

Board of Trustees of State Colleges.

For the administration and maintenance of and for certain improvements at state colleges and the Massachusetts maritime academy with the approval of the board of trustees:

7108-9999	State college at Boston, for payment of certain bonuses	\$119,750
7109-9999	State college at Bridgewater, for payment of certain bonuses .	111,250
7110-9999	State college at Fitchburg, for payment of certain bonuses ...	97,000
7111-9999	State college at Framingham, for payment of certain bonuses	83,250
7113-9999	State college at North Adams, for payment of certain bonuses	51,750
7114-9999	State college at Salem, for payment of certain bonuses	128,500
7115-9999	State college at Westfield, for payment of certain bonuses ...	78,500
7116-9999	State college at Worcester, for payment of certain bonuses ...	76,000
7117-9999	Massachusetts college of art, for payment of certain bonuses	29,250
7118-9999	Massachusetts maritime academy, for payment of certain bonuses	36,500

University of Lowell.

7220-9999	University of Lowell, for payment of certain bonuses	\$238,750
-----------	--	-----------

Southeastern Massachusetts University.

Item		
7310-9999	Southeastern Massachusetts University, for payment of certain bonuses	\$146,500

University of Massachusetts.

7410-9999	For the payment of certain bonuses at the University at Amherst	\$824,000
7411-9999	For the payment of certain bonuses at the University at the Medical School	61,250
7416-9999	For the payment of certain bonuses at the University at Boston	219,000

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 forty permanent positions	\$120,000
7502-9999	Berkshire community college, for the payment of certain bonuses	40,581
7503-9999	Bristol community college, for the payment of certain bonuses	50,888
7504-9999	Cape Cod community college, for the payment of certain bonuses	43,676
7505-9999	Greenfield community college, for the payment of certain bonuses	29,225
7506-9999	Holyoke community college, for the payment of certain bonuses	65,623
7507-0100	Massachusetts Bay community college, including not more than one hundred and sixty-eight permanent positions	45,000
7507-9999	Massachusetts Bay community college, for the payment of certain bonuses	34,619
7508-9999	Massasoit community college, for the payment of certain bonuses	43,473
7509-9999	Mount Wachusett community college, for the payment of certain bonuses	33,852
7510-9999	Northern Essex community college, for the payment of certain bonuses	53,687
7511-9999	North Shore community college, for the payment of certain bonuses	53,013
7511-0200	For leasing bus service transportation between the two campuses of North Shore community college	20,000
7512-9999	Quinsigamond community college, for the payment of certain bonuses	46,994
7514-9999	Springfield technical community college, for the payment of certain bonuses	75,356
7515-9999	Roxbury community college, for the payment of certain bonuses	12,748
7516-9999	Middlesex community college, for the payment of certain bonuses	22,201
7518-9999	Bunker Hill community college, for the payment of certain bonuses	39,064

Executive Office of Manpower Affairs.

9091-0200	For the operation of tourist information booths; provided, that no position in this item shall be subject to chapter thirtyone of the General Laws; and including not more than eight positions	\$24,808
-----------	---	----------

Executive Office of Consumer Affairs.

9230-1300	State examiners of electricians, including not more than four permanent positions	\$2,374
-----------	---	---------

SECTION 3. Section 7 of said chapter 363A is hereby amended by striking out the word "twelve" and inserting in place thereof the word:- fourteen.

SECTION 4. Item 4402-5000 of section 2 of said chapter 363A is hereby amended by adding the following clause:- ; and provided further, that no funds authorized under this item shall be allowed to pay for abortions not necessary to prevent the death of the mother.

SECTION 5. Item 1120-2000 of said section 2 of said chapter 363A is hereby further amended by inserting after the word "services" the words:- ; provided that no funds authorized under this item shall be allowed to pay for abortions not necessary to prevent the death of the mother.

SECTION 6. Item 1120-3000 of said section 2 of said chapter 363A is hereby amended by inserting after the word "appropriation" where it first appears, the words:- ; provided, that no funds authorized under this item shall be allowed to pay for abortions not necessary to prevent the death of the mother.

SECTION 7. Item 1120-4000 of said section 2 of said chapter 363A is hereby amended by inserting after the word "dependents", the words:- ; provided that no funds authorized under this item shall be allowed to pay for abortions not necessary to prevent the death of the mother.

SECTION 8. The second sentence of section 2A of said chapter 363A is hereby amended by adding the words:- ; provided, however, that the registrar determines that the full cost of providing such plates will be covered by the fee for such plates.

SECTION 9. Section 10 of chapter 481 of the acts of 1976 is hereby amended by striking out the words "sixty-three million eight" and inserting in place thereof the words:- fifty-five million nine.

SECTION 10. Section 13 of chapter 481 of the acts of 1976 is hereby amended by striking out the words "eight million eight hundred and thirty-five" and inserting in place thereof the words:- six million three hundred and twenty-five.

SECTION 11. Item 1599-2040 of section 2 of chapter 300 of the acts of 1977 is hereby amended by striking out the words "For the payment of interest charges on certain prior years utility bills" and inserting in place thereof the words:- For the payment of interest charges on certain utility bills incurred in prior fiscal years and during the calendar year of nineteen hundred and seventy-six, appropriation shall expire June thirtieth, nineteen hundred and seventy-eight.

SECTION 12. The fourth paragraph of section 4 of chapter 27 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 123 of chapter 234 of the acts of 1977, and inserting in place thereof the following

sentence:- The chairman shall receive a salary of thirty thousand nine hundred and eighty-six dollars and each of the other members shall receive a salary of twenty-five thousand five hundred and twenty-seven dollars.

SECTION 13. Section 28 of chapter 363A of the acts of 1977 is hereby amended by striking out, in line 1, the word "twelve" and inserting in place thereof the word:- sixteen.

SECTION 14. This act shall take effect upon its passage.

This Bill was returned November 10, 1977, by the Governor to the House of Representatives, the branch in which it originated with its objections in writing to the following item:

Item 1120-2000 (as contained in Section 2 and Section 5), Section 4, Section 6 and Section 7.

The vote being taken by the House of Representative on December 5, 1977 on the passage of such item, the objections of the Governor thereto were overridden and sustained by the Senate on December 12, 1977. The remainder of the Bill was approved by the Governor on November 10, 1977.

Chap. 722. AN ACT PROVIDING THAT CERTAIN DAYS BE EXCLUDED FROM THE COMMON DAY OF REST LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the opening of certain shops on Sundays 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 6 of chapter 136 of the General Laws, as most recently amended by chapter 697 of the acts of 1975, is hereby further amended by adding the following clause:-

(50) The keeping open of a store or shop and the sale at retail of goods therein, but not including the retail sale of goods subject to chapter one hundred and thirty-eight, and the performance of labor, business, and work connected therewith on those Sundays following the fourth Thursday in November and preceding Christmas. Work performed under this clause shall be compensated at a rate not less than one and one-half times the employee's regular rate, provided that no employee shall be required to perform such work. Any violation of the provisions of this clause shall be deemed an unfair labor practice under the provisions of chapter one hundred and forty-nine.

Approved November 10, 1977.

Chap. 723. AN ACT COMBINING THE OFFICES OF TOWN TREASURER AND TOWN COLLECTOR OF THE TOWN OF WILBRAHAM INTO THE OFFICE OF TOWN TREASURER AND COLLECTOR AND MAKING IT AN APPOINTEE OFFICE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the offices of town treasurer and town collector of the town of Wilbraham shall be merged into one office to be known as town treasurer and collector and the powers and duties formerly exercised by the town treasurer and the town collector shall be exercised by said town treasurer and collector. Said town treasurer and collector shall be appointed by and serve at the will of the selectmen. Upon the appointment and qualification of said town treasurer and collector, the terms of office of the persons holding the offices of town treasurer and town collector, respectively, shall cease and terminate. The provisions of law relative to treasurers and to collectors of taxes shall, except insofar as the same may be inconsistent with the provisions of this act, apply to said town treasurer and collector.

SECTION 2. Notwithstanding the provisions of section one, if the person who was the incumbent in the offices of town treasurer and town collector on September twenty-first, nineteen hundred and seventy-seven holds said offices at the time this act is accepted by the town of Wilbraham, as hereinafter provided, he shall, upon qualification, serve as said town treasurer and collector for a period of time equal to the time remaining in the terms of office for which he had been elected to said offices or until his resignation, whichever comes sooner.

SECTION 3. Sections one and two of this act shall take effect upon their acceptance by the town of Wilbraham at its next special or annual town meeting to which they are submitted following its passage.

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

Approved November 10, 1977.

Chap. 724. AN ACT PROVIDING FOR CERTAIN CHANGES IN THE TERMS OF OFFICE OF THE MEMBERS OF THE WEYMOUTH-BRAINTREE REGIONAL RECREATION-CONSERVATION DISTRICT BOARD.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 787 of the acts of 1972 is hereby amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:-

Upon passage of this act the board of selectmen of the town of Braintree and the board of selectmen of the town of Weymouth shall each appoint three members to the board. The members of the board shall be residents of the respective towns. One member from each town shall be appointed for a one year term, one member from each town shall be appointed for a two year term, and one member shall be appointed from each town for a three year term. Thereinafter, each appointment shall be made for a term of three years. In addition, there shall be a seventh member who shall be a resident of the towns of Weymouth or Braintree and who shall in the year nineteen hundred and seventy-seven and every sixth year thereafter be appointed for a three year term by the board of selectmen of the town of Weymouth and who shall in the year nineteen hundred and eighty and every sixth year thereafter be appointed for a three year term by the board of selectmen of the town of Braintree. Beginning with any appointments made after January first, nineteen hundred and seventy-seven, the term of office of any member shall commence as of November first and terminate three years later on October thirty-first. The board shall serve without compensation.

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

Approved November 10, 1977.

Chap. 725. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE TO PURCHASE OR LEASE DREDGES FOR THE DREDGING OF WATERWAYS IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable are hereby authorized, subject to appropriation to purchase, lease or otherwise own and control a dredge or dredges for the purpose of dredging waterways in said county and to expend such funds as are necessary for the purchase, lease, maintenance, control and overall operation of such dredge or dredges. Such dredge or dredges shall be operated under the direction of said county commissioners who shall have authority to contract with such towns, agencies, commissions, districts or other authorities within said county as will be necessary to implement the use of such dredge or dredges.

SECTION 2. There shall be an advisory committee to said county commissioners consisting of one person from each town in the county of Barnstable appointed annually by the selectmen of the

respective towns. They shall have authority to accept and consider contract proposals from the towns within said county and to make recommendations concerning priorities and contract prices to said county commissioners concerning the proposed use of such dredge or dredges. Said county commissioners shall have the final authority to accept contract proposals and to contract with said towns. Said advisory committee shall meet as often as deemed necessary by the chairman of said county commissioners.

SECTION 3. This act shall be submitted for acceptance to the voters of the county of Barnstable at the biennial state election to be held in the year nineteen hundred and seventy-eight in the form of the following question which shall be placed on the official ballot to be used at said election:- "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act authorizing the county commissioners of the county of Barnstable to purchase or lease dredges for the dredging of waterways in said county', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved November 10, 1977.

Chap. 726. AN ACT DIRECTING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO TRANSFER THE WEST FOURTH STREET BRIDGE IN THE CITY OF BOSTON TO THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts Bay Transportation Authority, hereinafter called the Authority, is hereby authorized and directed to transfer the title to those portions of the West Fourth Street bridge in the South Boston district of the city of Boston, comprising a portion of span 1, spans 2, 3, 4, and a portion of span 5, presently within its ownership and control, to the department of public works, hereinafter called the department, which department is hereby authorized and directed to accept the transfer of title of those portions of said West Fourth Street bridge, identified by the department as bridge number B-16-126, and after such transfer the department shall assume all responsibility for the maintenance, repair, reconstruction, replacement or removal of such bridge as may be necessary for the public safety and convenience.

The department is further authorized to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such land or rights therein, and such public ways or public lands as it may deem necessary for carrying out the provisions of this act, or necessary for the construction of any necessary drainage outlets.

SECTION 2. Following acquisition of said bridge by the department, the Authority shall furnish, without cost to the department, the necessary flag protection on the transit right-of-way which may be required when the department is performing inspection, maintenance and repair, reconstruction or replacement of such bridge.

The department in carrying out the provisions of this act is authorized to replace or reconstruct any part of said bridge at the present vertical and side clearances from the transit tracks. In addition to the authorization contained in section seven F of chapter eighty-one of the General Laws, the department is further authorized to enter upon private property adjacent to such bridge for the purpose of maintaining or making alterations or repairs.

SECTION 3. Following acquisition of said bridge by the department, such bridge shall be a state highway.

Approved November 10, 1977.

Chap. 727. AN ACT RELATIVE TO ABATEMENTS GRANTED TO PARAPLEGIC VETERANS OR THEIR SURVIVING SPOUSES.

Be it enacted, etc., as follows:

Section 8A of chapter 58 of the General Laws, as most recently amended by chapter 687 of the acts of 1957, is hereby further amended by striking out, in line 4, the word "widow" and inserting in place thereof the words:- surviving spouse.

Approved November 10, 1977.

Chap. 728. AN ACT RELATIVE TO THE USE OF UNASSEMBLED EXAMINATIONS FOR POSITIONS REQUIRING EMERGENCY MEDICAL CARE TRAINING.

Be it enacted, etc., as follows:

Section 6B of chapter 31 of the General Laws, as most recently amended by section 72 of chapter 835 of the acts of 1974, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Whenever educational qualifications of a scientific or professional character at or above the master's degree level are established for an office or position by statute or under authority thereof, or the major duty of an office or position in the official service is such that the incumbent is required to possess a certificate, registration or license issued after examination pursuant to the provisions of chapter one hundred and eleven C, the administrator, in his discretion and subject to the provisions, however applicable, of section twenty-three and the rules providing for preference to veterans in promotion, may rely upon an unassembled examination to qualify and rank applicants for appointments or promotion to such position.

Approved November 10, 1977.

Chap. 729. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE MUNICIPAL COURT OF THE SOUTH BOSTON DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Clause (8) of section 62 of chapter 218 of the General Laws, as appearing in chapter 731 of the acts of 1974, is hereby amended by adding the following line:- municipal court of the South Boston district.

SECTION 2. Clause (9) of said section 62 of said chapter 218, as so appearing, is hereby amended by striking out the line reading "municipal court of the South Boston district".

SECTION 3. Prior to the employment of any individual, the position to be filled shall be posted for thirty days in at least three locations in the county, one of which shall be the county seat and the other two of which shall be city or town halls.

SECTION 4. This act shall take effect upon its acceptance by the city of Boston.

Approved November 10, 1977.

Chap. 730. AN ACT ESTABLISHING A JOINT LABOR-MANAGEMENT COMMITTEE TO OVERSEE MUNICIPAL POLICE AND FIREFIGHTER COLLECTIVE BARGAINING AND ARBITRATION PROCEEDINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide an impasse procedure conducive to the peaceful resolution of collective bargain-

ing disputes involving municipal police officers and firefighters, it is, therefore, hereby declared an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 1078 of the acts of 1973 is hereby amended by inserting after section 4, as amended by section 2 of chapter 347 of the acts of 1977, the following section:-

Section 4A. There shall be in the department of labor and industries, but not subject to the jurisdiction thereof, a committee to be known as the joint labor-management committee, in this section referred to as the committee. The committee shall be composed of thirteen members, including a chairman. Twelve committee members shall be appointed by the governor as follows: three from nominations submitted by the Professional Firefighters of Massachusetts, International Association of Firefighters, AFL-CIO; three from nominations submitted by the International Brotherhood of Police Officers NAGE and the Massachusetts Police Association, and six from nominations submitted by the local government advisory committee established pursuant to executive order one hundred and twenty-three, dated January thirteenth, nineteen hundred and seventy-six. Any member of the committee may be removed by the governor for neglect of duty, malfeasance in office, or upon request by the nominating body. The chairman shall be nominated by the committee, and appointed by the governor.

In matters exclusively pertaining to municipal firefighters, committee members nominated for appointment by professional police officer organizations shall not vote. In matters exclusively pertaining to municipal police officers, committee members nominated for appointment by professional firefighter organizations shall not vote. All committee members shall be eligible to vote on matters of common and general interest. The number of committee members representing the local government advisory committee and the number of committee members representing the professional firefighter or police organizations entitled to vote on any matter coming before the committee shall be equal. The chairman may cast the deciding vote on any matter relating to a dispute concerning negotiations over the terms and provisions of a collective bargaining agreement, including any decision to take jurisdiction over a dispute.

Members of the committee shall serve without compensation, but shall be entitled to reimbursement, out of any funds available for the purpose, for reasonable travel and other expenses actually incurred in the performance of their committee

duties. The chairman shall be compensated for time spent for committee business on a per diem basis. The committee may purchase such supplies and equipment, and employ such clerical and other personnel, who shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty of the General Laws as they deem necessary to the conduct of committee business out of any funds available for the purpose. Members of the committee employed by a municipality shall be granted leave, if on duty, by the municipal employer for those regularly scheduled work hours spent in the performance of committee business.

The committee shall have oversight responsibility for all collective bargaining negotiations involving municipal police officers and firefighters. After notification by the committee, the parties to any municipal police and fire negotiations shall file with the committee, in such time as the committee orders:

- (1) copies of all requests to bargain, and of all bargaining agenda;
- (2) notification of impasse in bargaining;
- (3) notification of all pending unfair labor practice proceedings between the parties;
- (4) copies of any factfinding reports;
- (5) notification of any impasse extending beyond completion of factfinding procedures; and
- (6) copies of any collective bargaining agreements, and any relevant personnel ordinances, bylaws, and rules and regulations.

The committee shall, at its discretion, have jurisdiction in any dispute over the negotiation of the terms of a collective bargaining agreement involving municipal firefighters or police officers. The committee or its representatives may meet with the parties to a dispute, conduct formal or informal conferences, and take other steps to encourage the parties to agree on the terms of a collective bargaining agreement or the procedures to resolve the dispute. The committee shall make every effort to encourage the parties to engage in good faith negotiations to reach settlement.

Disputes over which the committee does not exercise jurisdiction shall be governed by all other applicable provisions of law. The committee after consultation with the board of conciliation and arbitration may remove from the jurisdiction of the board any dispute in which the board has exercised jurisdiction and the board shall then take no further action in such dispute. The committee may, at any time, remand to the board any dispute in which the committee has exercised jurisdiction.

The committee shall have exclusive jurisdiction in matters over which it assumes jurisdiction to determine if a genuine impasse exists and if the processes of collective bargaining have been exhausted. If the committee determines that a genuine impasse exists, the committee shall:

(1) specify the issue or issues to be arbitrated; provided, however, that the committee shall not specify for arbitration any issue excluded from arbitration pursuant to section four of this act. The committee may, however, interpret the language of said section four as it deals with firefighter assignments and transfers;

(2) nominate the panel of neutral arbitrators from which the arbitrator is to be selected by the parties; if the parties cannot agree on an arbitrator within a time prescribed by the committee, the committee shall appoint the neutral arbitrator; and

(3) determine the form of arbitration, issue by issue, last best offer, or such other form as the committee deems appropriate. Except as provided herein, arbitration proceedings in matters over which the committee assumes jurisdiction shall be conducted in accordance with the standards and provisions of section four. The committee may direct the parties to a dispute to conduct further negotiations concerning issues not specified for arbitration.

The committee shall have jurisdiction in any particular dispute concerning job titles over which the parties have negotiated, or to remove specific job titles from collective bargaining for individuals performing certain specified management duties.

The committee shall promulgate rules and regulations necessary for the performance and enforcement of the responsibilities and powers set forth herein in this section; provided, however that said committee shall not later than the first day of February in each year adopt interim regulations and shall forthwith file a copy thereof with the clerks of the senate and the house of representatives who, with the approval of the president of the senate and the speaker of the house of representatives, shall refer such regulations to an appropriate committee of the general court. Within thirty days after such filing, the appropriate committee of the general court shall hold a hearing on such regulations and shall issue a report and file a copy with the joint labor management committee. Said joint labor management committee shall adopt final regulations making such revisions in the interim regulations as it deems appropriate in view of such report and shall forthwith file a copy of the regulations with the

chairperson of the committee of the general court to which the interim regulations were referred.

The provisions of chapter thirty A of the General Laws shall apply to the committee.

SECTION 2. The provisions of this act shall take effect upon its passage except that the joint labor-management committee established pursuant to section one of this act shall not exercise jurisdiction in any dispute before January first, nineteen hundred and seventy-eight. The provisions of this act shall terminate on June thirtieth, nineteen hundred and seventy-nine. Any arbitration proceeding pending on June thirtieth, nineteen hundred and seventy-nine shall be completed under the provisions of this act.

SECTION 3. It is hereby declared that the provisions of this act are severable, and if any provision of this act shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of this act.

Approved November 15, 1977.

Chap. 731. AN ACT AUTHORIZING BRISTOL COUNTY TO EXPEND CERTAIN FUNDS RECEIVED AS A FEDERAL GRANT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter six hundred and forty-two of the acts of nineteen hundred and seventy-seven, the county treasurer of Bristol county is hereby authorized to expend, with the approval of the county commissioners of said county, the sum of one hundred and forty-one thousand dollars, received as a federal grant from the Economic Development Administration under the Public Works and Economic Development Act for the purposes of repairing and renovating the following six county buildings: for roof repairs at the superior court house in the city of New Bedford, sixty thousand dollars; for renovations and alterations of offices at the superior courthouse in the city of Taunton, thirty-four thousand six hundred and fifty dollars; for roof repairs at the fourth Bristol district courthouse and the superior courthouse in the city of Fall River, twenty-three thousand one hundred dollars; for replacement of the heating plant of the Fall River district registry of deeds in Bristol county, fifteen thousand dollars; and for repairs to the fire escape system at the southern district registry of deeds in Bristol county eight thousand two hundred and fifty dollars.

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

Approved November 15, 1977.

Chap. 732. AN ACT AMENDING THE LAW CREATING THE GOVERNMENT LAND BANK.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 2 of chapter 212 of the acts of 1975, as amended by section 1 of chapter 461 of the acts of 1975, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Said commissioner may designate any person employed in the office of administration and finance to serve in his stead and said commissioner, and any designee in the absence of said commissioner, shall have a full vote on the board.

SECTION 2. Section 4 of said chapter 212 is hereby amended by striking out clause (e) and inserting in place thereof the following clause:-

(e) enter into agreements with any governmental agency or private person;

SECTION 3. Said section 4 of said chapter 212 is hereby further amended by striking out clauses (j) and (k) and inserting in place thereof the following three clauses:-

(j) take possession on behalf of the commonwealth or acquire on its own behalf lands, improvements thereon, and related personal property, hereinafter called lands, or any interest therein, from the United States, which lands, or interest therein, were used for Westover Air Force Base, the Chelsea Naval Hospital, or the Boston Naval Shipyard, including the South Boston Annex, the Boston Army Base and all other lands owned by the United States and used in connection with or for purposes related to the operations of the Boston Naval Shipyard or the Boston Army Base, subject to such restrictions as may be imposed on such acquisition by the United States; prior or subsequent to taking possession of or acquiring such lands hold, protect, maintain, repair and use such lands, or any interest therein, as it deems necessary or desirable to facilitate acquisition or disposition of such lands, or any interest therein; and dispose of such lands, or any interest therein, by sale, lease, or otherwise as provided by this act;

(k) engage accountants, architects, attorneys, engineers, planners, real estate experts and other consultants as may be necessary in its judgment and fix their compensation; provided that all expenses of such consultants shall be payable solely from funds provided under the authority of this act;

(l) take any actions necessary or convenient to the exercise of any power or the discharge of any duty provided for by this act.

SECTION 4. Said section 4 of said chapter 212 is hereby further amended by adding the following sentence:- The terms “maintain”, “maintaining” and “maintenance” wherever the same are used in this act shall include but not be limited to the demolition of improvements on lands acquired by the bank where such demolition is determined by the bank to contribute to the reduction or to avoid the likelihood of increase of the expense of maintaining or repairing such lands, and to be consistent with disposition of such lands as provided by this act.

SECTION 5. Section 6 of said chapter 212 is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:-

Any disposition of lands, or any interest therein, by the bank may be made in such manner whether by sale, lease or otherwise, by parcels which are the same as or different from those by which they were acquired or taken possession of by the bank, and for such price, rental or other consideration payable over such term, which may extend beyond the expiration date of this act, and bearing interest as to deferred payments and secured in such manner, by mortgage or otherwise, all as the bank may determine to be desirable consistent with any applicable provisions of any applicable redevelopment plan.

SECTION 6. Said chapter 212 is hereby further amended by striking out section 7, as amended by section 2 of chapter 599 of the acts of 1975, and inserting in place thereof the following section:-

Section 7. The proceeds of any bonds or notes issued as provided by this act, the proceeds of any disposition of lands or any interest therein by the bank as provided by this act, and any income or interest earned by the investment of funds pursuant to clause (f) of section four of this act shall be paid into the treasury of the commonwealth and shall be credited on the books of the commonwealth to a fund to be known as the Government Land Bank Fund. All monies credited to said Fund shall be used for the payment of principal and interest on such bonds and notes and for the acquisition, holding, protection, maintenance, repair or use of lands, and to provide for personnel and administrative cost of the bank as provided by this act.

SECTION 7. Said chapter 212 is hereby further amended by striking out sections 8 and 9 and inserting in place thereof the following three sections:-

Section 8. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary, but not exceeding, in the aggregate, the sum of for-

ty million dollars, for the purposes of acquisition, holding, protection, maintenance, repair or use of lands or for provision of personnel and administrative cost of the bank as provided by this act, and may issue and renew from time to time bonds or notes of the commonwealth therefor bearing interest at such times and at such rate as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and eighty-one. All payments on account of principal on such notes shall be repaid from the Government Land Bank Fund; provided, however, that notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

Section 8A. To provide for acquisition, holding, protection, maintenance or use of lands as provided by this act, and to provide for personnel and administrative cost of the bank, and to refinance notes issued as provided in 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 forty million dollars.

All bonds issued by the commonwealth as aforesaid shall be designated on their face, Government Land Bank Fund Loan Act of 1977, and shall be term or serial bonds, shall bear such date or dates, and shall mature at such time or times not exceeding twenty years, from the date of issue, 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.

All interest payments and payments on account of principal on such bonds shall be payable from the Government Land Bank Fund to the extent of the monies therein, provided, however, that notwithstanding any provision of this act, such bonds and the interest thereon shall be general obligations of the commonwealth.

Section 9. In no instance shall the bank expend in the aggregate more than fifteen million dollars for Westover Air Force Base, twenty million dollars for the Boston Naval Shipyard, including South Boston Annex, the Boston Army Base and all other lands owned by the United States of America and used in connection with or for purposes related to the operations of the Boston Naval Shipyard or the Boston Army Base, and five million dollars for the Chelsea Naval Hospital.

SECTION 8. Section 12 of said chapter 212 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The directors, employees, officers and agents of the bank shall not be liable as such on its contracts or for torts not committed or directly authorized by them.

SECTION 9. Section 13 of said chapter 212 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 prevent the taxation to the same extent and in the same manner as other lands are taxed, of lands acquired by the bank and sold by it, or of lands so acquired by the bank and leased by it; provided, however, that lands so acquired by the bank 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 the economic development and industrial corporation of Boston, or such other corporation as may be established by special law for lands formerly used for Westover Air Force Base, the Chelsea Naval Hospital, or the Boston Naval Shipyard, including the South Boston Annex, the Boston Army Base and all other lands owned by the United States of America and used in connection with or for purposes related to the operations of the Boston Naval Shipyard or the Boston Army Base, shall be taxed as provided in such chapter or special law and not otherwise.

SECTION 10. Section 16A of said chapter 212 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Upon the expiration of this act, title to all lands or any interest therein, which immediately prior to the expiration date of this act, is held by the bank, and all mortgage and other titles, liens upon and security interests therein so held by the bank in or upon lands or interests therein theretofore disposed of by the bank, are hereby transferred to and shall be vested in the commonwealth and shall be under the control of the executive office for administration and finance.

SECTION 10A. Section 16B of said chapter 212 is hereby amended by inserting after the word "any", in line 3, the words:-bonds and.

SECTION 11. Said chapter 212 is hereby further amended by striking out section 16C and inserting in place thereof the following section:-

Section 16C. Upon the expiration of this act, all books, papers, records, documents, and equipment, which immediately prior to the expiration date of this act, are in the custody of the bank, and which relate to or are maintained for the purpose of the exercise of the bank's powers or the performance of the bank's duties and all assets of the bank of every kind and nature not specifically mentioned in this section or in sections sixteen A, sixteen B and sixteen D of this act, are hereby transferred to the commissioner of administration.

SECTION 12. Section 16D of said chapter 212 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Upon the expiration of this act, all then existing agreements, contracts, leases and other obligations of the bank or to which the bank is a party which relate to the exercise of its powers or the performance of its duties and which are in force immediately prior to the expiration date of this act, shall be performed, and may be enforced for the benefit of the commonwealth, by the commissioner of administration.

Approved November 15, 1977.

EMERGENCY LETTER — November 16, 1977 @ 11:49 A. M.

Chap. 733. AN ACT AUTHORIZING THE APPOINTMENT OF PAUL GENNELL AS A CORRECTIONAL OFFICER.

Be it enacted, etc., as follows:

The division of personnel administration shall allow Paul Gennell to be examined by said division and to certify him as a permanent correction officer in the department of correction, according to the grade he receives on said examination for said position, notwithstanding the fact that he had attained the maximum age for said position, provided that he fulfills all other requirements for certification for said position.

Approved November 15, 1977.

Chap. 734. AN ACT PROVIDING THAT EARL H. BEAL SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A CORRECTION OFFICER IN THE DEPARTMENT OF CORRECTION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law or rule to the contrary regulating the maximum age for applicants for appointment as a correction officer in the department of correction, Earl H. Beal shall be eligible to take the next open competitive examination for correction officer and, provided he meets all other requirements, shall be eligible for certification and appointment as a correction officer.

Approved November 15, 1977.

Chap. 735. AN ACT PERMITTING CERTAIN EMPLOYEES TO CONTINUE WORKING AFTER THEY HAVE REACHED THE MANDATORY RETIREMENT AGE.

Be it enacted, etc., as follows:

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

Section 90F. Any member in service, classified in Group 1, shall continue in service, at his option, notwithstanding the fact that he has attained age seventy; provided, however, that he is mentally and physically capable of performing the duties of his office or position. Such member shall annually, at his own expense, be examined by an impartial physician designated by the retirement authority to determine such capability. No deductions shall be made from the regular compensation of each member under the provisions of this chapter for service after he has attained age seventy and upon retirement such member shall receive a superannuation retirement allowance equal to that to which he would have been entitled had he retired at age seventy.

Approved November 15, 1977.

Chap. 736. AN ACT FURTHER REGULATING THE APPOINTMENT OF COMMUNITY SERVICE AREA DIRECTORS IN THE DEPARTMENT OF PUBLIC WELFARE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the qualifications for the appointment of area directors in the department of public

welfare, therefore 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 5 of chapter 18 of the General Laws is hereby further amended by striking out the fifth paragraph, as amended by section 5 of chapter 752 of the acts of 1974, and inserting in place thereof the following paragraph:-

Each community service area shall be under the administration, supervision and control of an area director, who shall be appointed by the commissioner and at the time of his appointment shall be qualified, either by having received a masters degree from an accredited graduate school of social work and having at least five years of full-time or equivalent part-time professional experience as an administrator or supervisor of social welfare programs or, if the candidate has no such masters degree, by having at least eight years of full-time or equivalent part-time experience in a human services delivery system, five years of which shall have been as an administrator or supervisor of social welfare programs and three years of which shall have been in the delivery of direct services in the department or in a social service agency determined by the commissioner to provide equivalent experience.

Approved November 16, 1977.

Chap. 737. AN ACT PROHIBITING THE ISSUANCE OF REGISTRATION CERTIFICATES FOR MOTOR VEHICLES TO APPLICANTS WHO HAVE DELINQUENT VEHICLE EXCISE TAXES AND REQUIRING CERTAIN INFORMATION ON THE APPLICATION FOR REGISTRATION OF MOTOR VEHICLES AND TRAILERS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 73 of the acts of 1961, and inserting in place thereof the following paragraph:-

Application for the registration of motor vehicles and trailers may be made by the owner thereof. The application shall contain, in addition to such other particulars as may be required by the registrar, a statement of the name, place of residence and address of the applicant. The application shall contain such other particulars to describe the motor vehicle or trailer sufficiently both for purposes of identification and for a determination of

value thereof, including the name of the maker, the specific model, such number or numbers as may be required by the registrar, the character of the motor power, type of transmission and also a statement by the applicant under the penalties of perjury that there are no outstanding excise tax liabilities on said motor vehicle or trailer which have been incurred by the applicant, any member of the applicant's immediate family who is a member of the applicant's household, or business partner of the applicant. The registration fee as required in section thirty-three shall accompany such application. Applicants for registration shall also comply with the provisions of chapter ninety D.

SECTION 2. Section 2A of chapter 60A of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 398 of the acts of 1976, and inserting in place thereof the following sentence:- If an excise assessed under this chapter remains unpaid for fourteen days after a demand therefor made more than one day after such excise becomes due and payable, the local tax collector or the commissioner, as the case may be, may at any time and from time to time, in the calendar year in which the excise is first committed and billed or in the next calendar year, transmit to the registrar of motor vehicles, hereinafter in this section called the registrar, upon a form approved by the state tax commission, a notice of such nonpayment, specifying the name and address of the person to whom the excise is assessed, the amount of the excise due and such information as to the motor vehicle or trailer assessed as was transmitted by the registrar to the commissioner under section two; provided, however, that no notice shall be transmitted to the registrar under this section at a time when there is pending before the local board of assessors or the state tax commission, as the case may be, a duly filed application for the abatement of such excise in whole or in part nor within thirty days after action upon any such application by the local board of assessors or the state tax commission, as the case may be.

SECTION 3. The provisions of section one of this act shall apply to applications made for the period beginning on and after January first, nineteen hundred and seventy-nine and the provisions of section two shall apply to excises committed on or after January first, nineteen hundred and seventy-eight.

Approved November 16, 1977.

Chap. 738. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO SELL AND CONVEY CERTAIN PARCELS OF LAND LOCATED AT FEDERAL SQUARE IN SAID CITY TO DIGITAL EQUIPMENT CORPORATION AND MILTON BRADLEY COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield acting through its mayor with the approval of its city council is hereby authorized to sell and convey to Digital Equipment Corporation a certain parcel of unused land in consideration of the fair market value as determined by said mayor. Said parcel of land being bounded and described as follows:

A parcel of land in Springfield, Hampden County, Massachusetts, as shown on a plan entitled "Plan of Land in The City of Springfield, Mass." by Durkee, White, Towne & Chapdelaine, Civil Engineers, dated May 28, 1977 with revisions to August 18, 1977 and bounded and described as follows:

PARCEL E

Southeasterly by other land of the grantor, being a portion of Benton Lawn, Six Hundred and Fourteen and 53/100 (614.53) feet;

Southwesterly by State Street and Federal Street on a curve Twenty-three and 54/100 (23.54) feet;

Northwesterly by parcel C and by parcel B as shown on said Plan, Six Hundred Twenty-six and 52/100 (626.52) feet;

Northeasterly by parcel F as shown on said Plan, Twenty (20) feet;

Said parcel containing 0.2854 acres, or 12,432 square feet of land.

SECTION 2. The city of Springfield, acting through its mayor with the approval of its city council is hereby authorized to sell and convey to Milton Bradley Company certain parcels of land in consideration of the fair market value as determined by said mayor. Said parcels of land being bounded and described as follows:

Two parcels of land in Springfield, Hampden County, Massachusetts, as shown on a plan entitled "Plan of Land in The City of Springfield, Mass." by Durkee, White, Towne & Chapdelaine, Civil Engineers, dated May 28, 1977 with revisions to August 18, 1977 and bounded and described as follows:

PARCEL F

Southwesterly by other land of grantor and shown on the aforesaid plan as parcel E, twenty (20) feet;

Northwesterly by other land of grantee and shown on the aforesaid plan as parcel D and parcel G, Two Hundred Thirty-seven and 68/100 (237.68) feet;

Easterly by a curved line marking the side of Magazine Street on said plan, Twenty-five and 49/100 (25.49) feet;

Southeasterly by other land of grantor, being a portion of Benton Lawn, so-called, Two Hundred Twenty-two and 15/100 (222.15) feet.

Said parcel containing 0.1061 acres of land.

PARCEL G

Westerly by a curved line at land of grantee herein which is a part of parcel D on said plan Twenty-six and 24/100 (26.24) feet;

Southwesterly by land of grantee herein which is part of parcel D on said plan Six Hundred Thirty and 61/100 (630.61) feet;

Southerly by a curved line at land of grantee herein which is part of parcel D on the said plan Sixty-eight and 80/100 (68.80) feet;

Northerly by a curved line marking the intersection of the southeasterly side of Lincoln Street with the southwesterly side of Magazine Street Ninety-two and 69/100 (92.69) feet;

Northeasterly by Magazine Street Six Hundred Eleven and 06/100 (611.06) feet;

Easterly by a curved line marking the side of Magazine Street Twenty-eight and 56/100 (28.56) feet;

Southeasterly by parcel F on the aforesaid plan Fourteen and 33/100 (14.33) feet.

Said parcel G containing 0.2172 acres of land.

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

Approved November 17, 1977.

Chap. 739. AN ACT FURTHER REGULATING THE COMPOSITION OF THE ALCOHOLIC BEVERAGES CONTROL COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 43, as most recently amended by section 12 of chapter 234 of the acts of 1977, and inserting in place thereof the following section:-

Section 43. There shall be a commission to be known as the alcoholic beverages control commission, to consist of a commissioner and two associate commissioners appointed by the governor. Not more than two members shall be members of the same

political party. The commissioner and one associate commissioner shall serve terms coterminous with that of the governor. One associate commissioner shall serve a four year term. The commissioner shall serve as chairman and shall devote his full time during business hours to his official duties. The commissioner shall receive a salary of twenty-seven thousand dollars and each of the associate commissioners shall receive a salary of eleven thousand seven hundred and sixty-five dollars.

Any vacancy may be filled in like manner for the remainder of the unexpired term. The governor may remove any member for neglect of duty, misconduct, or malfeasance in office, after providing said member a written statement of the charges and an opportunity to be heard thereon. Two members shall constitute a quorum for the purpose of conducting the business of the commission. A vacancy shall not impair the right of the remaining members to exercise the powers of the commission.

SECTION 2. The terms of office of the members of the alcoholic beverages control commission holding office on the effective date of this act shall terminate on said date, but said members shall continue to serve and hold office until the appointment and qualification of the commissioner and associate commissioners of the alcoholic beverages commission appointed pursuant to section forty-three of chapter six of the General Laws, as amended by section one of this act. One associate commissioner shall be designated in his initial appointment to serve until December thirty-first, nineteen hundred and eighty, and, upon the expiration of the term of office of said associate commissioner, his successor shall be appointed in the manner aforesaid for a four year term. The appointment of commissioners pursuant to said section forty-three shall not affect any petition, complaint, investigation, hearing or other judicial or administrative proceeding pending before any court or administrative body, including the commission or any commissioner thereof, and such petitions, complaints, investigations, hearings and proceedings shall continue unabated. The authority of the commission or any commissioner thereof shall be that of said commission or commissioner prior to the effective date of this act. Any public hearing being conducted by the commission on the effective date of this act may be completed and decided by the commissioners appointed pursuant to said section forty-three. All orders, rules, regulations, or findings duly promulgated or other actions taken before the effective date of this act shall remain in full force and

effect until superseded, amended or rescinded in accordance with law.

Approved November 17, 1977.

EMERGENCY LETTER — November 21, 1977 @ 12:54 P.M.

Chap. 740. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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 funds and the approval thereof, for the fiscal year nineteen hundred and seventy-eight.

PLYMOUTH COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$192,646 25
2. For reduction of county debt		875,000 00
3. For county commissioners, salaries and expenses		82,525 92
1. Personal services	\$72,505 92	
2. Contractual services	1,750 00	
3. Supplies and materials	5,300 00	
4. Current charges and obligations	2,970 00	
4. For transportation and expenses of county and acting commissioners		1,500 00
5. For clerk of courts, salaries and expenses		298,841 28
1. Personal services	272,956 28	
2. Contractual services	7,400 00	
3. Supplies and materials	13,000 00	
4. Current charges and obligations	5,485 00	
6. For county treasurer, salaries and expenses		94,467 03
1. Personal services	68,542 03	

Item	Subtotal	Total
2. Contractual services	\$8,375 00	
3. Supplies and materials	6,000 00	
4. Current charges and obligations	1,050 00	
5. Equipment	10,500 00	
7. For sheriff, salary and expenses		\$21,395 00
1. Personal services	20,000 00	
2. Contractual services	800 00	
3. Supplies and materials	450 00	
4. Current charges and obligations	145 00	
8. For registry of deeds, salaries and expenses		591,928 64
1. Personal services	453,842 84	
2. Contractual services	57,820 00	
3. Supplies and materials	32,100 00	
4. Current charges and obligations	48,165 80	
8a. For registry of probate, salaries and expenses		273,330 05
1. Personal services	6,644 30	
2. Contractual services	40,330 00	
3. Supplies and materials	165,427 95	
4. Current charges and obligations	4,000 00	
5. Equipment	56,927 80	
9. For law library, salaries and expenses		
Brockton		19,920 34
1. Personal services	5,800 34	
3. Supplies and materials	120 00	
4. Current charges and obligations	14,000 00	
Plymouth		11,431 96
1. Personal services	1,311 96	
3. Supplies and materials	120 00	
4. Current charges and obligations	10,000 00	
10. For highways, including state highways, bridges and land damages		119,000 00
2. Contractual services	117,200 00	
3. Supplies and materials	1,800 00	
12. For superior court costs		817,559 93
1. Personal services	429,869 73	
2. Contractual services	367,150 00	
3. Supplies and materials	11,630 00	
4. Current charges and obligations	8,910 20	
13. For civil expenses in probate court		158,376 60
1. Personal services	83,501 60	
2. Contractual services	70,900 00	
3. Supplies and materials	3,950 00	
4. Current charges and obligations	25 00	
14. For district courts, salaries and expenses		
District Court of Brockton		948,933 91
1. Personal services	733,168 91	
2. Contractual services	39,662 00	
3. Supplies and materials	16,225 00	
4. Current charges and obligations	139,075 00	
5. Equipment	20,803 00	

Item	Subtotal	Total
Second District Court of Plymouth		\$526,527 21
1. Personal services	\$494,472 21	
2. Contractual services	12,775 00	
3. Supplies and materials	13,350 00	
4. Current charges and obligations	5,930 00	
Third District Court of Plymouth		399,322 60
1. Personal services	367,032 60	
2. Contractual services	13,250 00	
3. Supplies and materials	15,800 00	
4. Current charges and obligations	3,240 00	
Fourth District Court of Plymouth		348,756 65
1. Personal services	315,902 25	
2. Contractual services	16,300 00	
3. Supplies and materials	11,150 00	
4. Current charges and obligations	5,404 40	
District Court - Juvenile Division		218,843 00
1. Personal services	208,798 00	
2. Contractual services	7,480 00	
3. Supplies and materials	2,500 00	
4. Current charges and obligations	65 00	
15. For medical examiners and commitments of insane		73,700 00
16. For jail and house of correction, maintenance and operation		372,853 70
2. Contractual services	94,560 00	
3. Supplies and materials	252,820 00	
4. Current charges and obligations	11,550 00	
5. Equipment	4,423 70	
6. All other	9,500 00	
18. For court houses and registry buildings, maintenance and operation		569,553 12
1. Personal services	277,811 12	
2. Contractual services	202,700 00	
3. Supplies and materials	70,270 00	
4. Current charges and obligations	9,522 00	
5. Equipment	9,250 00	
19. For construction of county buildings or purchase of land		25,000 00
20. For agricultural school or county cooperative extension service		189,403 11
1. Personal services	161,388 11	
2. Contractual services	17,100 00	
3. Supplies and materials	7,455 00	
4. Current charges and obligations	3,460 00	
24. For noncontributory pensions		100,000 00
25. For contributory retirement system and supervisory expenses		451,876 00
26. For miscellaneous and contingent expenses		95,480 90
27. For unpaid bills of previous years		50,000 00

Item	Subtotal	Total
28. For reserve fund		\$75,000 00
28a. For reserve for salary increases		459,525 00
28d. For reserve for counsel for indigent defendants		200,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		105,000 00
31. For police radio system		16,900 00
33. For police training school and bureau of criminal investigation		107,653 10
37. For human services		12,500 00
38. For county airplane		3,025 00
39. For group insurance		299,700 00
41. For firefighters' training school		1,000 00
45. For purchasing department		173,988 10
Total amount of appropriations		\$9,392,464 40
Less estimated amount available for reduction of county tax		<u>1,375,363 00</u>
And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		\$8,017,101 40

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

Item	
16. For jail and house of correction	
1. Personal services	\$861,768 92

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

(The foregoing was laid before the Governor on the seventh day of November, 1977, and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 741. AN ACT EXTENDING THE COVERAGE OF GROUP LIFE INSURANCE TO DEPENDENTS.

Be it enacted, etc., as follows:

Section 133 of chapter 175 of the General Laws is hereby amended by adding the following paragraph:-

Any group life insurance policy issued under the provisions of this section, except a policy insuring the lives of debtors in accordance with clause (c) may also insure the dependents of employees or members or other persons insured thereunder, and the employees or members or other persons may contribute part or all of the premium for such insurance. Notwithstanding provision 4 of section one hundred and thirty-four, only one certificate need be issued for delivery to an insured person if a statement concerning any dependents' coverage is included in such certificate. Upon termination of the insurance with respect to the spouse of any employee by reason of the employee's termination of employment or death, the spouse insured pursuant to this section shall have the same conversion rights as to the insurance on his or her life as is provided for the employee under provision 4 of said section one hundred and thirty-four.

Approved November 18, 1977.

Chap. 742. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN LAND IN THE CITY OF MALDEN TO SAID CITY FOR PARK PURPOSES.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed, upon the completion of the culvert of the Spot Pond Brook drainage ditch within the limits of Coytemore Lea park, to convey for park land purposes to the city of Malden that parcel of land located between Mountain avenue and Clifton street on the westerly side of Main street, known as the Coytemore Lea playground, excluding that portion thereof on which the existing metropolitan district commission pool and pool house are located, being thirty-three thousand five hundred square feet, more or less. The consideration for said conveyance shall be one dollar.

Approved November 18, 1977.

Chap. 743. AN ACT RELATIVE TO THE QUALIFICATION AND CERTIFICATION OF ALL INSPECTORS OF BUILDINGS, BUILDING COMMISSIONERS AND LOCAL INSPECTORS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter eight hundred and two of the acts of nineteen hundred and seventy-two and chapter five hundred and forty-one of the acts of nineteen hundred and seventy-four or any other general or special law to the contrary, all inspectors of buildings, building commissioners, and local inspectors, as defined in said chapter eight hundred and two, duly appointed and in office on July first, nineteen hundred and seventy-seven, shall be deemed qualified and certified in the position held on said date upon satisfactory evidence of such appointment furnished to the state building code commissioner by the respective city or town clerk. The executive director of the state building code commission shall issue a certificate to all inspectors of buildings, building commissioners, and local inspectors in office on July first, nineteen hundred and seventy-seven no later than January first, nineteen hundred and seventy-eight.

Approved November 18, 1977.

Chap. 744. AN ACT REQUIRING A MINIMUM TERM OF SERVICE BEFORE A PERSON MAY RECEIVE CERTAIN RETIREMENT BENEFITS.

Be it enacted, etc., as follows:

Subdivision (1) of section 5 of chapter 32 of the General Laws is hereby amended by adding the following paragraph:-

(m) Notwithstanding any provision of this chapter to the contrary, any member classified in Group 1 or Group 2, except for elected officials subject to the provisions of paragraph (b) of subdivision (2) of section ten, whose employment commenced on or after January first, nineteen hundred and seventy-eight, and who has not completed ten or more years of creditable service before attaining the mandatory age requirements of this chapter, shall on the termination of his employment be entitled to a return of his accumulated deductions with interest. Such return of said accumulated deductions shall be in lieu of any superannuation retirement allowance provided under this chapter.

Approved November 18, 1977.

Chap. 745. AN ACT RELATIVE TO THE JEFFERSON SEWER PROJECT AND BETTERMENTS THEREFOR IN THE TOWN OF HOLDEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapters eighty and eighty-three of the General Laws, the board of selectmen of the town of Holden with respect to sewer assessments made by said town regarding the construction of the Jefferson Sewer Project sewage disposal system shall, after the order of assessment, certify to the assessors the list of assessments made, and the assessors shall forthwith give notice thereof to the collector of taxes. Upon receipt of notice from the assessors that the selectmen have assessed betterments pursuant to this act, the collector shall forthwith send notice of the amount of such assessment to the owner of each parcel designated as such in the order of assessment. Such notice shall in addition set forth in general terms the provisions of sections two and five relating to the extension of time for the payment of such assessments and to the lien of such assessments and shall in addition contain the following legend printed on the face thereof:

“No petition for an abatement of this assessment may be filed later than six months after the date of this notice, except as is otherwise provided in chapter of the acts of 1977, entitled ‘An Act relative to the Jefferson Sewer Project and betterments therefor in the Town of Holden’.”.

SECTION 2. No assessment made pursuant to section one of this act shall be due and payable nor shall it bear interest prior to the date that such assessment is committed to the collector pursuant to section four.

SECTION 3. The board of selectmen shall give written notice to the assessors and to the collector (a) of the date on which any building upon a parcel of land assessed a betterment pursuant to section one shall have been connected to the common sewer, and (b) of the date on which the conditions imposed in Permit No. 9 dated December twenty-eighth, nineteen hundred and seventy-six issued by the water resources commission, division of water pollution control pursuant to section forty-three of chapter twenty-one of the General Laws are removed by the said division of water pollution control or any governmental agency which may succeed to its powers or are adjudged by a court of competent jurisdiction to be invalid, and shall in such notice certify either that the assessment made pursuant to section one with respect to the particular parcel as to which notice is being given

pursuant to clause (a) is collectible, or that all assessments so made are collectible.

SECTION 4. Within a reasonable time after the receipt of a notice pursuant to clause (a) of section three the assessors shall commit the assessment applicable to the particular parcel with their warrant to the collector and the collector shall thereupon make demand for payment of such assessment upon the owner of such parcel on the preceding January first, or the receipt of a notice pursuant to clause (b) of section three the assessors shall commit to the collector all of the assessments, except those previously committed, made pursuant to section one and the collector shall thereupon make demand for payment of such assessments upon the owners of each parcel as of the preceding January first as to which an assessment was so committed. Each assessment so committed shall bear interest at the rate of five per cent per annum or at the rate specified in section thirteen of chapter eighty of the General Laws as in effect on the date of such commitment, whichever is higher, from the thirtieth day after the assessment has been committed to the collector.

SECTION 5. Assessments made under this act shall constitute a lien upon the land assessed from September fifteenth, nineteen hundred and seventy-seven, being the date of recording in the Worcester district registry of deeds in Worcester county of the statement of the action of the selectmen of the town of Holden in determining to construct the sewers to which this act relates, and the provisions of section twelve of chapter eighty and of section twenty-nine of chapter eighty-three of the General Laws shall govern the duration of the lien for such assessments.

SECTION 6. No petition for abatement of any assessment made pursuant to section one may be filed later than six months after the date of the notice of assessment is sent out by the collector pursuant to section one. If a person who is entitled to petition for an abatement under chapter eighty of the General Laws dies within the time limited by this section for such petition without having filed the same, his executor, administrator, heir or devisee, if interested, may, within one year after his interest vests, file such petition in the same manner and with the same effect as if filed by the deceased in his lifetime.

SECTION 7. Except as provided herein, the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to the liens therefor, and to interest thereon, shall apply to assessments made under this act.

SECTION 8. In addition to the assessments provided for in this act, the owner of any parcel which connects to a common sewer shall pay the rates established from time to time for sewer usage and shall also pay for all service work, materials and inspections from the main to the building or buildings serviced.

Approved November 18, 1977.

Chap. 746. AN ACT INCREASING THE AMOUNT WHICH MAY BE APPROPRIATED BY THE CITY OF LAWRENCE BEFORE SAID APPROPRIATION MUST BE PUBLICIZED IN A DAILY NEWSPAPER.

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 29 and inserting in place thereof the following section:-

Section 29. Neither the city council nor the school committee shall make or pass any order, resolution or vote appropriating money in excess of two thousand dollars, or making or authorizing the making of any contract involving a liability on the part of the city in excess of two thousand dollars, unless the same is proposed in writing and notice is given by the city clerk in at least one daily newspaper of the city, not less than one week before its passage, except an order, resolution or vote for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a four-fifths vote, and such notice shall be given as aforesaid upon the request of the city council or of the school committee.

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

Approved November 18, 1977.

Chap. 747. AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO TRANSFER MONEY FROM A CERTAIN ACCOUNT IN ORDER TO MAKE AN EXPENDITURE FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the town of Wilmington is hereby authorized to transfer the sum of fifteen thousand dollars out of the Blue Cross/Blue Shield and Group Life Account Number 941 of said town. Said fifteen thousand dollars shall be expended for the purpose of drilling water wells on private property and to provide water to three homes located on Cook hill in said town.

SECTION 2. The costs incurred in section one shall be assessed by said town to the owners of said property on Cook hill in accordance with the provisions of chapter eighty of the General Laws and any other law relative to betterment assessments.

Approved November 18, 1977.

Chap. 748. AN ACT PROVIDING SUITABLE RECOGNITION OF THOSE RESIDENTS OF MASSACHUSETTS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES IN SIBERIA OR NORTH RUSSIA BETWEEN CERTAIN DATES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide prompt recognition of certain Massachusetts residents who served in the armed forces in Siberia or North Russia after the statutory date marking the end of World War I, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Upon application there shall be allowed and paid out of the treasury of the commonwealth to each person who served in the armed forces of the United States in active service in Siberia or North Russia for a period of at least ninety days, between the dates of April sixth, nineteen hundred and seventeen and April first, nineteen hundred and twenty, and who was discharged or released under honorable conditions from such service, the sum of one hundred dollars; provided, that the domicile of every person on account of whose service the application is filed shall have been in the commonwealth for a period of not less than six months prior to the time of his entry into the service.

Approved November 21, 1977.

Chap. 749. AN ACT RELATIVE TO THE PAYMENT OF BETTERMENT ASSESSMENTS AND FURTHER REGULATING THE PAYMENT OF INTEREST THEREON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish the rate of interest on certain betterment assessments, and to immediately provide for the deferral of the payment of said assessments, therefore, 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 80 of the General Laws is hereby amended by inserting after section 13A the following section:-

Section 13B. In a city or town which accepts the provisions of this section, the board making the order for the assessment of any betterment, or balance of any assessment apportioned in accordance with the provisions of section thirteen, shall, upon the application of the owner of the real property assessed, if such owner is eligible for an exemption under clause Forty-first A of section five of chapter fifty-nine, enter into a deferral and recovery agreement with such owner on behalf of the city or town. Any such application shall be filed with said board within six months after notice of such assessment has been sent out by the collector. Such application may be filed with the clerk or secretary of said board, or delivered by mail or otherwise at their office.

The said agreement shall provide:

(1) that no sale or transfer of such real property may be consummated unless the betterment assessment which would otherwise have been collected on such real property has been paid, with interest as applied in accordance with the provisions of section thirteen;

(2) 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 betterment assessment 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 betterment assessment deferral and recovery agreement under this section, payment of the betterment assessment and interest due shall not be required during the life of such surviving spouse;

(3) that if the betterment assessments 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 betterment assessments and interest shall be recovered from the estate of the owner; and

(4) that any joint owner or mortgagee 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 betterment assessment deferral and recovery agreement entered into between said board making the order for the assessment of a betterment and the owner or owners of such real property, said board 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 betterment assessment as has 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. 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. Section 13 of said chapter 80 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 216 of the acts of 1977, and inserting in place thereof the following sentence:- Assessments made under this chapter shall bear interest at one rate of five per cent per annum or, at the election of the city or town at a rate equal to two per cent above the rate of interest chargeable to the city or town, for the betterment project to which the assessments relate, from the thirtieth day after assessments have been committed to the collector.

SECTION 3. The provisions of section thirteen of chapter eighty of the General Laws, as amended, by section two of this act, shall apply to betterment assessments for the fiscal years commencing July first, nineteen hundred and seventy-seven and thereafter.

Approved November 21, 1977.

Chap. 750. AN ACT DESIGNATING THE AIRPORT ROAD OVERPASS OVER ROUTE 24 IN THE CITY OF FALL RIVER AS THE KENNETH DEPIN OVERPASS.

Be it enacted, etc., as follows:

The airport road overpass over route 24 in the city of Fall River shall be designated and known as the Kenneth Depin overpass. A suitable marker bearing said designation shall be attached thereto by the department of public works in compliance with the standards of said department, and as authorized by the federal highway administration.

Approved November 21, 1977.

Chap. 751. AN ACT ESTABLISHING PRELIMINARY ELECTIONS IN THE TOWN OF NORTH ATTLEBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The action of the town of North Attleborough in accepting the provisions of section one hundred and twenty-one of chapter fifty-three of the General Laws through the duly approved vote of Article 17 of the town meeting of said town held on October eighteenth, nineteen hundred and seventy-six is hereby revoked.

SECTION 2. The town of North Attleborough is hereby authorized to hold the preliminary election for all elective town offices except representative town meeting member by official ballot on the second Monday in February. Polls shall be open from twelve noon to eight o'clock post meridian; and the place or places of voting shall be determined by the board of selectmen of said town. The preliminary election and the annual election for all town officers and town meeting members shall be nonpartisan, and all ballots shall be printed without any party mark or other political emblem.

SECTION 3. The nomination of candidates, except representative town meeting member, shall be made by nomination papers signed by not fewer than twenty-five registered voters of the town of North Attleborough, and they shall be filed with the board of election commissioners of said town on or before the thirty-fifth day before the date of the preliminary election. Nomination papers shall be made available by said board of election commissioners sixty days prior to the date of the preliminary election. Nomination papers shall not be made available by said board of election commissioners during the forty-eight hours preceding the date for filing such nomination papers. Such papers shall not be valid for any candidate when written acceptance is not attached thereto when filed.

SECTION 4. Notice of the preliminary election shall be given by the board of selectmen of the town of North Attleborough by publication in one issue of a newspaper of general circulation in said town, at least twenty-one days before the date for the preliminary election and also by posting copies of the notice in not less than ten places in said town at least twenty-one days before the date of the preliminary election. The notice shall state the place or places where, and the day and hours when, the preliminary election is to be held.

SECTION 5. The board of election commissioners of the town of North Attleborough shall appoint the same officials and in the

same manner as required by the selectmen under the provisions of section twelve of chapter fifty-four of the General Laws. For the purposes of the town elections in the year nineteen hundred and seventy-eight said board of election commissioners shall not be bound by the time table contained in said section twelve. Said time table shall be in effect for each election thereafter. Said board of election commissioners shall be subject to the provisions of sections thirteen to twenty-two, inclusive, of said chapter fifty-four.

Said board of election commissioners shall preserve all ballots cast for a period of ninety days. Ballots and voting lists used in said election shall be subject to the provisions of section one hundred and nine of said chapter fifty-four unless the preliminary election is contested. If said election is contested the ballots shall be preserved in accordance with section one hundred and thirty-four of said chapter fifty-four.

SECTION 6. At the preliminary election, the two persons receiving the highest number of votes cast for the nomination of candidates for an office shall be declared nominated for such office; but, if two or more persons are to be elected to the same office at such election, the several persons, to a number equal to twice the number so to be elected to such office, receiving at such preliminary election the highest number of votes, the second highest number of votes, and so on to the number to be nominated shall be the candidates whose names shall be printed on the official ballots to be used at such election. If the preliminary election results in a tie vote among candidates for nomination receiving the smallest number of votes, which, but for the tie vote, would entitle a person receiving such number to have his name printed upon the official ballot for the election, all candidates participating in such tie vote shall have their names printed upon the official ballots, although there be printed upon them the names of candidates to a number exceeding twice the number to be elected. If a person receives less than eight per cent of the votes of those voting for candidates for such office, he shall not be declared nominated therefor, although thereby the number of names to be printed upon the official ballots will be less than twice the number to be elected.

Approved November 21, 1977.

Chap. 752. AN ACT AUTHORIZING ROGER R. DERBY TO CONTINUE TO SERVE AS A COURT OFFICER AT THE DISTRICT COURT OF CENTRAL MIDDLESEX AFTER REACHING AGE SEVENTY.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, Roger R. Derby may continue to serve as a court officer at the district court of central Middlesex after attaining the age of seventy, subject, however, to the will of the presiding justice of said court. No deduction shall be made from the regular compensation of said Roger R. Derby under the provisions of chapter thirty-two of the General Laws after he attains the age of seventy and upon retirement of said Roger R. Derby he shall receive a superannuation retirement allowance equal to that to which he would have been entitled had he retired at age seventy.

Approved November 21, 1977.

EMERGENCY LETTER — November 22, 1977 @ 9:55 A. M.

Chap. 753. AN ACT RELATIVE TO THE COLLECTIVE BARGAINING UNIT OF THE METROPOLITAN DISTRICT COMMISSION POLICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish a collective bargaining unit within the metropolitan district commission police, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 3 of chapter 150E of the General Laws, as amended by chapter 591 of the acts of 1975, is hereby further amended by adding the following paragraph:-

The appropriate bargaining unit in the case of the metropolitan district commission police for officers subordinate to the rank of captain shall be composed of members of the metropolitan district commission police holding and in the rank of lieutenant, sergeant, patrolwoman and patrolman.

(This bill, returned by the Governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, November 22, 1977, and, in concurrence, by the House of Representatives, November 22, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 754. AN ACT RELATIVE TO NOTICE TO THE TOWN CLERK OF THE TOWN OF LUDLOW BY CANDIDATES FOR RE-ELECTION AS A TOWN MEETING MEMBER IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 336 of the acts of 1929, as most recently amended by chapter 479 of the acts of 1977, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designations, and shall be signed by at least ten registered voters of the precinct in which the candidate resides, and filed with the town clerk on or before the last date for filing nomination papers for other town offices; provided that any incumbent town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk not later than fourteen days prior to the last day and hour for filing nomination papers.

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

Approved November 22, 1977.

Chap. 755. AN ACT PROVIDING TENURE OF OFFICE FOR RICHARD CHARETTE, INCUMBENT OF THE OFFICE OF VETERANS' AGENT IN THE TOWN OF NORTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the tenure of office of Richard Charette, incumbent of the office of veterans' agent in the town of Norton, shall be unlimited, unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed for cause after a hearing conducted by the board of selectmen of said town.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Norton at the 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-seven entitled 'An Act providing tenure of office for Richard Charette, incumbent of the office of veterans' agent in the town of Norton', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect but not otherwise.

Approved November 22, 1977.

Chap. 756. AN ACT REQUIRING THE STATE TO FURNISH DATA PROCESSING CARD BALLOTS TO CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 54 of the General Laws is hereby amended by striking out section 40, as amended by section 8 of chapter 564 of the acts of 1967, and inserting in place thereof the following section:-

Section 40. All ballots for use in elections of state officers shall be prepared and furnished by the state secretary, and all ballots for use in elections of city or town officers, by the city or town clerk.

In any city or town using an electronic voting system other than a voting machine the ballot shall consist of a ballot label, data processing ballot card, and write-in ballot envelope for each marking unit used. No such ballots shall be printed in any printing establishment owned or managed by the city of Boston.

Approved November 22, 1977.

Chap. 757. AN ACT ESTABLISHING A BOARD OF REGISTRATION IN DENTISTRY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by striking out section 19, as most recently amended by chapter 707 of the acts of 1973, and inserting in place thereof the following section:-

Section 19. There shall be a board of registration in dentistry in the following two sections called the board, consisting of eight persons, each of whom shall be a legal resident of the commonwealth, to be appointed by the governor, six of whom shall be graduates of a reputable dental college and be reputable dentists who have maintained a license to practice dentistry in the commonwealth for the eight years next preceding his appointment, one of whom shall be a representative of the public, subject to the provisions of section nine B, one of whom shall be a graduate of a reputable school of dental hygiene and a reputable dental hygienist who has maintained a license to practice dental hygiene in the commonwealth for the five years next preceding his appointment. No more than one member of the board who is a dentist may be a full time member of the faculty or a trustee of any institution engaged in educating dentists or having power to confer degrees in dentistry. The governor shall appoint annually in April, for a term of five years, a successor to those members of

the board whose terms are expiring in that month. No member shall serve more than two full terms.

There shall be two advisors to the board who shall be dental assistants. One dental assistant shall be appointed an advisor annually, in April, by the governor for a two year term. Any vacancy in the position of advisor shall be filled by the governor for the unexpired term. Advisors shall provide advice and consultation to the board within their area of expertise, and the board shall submit to the advisors for review and comment, at least sixty days prior to its publication as a proposal, any proposed rule or regulation, except emergency rules and regulations adopted under the provisions of clause (3) of section two of chapter thirty A, which would affect the activities of dental assistants.

SECTION 1A. Section 43 of chapter 112 of the General Laws, as amended by section 1 of chapter 583 of the acts of 1965, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The board of registration of dentistry, herein and in sections forty-three A to fifty-three, inclusive, called the board, shall examine applicants for registration in dentistry, and shall investigate all complaints of violations of sections forty-four, forty-nine, fifty-two, fifty-two A, fifty-two C and sixty-five.

SECTION 2. Said chapter 112 is hereby further amended by inserting after section 43 the following section:-

Section 43A. The following words shall have the following meanings wherever used in this chapter or in any rules and regulations promulgated by the board in accordance with the provisions of chapter thirty A.

“direct supervision”, a dentist shall be physically present in a dental facility.

“general supervision”, supervision of dental procedures based on instructions given by a licensed dentist but not requiring the physical presence of a supervising dentist during the performance of those procedures.

“delegated procedures”, those procedures performed under the direct supervision or the general supervision of a licensed dentist.

“aid or assist the dentist”, working simultaneously in conjoined manipulation with a dentist who is rendering treatment, as opposed to the performance of “delegated procedures” which does not require the immediate presence of a dentist.

“placement of a restoration”, a procedure for the reconstruction of a tooth, or portion of a tooth, to its anatomical and functional integrity or the replacement of a tooth or teeth using those

materials designed for the purpose which are accepted by the American Dental Association Council on Dental Materials and Devices.

“dental assistant”, a person qualified by education, training or experience and working under the supervision of a licensed dentist, whose purpose is to aid or assist a dentist in the delivery of patient care, or perform such delegated procedures as may be authorized by rules and regulations of the board.

“dental hygienists”, a person registered and licensed by the board, pursuant to the provisions of section fifty-one.

“appropriate supervision”, the type of supervision, whether direct or general, which the board specifies by rules and regulations as necessary for the performance of various procedures delegated by the board to dental hygienists or dental assistants.

“full time faculty member”, a dentist who devotes at least four full working days per week in teaching-patient care, research or administrative duties in the dental educational or research institution where he is employed.

“intramural group dental practice”, a dental practice comprised of full time faculty members under the auspices of the dental educational or research institution where they are employed.

SECTION 3. Section 44 of said chapter 112, as most recently amended by section 26 of chapter 684 of the acts of 1972, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Every registered dentist when he begins practice, either by himself or associated with or in the employ of another, shall forthwith notify the board of his office address or addresses, and every registered dentist practicing as aforesaid shall biennially, before April first, pay to the board a license fee of thirty dollars, in default of which the board may revoke his license to practice dentistry after a hearing as provided by section sixty-one; but the payment of said fee at or before the time of hearing, with the additional sum of twenty dollars, shall remove the default.

SECTION 4. The first paragraph of section 45 of said chapter 112 is hereby amended by striking out the second sentence, as amended by section 20 of chapter 925 of the acts of 1973, and inserting in place thereof the following sentence:- Any such applicant eighteen years of age or over and of good moral character who shall furnish the board with satisfactory proof that he has received a diploma from the faculty of a dental college accredited or recognized as accredited by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs of the American Dental Association as defined in section

forty-six, shall, upon payment of seventy-five dollars, be entitled to be examined by the board.

SECTION 5. Said chapter 112 is hereby further amended by striking out section 45A, as most recently amended by section 3 of chapter 583 of the acts of 1965, and inserting in place thereof the following section:-

Section 45A. An applicant for limited registration under this section who is eighteen years of age or over and of good moral character who shall furnish the board with satisfactory proof that he has received a diploma from the faculty of a reputable dental college as defined in section forty-six and who shall furnish the board with satisfactory proof that he has been employed as a member of the faculty of a dental college accredited by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs of the American Dental Association or that he has been appointed a dental intern in a hospital or other institution maintained by the commonwealth or by a county or municipality thereof, or in a hospital or dental infirmary incorporated under the laws of the commonwealth, may upon payment of twenty-five dollars be registered by the board as a limited registrant for one year; provided, however, that practice under any such original or renewal limited registration so issued by the board shall be limited to no longer than five years unless said applicant passes a clinical examination administered by the board or is a full time faculty member. Such limited registration shall entitle said applicant to practice dentistry only in the hospital or other institution designated on his registration and under the direction of a registered dentist employed therein. Limited registration under this section may be revoked at any time by the board and a holder of such a limited registration shall not practice dentistry in a private dental office or private dental clinic; provided, however, that a full time faculty member may participate in, and only in, an intramural group dental practice which is operated, managed and physically located within a non-profit dental educational or research institution and their affiliated hospitals in which the full time faculty member is employed.

SECTION 6. Said chapter 112 is hereby further amended by inserting after section 46 the following section:-

Section 46A. If any applicant for registration, either by examination or under the provisions of section forty-eight, is registered and issued a certificate of registration by the board, and does not practice dentistry in the commonwealth within five years from the date of the certificate of registration, or does not

maintain a current license to practice dentistry in the commonwealth for a period of five consecutive years, may be required by the board to be reexamined for competency.

SECTION 7. The first paragraph of section 51 of said chapter 112, as amended by chapter 620 of the acts of 1971, is hereby further amended by striking out, in line 2, the words "training school for hygienists" and inserting in place thereof the words:—school for dental hygienists accredited or recognized as accredited by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs of the American Dental Association.

SECTION 7A. Section 51 of said chapter 112 is hereby further amended by striking out the second paragraph, as amended by section 6 of chapter 583 of the acts of 1965, and inserting in place thereof the following three paragraphs:—

A dental hygienist may perform all acts which may be performed by a dental assistant and may under the appropriate supervision of a dentist perform acts or services on teeth and related structures that are educational, therapeutic, prophylactic and preventive in nature, but may not perform acts or services which require the knowledge and skill of a dentist such as diagnosis, treatment planning, surgical or cutting procedures on hard or soft tissue, and the prescription of medications; provided, however, that the term "therapeutic", as used in this section, shall include gingival curettage and rootplaning in accordance with rules and regulations adopted by the board.

Nothing in sections forty-three to fifty-three, inclusive, or rules and regulations adopted thereunder shall prohibit research, including educational research, conducted under the direct supervision of a licensed dentist and done by nonprofit dental research institutions chartered by the commonwealth and by dental schools accredited by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs of the American Dental Association, whether such research is performed within or without such institutions; provided, however, if such research involves treatment of dental patients and is to be conducted in the private office of one or more private practices, the board shall be notified in writing of the intent to conduct such research and the practice or practices shall be selected in consultation with the board.

The board may adopt rules and regulations in the public interest defining those acts and services performed by a dental hygienist and those delegated procedures performed by a dental assistant. If any educational institution in the commonwealth,

which is accredited by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs of the American Dental Association, wishes to undertake an educational program for dental hygienists or dental assistants which program would involve delegated procedures not in accordance with existing rules and regulations of the board, such educational institution must petition the board in writing, detailing the contemplated program for the board's written approval. The program may be undertaken if the board so approves and shall be subject to periodic review and approval by the board.

SECTION 8. Said section 51 of said chapter 112 is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

Each dental hygienist shall register biennially and in the year not so designated for the registration of dentists and shall pay a biennial registration fee of twelve dollars, in default of which the board may revoke said registration as a hygienist, after a hearing as provided for by section sixty-one; but payment of said fee at once or before the time of hearing, with the additional sum of ten dollars, shall remove the default.

SECTION 9. Said chapter 112 is hereby further amended by inserting after section 51 the following section:-

Section 51A. The board shall adopt rules and regulations for a system of continuing education, compliance with which shall be a requirement and condition precedent to the renewal of licenses issued by the board.

SECTION 10. Section 52 of said chapter 112, as most recently amended by chapter 117 of the acts of 1952, is hereby further amended by striking out, in line 18, the words "three hundred" and inserting in place thereof the words:- one thousand,- by striking out, in line 20, the word "one" and inserting in place thereof the word:- two,- and by striking out, in line 21, the words "six months" and inserting in place thereof the words:- one year.

SECTION 11. Clause (5) of the first sentence of section 52A of said chapter 112 is hereby amended by striking out, in line 3, the words "one column" and inserting in place thereof the words:-two columns.

SECTION 12. Said chapter 112 is hereby further amended by inserting after section 52C the following section:-

Section 52D. The board, after due notice and hearing, may suspend, revoke or cancel any certificate, registration, license or authority issued by it, of any dentist convicted in any court in the commonwealth of a felony related to the practice of dentistry.

SECTION 13. The first sentence of section 53 of said chapter 112 is hereby amended by striking out, in line 11, the word “wife” and inserting in place thereof the word:- spouse,- and by inserting after the word “continuing” in line 11, as appearing in the Tercentenary Edition, the words:- for not more than three years his business under a registered dentist.

SECTION 14. Section 65 of said chapter 112, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 5 to 6, the words “hundred dollars or by imprisonment for not more than three” and inserting in place thereof the words:- thousand dollars or by imprisonment for not more than six.

SECTION 15. Of those persons first appointed as advisors to the board of registration in dentistry under the provisions of section nineteen of chapter thirteen of the General Laws, as amended by section one of this act, one dental assistant shall be appointed by the governor for a term to expire in April, nineteen hundred and seventy-nine, and one dental assistant shall be appointed by the governor for a term to expire in April, nineteen hundred and eighty.

The dental hygienist first appointed as a member of said board under the provisions of said section nineteen, as amended by section one of this act, shall be appointed by the governor for a term to expire in April, nineteen hundred and eighty-three.

SECTION 16. The members of the board of dental examiners immediately prior to the effective date of this act shall continue to serve until the date on which their terms would have expired pursuant to the terms of section nineteen of chapter thirteen of the General Laws in effect immediately prior to the effective date of this act; provided, however, that the terms of section nineteen of chapter thirteen of the General Laws, as amended by section one of this act, shall take effect only as to those persons appointed after the effective date of this act.

Approved November 22, 1977.

Chap. 758. AN ACT REGULATING THE HOLDING OF CERTAIN MOTOR VEHICLES TOWED FOR ILLEGAL PARKING IN THE CITY OF NEWTON UNTIL FINES HAVE BEEN PAID OR SECURED.

Be it enacted, etc., as follows:

SECTION 1. If, in the city of Newton, a vehicle is removed pursuant to a rule or regulation adopted under section twenty-two D of chapter forty of the General Laws, such vehicle shall be held until all charges lawfully imposed for such removal and storage

have been paid, and all fines provided in notices properly affixed to said vehicle, under section twenty C of chapter ninety of the General Laws, in the calendar year in which the removal of the vehicle occurred and the preceding calendar year, have been paid or security deposited for such payment, and due notice of such payment or deposit has been received.

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

Approved November 22, 1977.

Chap. 759. AN ACT AUTHORIZING THE NORTH ANDOVER FIREMEN'S RELIEF ASSOCIATION TO PAY CERTAIN BENEFITS TO ITS MEMBERS UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

The North Andover Firemen's Relief Association, a corporation duly established under the provisions of chapter one hundred and seventy-six of the General Laws, is hereby authorized to pay any member in good standing who retires or who retired after January first, nineteen hundred and seventy-six, after serving as a regular or call fireman in the fire department of the town of North Andover, if and as he so elects by a writing filed by him with the secretary of said corporation within sixty days after his retirement or within ninety days of the effective date of this act in the case of a member retired before such effective date, from the death benefit fund of said corporation a sum equal to and in lieu of the death benefit then provided by the by-laws of said corporation, and he shall thereupon cease to be a member of said corporation or entitled to receive any benefits therefrom, or a sum equal to one half of said death benefit as a retirement payment, and he shall remain a member of said corporation, subject to a member's obligations and entitled to a member's benefits, except that the death benefit payable upon his death shall be an amount equal to the difference between the amount so received as such retirement payment and the amount of the death benefit then provided by the by-laws of said corporation.

Approved November 22, 1977.

Chap. 760. 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, as amended by section 1 of chapter 93 of the acts of 1974, 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 one thousand dollars in amount shall be based upon competition, and no purchases or contracts for purchases shall be made involving the expenditure of more than one thousand 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 November 22, 1977.

Chap. 761. AN ACT RELATIVE TO THE REMOVAL OF CERTAIN EMPLOYEES IN THE TOWN OF BURLINGTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and forty-eight of the acts of nineteen hundred and seventy-seven is hereby repealed.

SECTION 2. Notwithstanding the provisions of any law to the contrary, the town of Burlington is hereby authorized to establish by by-law a procedure providing that employees in those positions therein designated shall not be removed by an appointing authority consisting of three or more persons except upon such vote in excess of a simple majority as shall be stated in said by-law. Any by-law established under the provisions of this act shall not apply to employees or appointed officials of the Burlington public schools and may be repealed in the same manner as any other by-law of said town.

Approved November 22, 1977.

Chap. 762. AN ACT TO RENDER UNENFORCEABLE RESTRICTIVE COVENANTS UPON PHYSICIANS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by inserting after section 12W, inserted by chapter 654 of the acts of 1977, the following section:-

Section 12X. Any contract or agreement which creates or establishes the terms of a partnership, employment, or any other form of professional relationship with a physician registered to practice medicine pursuant to section two, which includes any restriction of the right of such physician to practice medicine in any geographic area for any period of time after the termination of such partnership, employment or professional relationship shall be void and unenforceable with respect to said restriction; provided, however, that nothing herein shall render void or unenforceable the remaining provisions of any such contract or agreement.

SECTION 2. The provisions of section one of this act shall not apply to any contract or agreement executed or in existence prior to the effective date of this act.

Approved November 23, 1977.

Chap. 763. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN LAND IN THE CHARLES RIVER RESERVATION, IN THE TOWN OF WELLESLEY, TO THE TRUSTEES OF THE WALNUT STREET TRUST IN EXCHANGE FOR CERTAIN OTHER LAND.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to convey to G. Arnold Haynes, Edward F. Stimpson III, Luther A. Breck, Jr., and Henry L. Neilson, trustees of the Walnut Street Trust, a certain parcel of land in the town of Wellesley within the Charles River reservation for vehicular parking purposes only. Said land is shown as parcel B on accompanying plan number Acc. 62632 dated December 26, 1974 signed by Francis T. Bergin, Chief Engineer, comprising 3,225 square feet more or less, bounded and described as follows:

Beginning at stone bound set in the boundary line between land of the Commonwealth of Massachusetts (Metropolitan District Commission) and land of Trustees of Walnut Street Trust;

Thence the line runs north $33^{\circ} 48' 43''$ east, sixty-eight and $12/100$ (68.12) feet to a point;

Thence north $0^{\circ} 31' 50''$ east, thirty-two and $53/100$ (32.53) feet to a point;

Thence north $60^{\circ} 17' 50''$ east, one hundred seven and $21/100$ (107.21) feet to a point;

Thence south $23^{\circ} 42' 10''$ east, twenty-four and $53/100$ (24.58) feet to a point at land of Trustees of Walnut Street Trust; the last four (4) courses and distances being by said land of Commonwealth of Massachusetts;

Thence turning and running southwesterly by a line curving to the left with a radius of two hundred seventy-six and $40/100$ (276.40) feet by said land of Trustees of Walnut Street Trust one hundred eighty-six and $34/100$ (186.34) feet to the bound first mentioned and point of beginning.

In exchange for said conveyance the Trustees of the Walnut Street Trust shall convey to the Commonwealth of Massachusetts through its metropolitan district commission a parcel of land shown as Parcel A on the aforementioned plan comprising 2,095 square feet more or less bounded and described as follows:

Beginning at a point on the boundary line between land of the Commonwealth of Massachusetts (Metropolitan District Commission) and land of the Trustees of Walnut Street Trust which point is south $33^{\circ} 48' 43''$ west from a stone bound as shown on the accompanying plan;

Thence south $34^{\circ} 21' 44''$ west one hundred six and $19/100$ (106.19) feet to a point;

Thence north $55^{\circ} 38' 16''$ west twenty and $00/100$ (20.00) feet to a point;

Thence north $34^{\circ} 21' 44''$ east one hundred three and $27/100$ (103.27) feet to a point;

Thence south $63^{\circ} 57' 22''$ east twenty and $21/100$ (20.21) feet to the point of beginning.

Approved November 23, 1977.

Chap. 764. AN ACT DIRECTING THE BOARD OF TRUSTEES OF STATE COLLEGES TO TRANSFER CERTAIN LAND IN THE CITY OF BOSTON TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five as amended,

the board of trustees of state colleges, acting for and in behalf of the commonwealth, is hereby authorized and directed to transfer the care, custody, and control of the following two parcels of public land to the department of public works for highway use, as hereinafter provided.

Said land to be so transferred and diverted are shown on a map entitled "Massachusetts Department of Public Works Urban Systems Project Huntington Avenue Acquisition of Public Lands Owned by the Commonwealth of Massachusetts Board of Trustees of State Colleges October 9, 1975," which map is on file with said department in the office of the chief engineer and bounded and described as follows:

PARCEL 1.

Beginning at a point on said line of street of Longwood avenue, extending thence, leaving said line of street and running by a curve to the left of a twelve and 50/100 (12.50) feet radius, thirteen and 50/100 (13.50) feet to a point; thence turning and running north $56^{\circ}30'54''$ east, thirteen and 77/100 (13.77) feet to a point; thence running by a curve to the right of a one thousand six hundred and forty-four (1,644.00) foot radius, one hundred and forty-seven and 37/100 (147.37) feet to a point; thence turning and running by a curve to the right of a five hundred and twelve (512.00) foot radius, twenty-seven (27.00) feet to a point, thence turning and running north $63^{\circ}32'25''$ east, one hundred and twenty-eight and 50/100 (128.50) feet to a point; thence turning and running south $61^{\circ}43'43''$ east, two and 98/100 (2.98) feet to a point; thence turning and running north $64^{\circ}05'13''$ east, one hundred and sixty-seven and 56/100 (167.56) feet to a point; thence turning and running by a curve to the left of a one thousand four hundred and fifty-nine (1,459.00) foot radius, sixty-three and 17/100 (63.17) feet to a point thence turning and running south $61^{\circ}36'23''$ west, one hundred and seventeen and 99/100 (117.99) feet to a point; thence turning and running by a curve to the right of a one thousand (1,000.00) foot radius, thirty (30.00) feet to a point; thence turning and running south $63^{\circ}19'30''$ west, one hundred and seventy-seven and 70/100 (177.70) feet to a point; thence turning and running by a curve to the left of a one thousand and forty-four (1,044.00) foot radius, thirty-one and 32/100 (31.32) feet to a point; thence turning and running south $61^{\circ}36'23''$ west, fifty-one and 34/100 (51.34) feet to a point; thence turning and running south $28^{\circ}23'38''$ east, two (2.00) feet to a point; thence turning and running south $61^{\circ}36'23''$ west, one hundred and thirty-six and 36/100 (136.36) feet to a point;

thence turning and running north 62°44'03" west, eight and 50/100 (8.50) feet to a point of beginning, containing three thousand five hundred and forty-five (3,545) square feet of land more or less.

PARCEL 2.

Beginning at a point on said line of street, extending thence, leaving said line of street and running north 61°36'22" east, ten (10) feet to a point; thence turning and running south 28°23'38" east, four and 50/100 (4.50) feet to a point on said line of street; thence turning and running along said line of street south 60°36'22" west and north 28°23'38" west, ten (10) feet and four and 50/100 (4.50) feet respectively to the point of beginning, containing forty-five (45) square feet of land more or less.

For the purposes of this act the department of public works is hereby granted authority to divert to highway use, the above described lands or portions thereof presently under the control of the board of trustees of state colleges, now in use for educational purposes.

Approved November 23, 1977.

Chap. 765. AN ACT AUTHORIZING THE COMMISSIONER OF ENVIRONMENTAL MANAGEMENT TO LEASE TO THE DEPARTMENT OF YOUTH SERVICES A PORTION OF NICKERSON STATE PARK FOR USE AS A YOUTH SERVICES FACILITY.

Be it enacted, etc., as follows:

The commissioner of the department of environmental management is hereby authorized to lease for thirty years to the department of youth services a portion of Nickerson State Park currently being used as a youth services facility for such use. Said lease shall be renewable upon the agreement of both parties and is bounded and described as follows:

Beginning at a point in the lower South corner, proceeding in a Northwesterly direction by the shore of Cliff Pond at a distance of 1,490 feet approximately; thence proceeding in a Northeasterly direction a distance of 670 feet approximately; thence in a Southeasterly direction 232.05 feet approximately; to a point in a Southeasterly direction 135.69 feet approximately; from said point in a Southeasterly direction 102.29 feet approximately; from said point in a Southeasterly direction 215.81 feet approximately; from said point in a Southeasterly direction 171.95 feet approximately; thence in a Southeasterly direction 144.42 feet

approximately; thence in a Northeasterly direction 269.24 feet approximately; from said point in a Southeasterly direction 203.22 feet approximately; thence in a Southwesterly direction 182.47 feet approximately; thence in a Southeasterly direction 235.84 feet approximately; thence in a Southwesterly direction 428 feet approximately; to the point of beginning.

Total land area being approximately 18.5 acres. All lands abut property of the commonwealth of Massachusetts, the department of environmental management.

The lease shall grant to the department of youth services a right of ingress and egress to route 6A and shall allow for the construction and maintenance of an administration building and dormitory cottages. The department of youth services and the department of environmental management shall annually prepare a mutually agreeable conservation plan of projects to be completed within a one year period by the department of youth services on lands of the department of environmental management.

Approved November 23, 1977.

Chap. 766. AN ACT RELATIVE TO EARNINGS ALLOWED BY PERSONS RETIRED FOR DISABILITY.

Be it enacted, etc., as follows:

The first paragraph of section 91A of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as amended by section 1 of chapter 431 of the acts of 1966, and inserting in place thereof the following three sentences:- If such earnings exceed, or when added to his adjusted pension or retirement allowance in such preceding year exceed, the amount of regular compensation which would have been payable to such person in such preceding year had he continued service in the grade held by him at the time he was pensioned or retired plus the sum of three thousand dollars, he shall refund his adjusted pension or retirement allowance for such preceding year or a portion thereof equal to such excess, as the case may be; and until such refund is made, his pension or retirement allowance shall be held as security therefor. Such pensioned or retired person shall annually submit a federal W-2 form, if employed, and a federal form 1099, if self-employed, to the board or office by whom he was pensioned or retired. If such pensioned or retired person who is employed or self-employed fails to submit such federal forms,

as the case may be, his pension or retirement allowance shall be held as security until such federal forms are submitted.

Approved November 23, 1977.

EMERGENCY LETTER — January 3, 1978 @ 9:28 A. M.

Chap. 767. AN ACT PROVIDING 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, for the purchase of certain property, the sums set forth in section two of this act, for the several purposes and subject to the conditions in said section two are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

EXECUTIVE OFFICE OF HUMAN SERVICES.

Department of Mental Health.

Region One.

Joseph P. Gentile Center.

Item		
5182-8781	For the construction of an intermediate care facility for the mentally retarded, including the cost of furnishings and equipment; provided, that federal funds allocated by the United States Department of Commerce, Economic Development Administration for the total cost of this project, when received on account of this item shall be credited to the Federal Capital Improvement Fund, appropriation expires June thirtieth, nineteen hundred and eighty-two	\$259,000
	Federal Capital Improvement Fund	100.0%

Region Three.

Walter E. Fernald State School.

5381-8781	For the construction of two sixteen bed intermediate care residences and one training and activities building for the mentally retarded, including the cost of furnishings and equipment; provided, that federal funds allocated by the United States Department of Commerce, Economic Development Administration for the total cost of this project, when received on account of this item shall be credited to the Federal Capital Improvement Fund, appropriation expires June thirtieth, nineteen hundred and eighty-two	\$2,745,000
-----------	--	-------------

Item

Federal Capital Improvement Fund 100.0%

Region Seven.

New Bedford Area.

5782-8781 For the construction of an intermediate care facility for the mentally retarded, including the cost of furnishings and equipment; provided, that federal funds allocated by the United States Department of Commerce, Economic Development Administration for the total cost of this project, when received on account of this item shall be credited to the Federal Capital Improvement Fund, appropriation expires June thirtieth, nineteen hundred and eighty-two \$265,000
 Federal Capital Improvement Fund 100.0%

SECTION 3. To meet the cost of the expenditures authorized by section two of this act, there is hereby appropriated from the Federal Capital Improvement Fund the sum of three million two hundred and sixty-nine thousand dollars; provided, that federal funds received on account of the said items shall be credited to said Federal Capital Improvement Fund.

Approved November 25, 1977.

Chap. 768. AN ACT REQUIRING THE LABOR RELATIONS COMMISSION TO TRANSFER THE ALCOHOLIC BEVERAGES CONTROL COMMISSION INVESTIGATORS FROM UNIT TWO TO UNIT FIVE FOR COLLECTIVE BARGAINING PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter one hundred and fifty E of the General Laws, or of any other general or special law to the contrary, the labor relations commission shall transfer investigators of the alcoholic beverages control commission from unit two to unit five for collective bargaining purposes. This act shall not impair or affect any collective bargaining agreement or contract entered into before the effective date of this act.

Approved November 28, 1977.

Chap. 769. AN ACT AUTHORIZING THE CLERK OF THE BOSTON MUNICIPAL COURT FOR CRIMINAL BUSINESS TO DESIGNATE ONE OF HIS ASSISTANT CLERKS AS ASSISTANT CLERK IN CHARGE OF TWELVE MAN JURY SESSIONS.

Be it enacted, etc., as follows:

SECTION 1. Sections two, three and four of chapter two hundred and forty-five of the acts of nineteen hundred and seventy are hereby repealed.

SECTION 2. Chapter 218 of the General Laws is hereby amended by inserting after section 75A the following section:-

Section 75B. The salaries of the first assistant clerks of the municipal court of the city of Boston and the first assistant clerk designated in charge of twelve man jury sessions of said court for criminal business shall be equal to eighty-seven and one-half per cent, and the salaries of all other assistant clerks shall be equal to seventy-five per cent, of the salary of the clerks of said court.

SECTION 3. This act shall take effect upon its approval by the chief justice of the municipal court of the city of Boston and its acceptance by the city of Boston.

Approved November 28, 1977.

Chap. 770. AN ACT AUTHORIZING COUNSEL TO BE PRESENT AT GRAND JURY PROCEEDINGS.

Be it enacted, etc., as follows:

Chapter 277 of the General Laws is hereby amended by inserting after section 14 the following section:-

Section 14A. Any person shall have the right to consult with counsel and to have counsel present at every step of any criminal proceeding at which such person is present, including the presentation of evidence, questioning, or examination before the grand jury; provided, however, that such counsel in a proceeding before a grand jury shall make no objections or arguments or otherwise address the grand jury or the district attorney. No witness may refuse to appear for reason of unavailability of counsel for that witness.

Approved November 28, 1977.

Chap. 771. AN ACT TRANSFERRING THE ADMINISTRATION OF A CERTAIN EDUCATIONAL ASSISTANCE PROGRAM TO THE BOARD OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 69 of the General Laws is hereby amended by striking out section 7B, as most recently amended by chapter 492 of the acts of 1963, and inserting in place thereof the following section:-

Section 7B. The commonwealth, acting through the board of higher education, and under such conditions of residence as may be established by said board may contribute toward the expenses of the higher education of any child, who has matriculated between the ages of sixteen and twenty-four, inclusive, whose father or mother was a World War I or II or Korean or Vietnam veteran as defined in clause Forty-third of section seven of chapter four, and whose wartime service was credited to Massachusetts, and who was killed in action or died from other cause as result of such service; provided, that claim for reimbursement is filed within two years after such matriculation.

Any child who is eligible under this section, shall, upon becoming a student in any state or county educational institution or other educational institution approved in writing by the chancellor of the board of higher education, be entitled to reimbursement by the commonwealth, in an amount not to exceed seven hundred and fifty dollars in any year, for expenses for tuition, board and room rent, transportation, and books and supplies necessary or incidental to his pursuit of study at such educational institution. Such reimbursement shall be made to such child, or his guardian, if any, on the presentation of vouchers therefor approved by said chancellor. Such payments shall continue for the benefit of a child only during such time as he remains a student in good standing in the institution in which he is enrolled, and in no event shall any student receive the benefits provided by this section for more than four years.

Said chancellor shall determine the eligibility of children for the benefits provided for in this section.

SECTION 2. All unexpended balances or monies appropriated to the board of education for the educational assistance program provided for in section seven B of chapter sixty-nine of the General Laws, amended by section one of this act, shall be transferred to and made available for expenditure by the board of higher education.

Approved November 28, 1977.

Chap. 772. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY TO EXPEND FUNDS FOR PLANS AND SPECIFICATIONS FOR AN ADDITION TO THE SUPERIOR COURT BUILDING IN THE TOWN OF GREENFIELD.

Be it enacted, etc., as follows:

For the purpose of providing an addition for the superior court, probate court and district court building in the town of Greenfield, the county commissioners of Franklin county are hereby authorized to expend, from available funds, a sum not to exceed forty-five thousand dollars for the taking of site borings and the drawing of preliminary plans and specifications for the construction of such an addition. The cost of constructing and originally equipping such an addition shall not exceed one million dollars.

Approved November 28, 1977.

Chap. 773. AN ACT PROVIDING THAT THE PERSONNEL ADMINISTRATOR SHALL NOT BE REQUIRED TO ANNUALLY DETERMINE THE PERCENTUM INCREASE OVER THE PRECEDING YEAR IN THE AVERAGE COST OF LIVING.

Be it enacted, etc., as follows:

Paragraph (1) of section 46 of chapter 30 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 38 of chapter 835 of the acts of 1974.

Approved November 28, 1977.

Chap. 774. AN ACT AUTHORIZING THE ESTABLISHMENT OF LEGAL SERVICE PLANS.

Be it enacted, etc., as follows:

SECTION 1. Section 47 of chapter 175 of the General Laws is hereby amended by adding the following paragraph:-

Nineteenth, To provide legal services insurance under the provisions of chapter one hundred and seventy-six H.

SECTION 2. Section 48 of said chapter 175 is hereby amended by striking out the third paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:-

Under the sixth clause, to insure only against sickness and against the bodily injury or death by accident of the insured; and

under the seventh, thirteenth and nineteenth clauses, not less than one hundred thousand dollars.

SECTION 3. The first paragraph of section 4 of chapter 175A of the General Laws, as most recently amended by section 2 of chapter 896 of the acts of 1971, is hereby further amended by inserting after the first sentence the following sentence:- This chapter shall also apply to insured legal services plans and membership legal services plans under the provisions of chapter one hundred and seventy-six H.

SECTION 4. Clause (a) of section 1 of chapter 176D of the General Laws is hereby amended by inserting after the letter "F," in line 6, as appearing in section 1 of chapter 543 of the acts of 1972, the words:-insurers and sponsors of a legal services plan as defined in chapter one hundred and seventy-six H.

SECTION 5. The General Laws are hereby amended by inserting after chapter 176G the following chapter:-

Chapter 176h.

Legal Services Plans.

Section 1. In this chapter the following words shall have the following meanings:-

"Attorney", an attorney at law who is a member of the bar of the commonwealth or any other state.

"Commissioner", the commissioner of insurance.

"Covered dependents", dependents of an insured for whom benefits for covered legal services are provided under an insured legal services plan, or dependents of a member for whom covered legal services are provided under a membership legal services plan.

"Covered legal services", legal services for which benefits are provided under an insured legal services plan or which are provided under a membership legal services plan.

"Insurance certificate", a contract entered into between an insurer and an insured under an insured legal services plan.

"Insured", a person to whom an insurance certificate has been issued.

"Insured legal services plan", a plan whereby benefits for legal services are provided to insureds and their covered dependents in accordance with the provisions of this chapter.

"Insurer", a corporation which underwrites a legal services plan.

"Member", a person to whom a membership certificate has been issued.

“Membership certificate”, a contract entered into between a sponsor and a member under a membership legal services plan.

“Membership legal services plan”, a plan whereby legal services are provided to members and their covered dependents in accordance with the provisions of this chapter.

“Participating attorney”, an attorney who agrees in writing with an insurer to provide legal services to an insured or insureds in accordance with the provisions of an insurance certificate under an insured legal services plan, or an attorney who agrees in writing with a sponsor to provide legal services to a member or members in accordance with the provisions of a membership certificate under a membership legal services plan.

“Sponsor”, any person, group of persons, or entity which establishes and operates a legal services plan in accordance with the provisions of this chapter.

Section 2. Any sponsor may establish and operate an insured legal services plan underwritten in whole or in part by an insurer subject to the provisions of this chapter. An insured legal services plan may be either an indemnity plan or a service plan, or a combination of both. Under an indemnity plan, benefits for covered legal services shall be paid to the insured for the legal services of an attorney of the insured’s choice. Under a service plan, benefits for covered legal services shall be paid to a participating attorney for the legal services of a participating attorney of the insured’s choice, provided, however, that such benefits shall be paid to an attorney for his legal services, whether or not such attorney is a participating attorney, if the insured chooses such attorney and notifies the insurer in writing before such legal services are rendered.

Section 3. Insurance corporations may be insurers of insured legal services plans, and such companies shall be subject to the insurance laws of the commonwealth except insofar as any provision of the insurance laws may be in conflict with applicable provisions of this chapter. An insurer may also be a sponsor of an insured legal services plan.

Section 4. An insurance certificate shall be issued by an insurer to each insured or group of insureds under an insured legal services plan. No insurance certificate shall be issued unless it contains the following provisions:-

(a) A statement of covered legal services under the certificate and the basis for payment for such legal services;

(b) A statement of the duration of the certificate and of the terms and conditions upon which it may be extended, renewed, amended, canceled or otherwise terminated; and

(c) A statement of the period of grace which will be allowed for making any payment due from the insured under the certificate, which in any event shall not be less than thirty days.

Section 5. No insurer shall issue an insurance certificate or any amendment to an insurance certificate previously approved and issued without prior approval of the commissioner, and prior to such approval the insurer shall file a copy of the insured legal services plan and insurance certificate to be issued thereunder with the commissioner and copies thereof to the advisory committee on prepaid legal services. The advisory committee on prepaid legal services shall review the insured legal services plan and insurance certificate and advise the commissioner in writing whether such plan and certificate are in conformity with rules of the supreme judicial court governing the practice of law.

Within thirty days after the filing of any such plan or certificate the commissioner shall either approve the plan in writing or hold a public hearing upon such plan, upon not less than fifteen days written notice to all interested parties. The advisory committee on prepaid legal services shall be a party with respect to any plan or certificate filed under this section, shall have the right to participate in any hearing held hereunder, and shall receive notice of the approval by the commissioner of any plan or certificate under this section. Any such plan and certificate shall be approved unless the commissioner finds that the plan or certificate contains any provision which is unfair, inequitable, misleading, or deceptive, or that the plan or certificate does not comply with the provisions of this chapter or any other applicable provision of law, or rule of the supreme judicial court.

Section 6. The rates to be charged by an insurer under an insured legal services plan approved under this chapter shall be filed and determined in accordance with the provisions of sections one through five and six through twenty of chapter one hundred and seventy-five A.

Section 7. Any corporation formed under the provisions of chapter one hundred and eighty, any corporation formed under general or special law for any of the purposes set forth in section four of chapter one hundred and eighty, or any labor organization is authorized to establish and operate a membership legal services plan. Only such corporations or labor organizations may be sponsors of membership legal services plans. Under a membership legal services plan sponsored by a corporation whose primary purpose is other than the establishment and operation of a membership legal services plan, legal services may be provided only to bona fide members of the corporation and the dependents

of such members; and any such member may elect not to participate in such plan. A sponsor of a membership legal services plan may contract on behalf of its members with a participating attorney or participating attorneys, including, at the option of the sponsor, an attorney or attorneys chosen by a member or members, to provide covered legal services to such members and dependents.

A membership legal services plan shall not include any plan or legal services provided by a legal aid office or public defender office, a military legal assistance office, a lawyer referral service operated, sponsored or approved by a bar association representative of the general bar of the geographical area in which the association exists, or of any other nonprofit organization that recommends, furnishes or pays for legal services to its members or beneficiaries in a manner incidental and reasonably related to a primary purpose of such organization to promote a public interest, including, without limitation, defense of human and civil rights, elimination of prejudice and discrimination as to race, religion, sex and national origin, lessening neighborhood tensions, preservation of scenic beauty, combatting or preventing pollution, preservation of natural resources, protection of consumer interest, promotion of cultural, historical or other educational activities, and prevention of cruelty to animals.

Section 8. A membership certificate shall be issued by a sponsor to each participating member under a membership legal services plan. No membership certificate shall be issued unless it contains the following provisions:-

(a) A statement of covered legal services under the certificate and the basis for payment for such legal services;

(b) A statement of the duration of the certificate and of the terms and conditions upon which it may be extended, renewed, amended, canceled or otherwise terminated;

(c) A statement of the period of grace which will be allowed for making any payment due from the participant member under the certificate, which in any event shall not be less than thirty days; and

(d) A description of the membership legal services plan's method for resolving member complaints.

Section 9. No sponsor shall issue a membership certificate or any amendment to a membership certificate previously approved and issued without prior approval of the commissioner, and prior to such approval the sponsor shall file a copy of the membership legal services plan and membership certificate to be issued thereunder with the commissioner and copies thereof to the ad-

visory committee on prepaid legal services. The advisory committee on prepaid legal services shall review the membership legal services plan and membership certificate and advise the commissioner in writing whether such plan and certificate are in conformity with rules of the supreme judicial court governing the practice of law.

Within thirty days after the filing of any such plan or certificate the commissioner shall either approve the plan in writing or hold a public hearing on such plan, after not less than fifteen days written notice to all interested parties. The advisory committee on prepaid legal services shall be a party with respect to any plan or certificate filed under this section, shall have the right to participate in any hearing held hereunder, and shall receive notice of the approval by the commissioner of any plan or certificate under this section. Any such plan and certificate shall be approved unless the commissioner finds that the plan or certificate contains any provision which is unfair, inequitable, misleading or deceptive, or that the plan or certificate does not comply with the provisions of this chapter or any other applicable provision of law or rule of the supreme judicial court, or that the sponsor has failed to establish its ability to provide covered legal services to its members in accordance with the terms of the membership certificate. The commissioner may approve any such plan subject to such conditions as may be appropriate to assure the continuing ability of the sponsor to provide covered legal services to its members in accordance with the terms of the membership certificate.

Section 10. The rates to be charged by a sponsor under a membership legal services plan approved under this chapter shall be filed and determined in accordance with the provisions of sections one through five and six through twenty of chapter one hundred and seventy-five A.

Section 11. The commissioner may, upon not less than fifteen days' written notice to all interested parties, hold a public hearing upon an insured legal services plan or a membership legal services plan previously approved by him under section five or section nine of this chapter to determine whether modification of any provisions of such a plan or rescission of his prior approval may be necessary in order to protect the interests of the insureds, members or covered dependents of such a plan. The advisory committee on prepaid legal services shall be a party with respect to any plan which is the subject of a hearing under this section, shall have the right to participate in any hearing held hereunder, and shall receive notice of any order or decision of the commis-

sioner issued thereon. After hearing, upon his finding that it is necessary in order to protect the interests of the insureds, members or covered dependents of a plan, the commissioner may modify any provisions of a plan or rescind his prior approval thereof.

No insured legal services plan or membership legal services plan may be the subject of a hearing under this section except after three years from the date of approval of the plan by the commissioner under section five or section nine of this chapter or except after three years from the date of any order or decision of the commissioner after a hearing upon such a plan under this section.

Section 12. Any insurer or sponsor or other interested party aggrieved by any order or decision of the commissioner made without a hearing, or the advisory committee on prepaid legal services may, within fifteen days after written notice of the order or decision, make written request to the commissioner for a hearing thereon. The commissioner or his designee shall hear such party or parties within thirty days after receipt of such request and shall give not less than fifteen days' written notice of the time and place of the hearing. Such hearing shall be an adjudicatory hearing as defined in chapter thirty A. Within thirty days after such hearing, the commissioner or his designee shall affirm, reverse or modify his previous order or decision specifying his reasons therefor in writing. Pending such hearing and decision thereon, the commissioner may suspend or postpone the effective date of his previous order or decision.

Section 13. The commissioner, or any deputy examiner or any other person designated by the commissioner, shall, at least once in three years, and whenever the commissioner deems it prudent, visit any sponsor and examine into its affairs. The commissioner shall have free access to all of the books, records and papers of the sponsor and may summon and examine under oath its officers, agents, employees and other persons in relation to its affairs and condition. The commissioner shall require every such sponsor to keep its books, records, accounts and vouchers in such manner that he or his authorized representatives may readily determine whether the sponsor has complied with the law. Said sponsor shall be liable for all costs incurred in such examinations, including expenses of the commissioner, deputy examiner, or any designee employed in such examinations.

Files or records containing confidential matters of an insured, a member, or covered dependents, or attorney's client files and records shall be exempt from this section, except as otherwise

may be ordered by court upon a complaint brought in the superior court by the commissioner.

Section 14. Any dispute or controversy arising between an insurer or sponsor and any attorney, insured, or member, or any person whose insurance certificate or membership certificate has been canceled or to whom an insurer or sponsor has refused to issue an insurance certificate or membership certificate or between any attorney and an insured or member may within thirty days after such dispute or controversy arises make written request to the commissioner for a hearing thereon. The commissioner or his designee shall hear such party or parties within thirty days after receipt of such request and shall give not less than fifteen days written notice of the time and place of the hearing. Such hearing shall be an adjudicatory hearing as defined in chapter thirty A. Within thirty days after such hearing the commissioner or his designee shall issue a decision thereon.

Section 15. Upon application to the superior court by the commissioner, injunctive relief may be granted if any sponsor of an insured legal services plan or a membership legal services plan has failed to comply with the provisions of this chapter; is operating fraudulently; is operating so as to render further operations contrary to the public interest; has exceeded its powers; has violated any provision of law; is financially unable to pay its claims in full; or is insolvent. The court may forthwith issue a temporary injunction restraining the transaction of any business, and it may, after a full hearing make the injunction permanent, and appoint one or more receivers to take possession of the books, papers, monies and other assets of the sponsor to settle its affairs, and distribute its funds to those entitled thereto, subject to such rules and orders as the court may prescribe, or may make such other order as it may deem appropriate.

Section 16. It shall be unlawful for any person, group of persons, or entity except an insurer or sponsor of an insured legal services plan or a membership legal services plan, to establish, underwrite, operate or offer to sell a legal services plan, except in conformity with the provisions of this chapter; provided, however, that the provisions of this chapter shall not apply to a labor organization providing legal services to its members and their dependents nor to legal fee reimbursement services provided by an automobile club in conformity with the provisions of chapter one hundred and seventy-four B nor to a legal services plan established under the provisions of federal law.

Section 17. The commissioner may, after public hearing, promulgate appropriate rules and regulations for the execution of his

duties under this chapter. The rules and regulations may include such provisions as the commissioner deems necessary to assure that legal services plans operate in the public interest, to enable insureds, members and their covered dependents to receive legal services at reasonable cost, and to restrain any inflation in the cost of legal services attributable to the operation of legal services plans.

At any time after one year from the date of approval by the commissioner of an insured legal services plan or a membership legal services plan under this chapter, the commissioner may, upon his finding that the public interest so requires, promulgate rules and regulations providing for his approval of the fees or methods of compensating attorneys under insured legal services plans or membership legal services plans, provided, however, that such rules and regulations shall provide that the approval of the commissioner shall not be withheld unless the commissioner finds that the fees or methods of compensating attorneys under an insured legal services plan or a membership legal services plan are unreasonable or excessive in relation to the legal services provided or to be provided thereunder. Regulations adopted under this paragraph may also provide that no attorney providing covered legal services under a legal services plan may charge an insured or member a fee in excess of such amount as may be authorized by the plan.

The advisory committee on prepaid legal services shall be an interested party with respect to rules and regulations promulgated under this section, shall have the right to participate in any hearing held hereunder, and shall receive notice of the promulgation of rules and regulations under this section.

Section 18. There shall be an advisory committee on prepaid legal services consisting of eleven members appointed by the governor, a majority of whom shall be attorneys engaged in the practice of law who are members of the Massachusetts bar and shall include representatives of the organized bar and of organized consumer interest groups. Members of such committee shall receive no compensation for their services, but shall be reimbursed for expenses necessarily incurred in rendering such services.

Section 19. The provisions of this chapter may be enforced by a complaint brought in the superior court by the commissioner or the advisory committee on prepaid legal services.

Approved November 28, 1977.

Chap. 775. AN ACT INCREASING THE MAXIMUM AMOUNT OF A LOAN WHICH BANKS MAY MAKE WHEN SAID LOAN IS SECURED BY MORTGAGE OF REAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. Section 35 of chapter 168 of the General Laws is hereby amended by inserting after paragraph 6B the following paragraph:-

6C. A mortgage loan not exceeding ninety per cent of the value of the real estate, payable not more than thirty-five years from the date of the note; provided, that the loan shall be secured by a mortgage on real estate improved with a dwelling designed to be occupied by not more than four families and occupied or to be occupied in whole or in part by the mortgagor; and provided, further, that the terms of the note or mortgage shall only require monthly payments for interest for the first ten years of the mortgage loan, and in such amounts that the aggregate principal reduction at any time during the remaining term of the loan shall be not less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of twenty-five years; and provided, further, that construction of the dwelling on the mortgaged property shall be completed prior to the making of any disbursement on the loan in excess of eighty per cent of the value of the real estate, that the mortgagor shall furnish to the board of investment an affidavit that the mortgagor does not require junior financing, that the board of investment shall certify in writing that the dwelling has a useful life beyond the term said loan has to run; and provided, further, that that portion of the unpaid balance of the loan which exceeds seventy per cent of the value of the real estate shall be guaranteed or insured by a mortgage insurance company which has been determined to be a "qualified private insurer" by the Federal Home Loan Mortgage Corporation (Public Law 91-351), or has been approved by the commissioner as qualified to insure loans of this class, and which is authorized to transact business in the commonwealth. Interest upon such loan shall be computed monthly on the unpaid balance. The note or mortgage shall also require payment each month of a proportionate part of the estimated real estate taxes and betterment assessment of the mortgaged real estate. No loan of this class shall be made or acquired for a sum in excess of forty thousand dollars.

SECTION 2. Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 3C and inserting in place thereof the following two subsections:-

3C. Notwithstanding the provisions of subsection 3, the amount of any loan when made or acquired may exceed ninety per cent but not more than ninety per cent of the value of the mortgaged property as certified by the security committee, provided that (a) a loan made under this subsection shall not exceed forty thousand dollars; (b) the term of the note therefor shall not exceed thirty-five years; (c) said loan shall be secured by a first mortgage on a single or two family residence occupied or to be occupied by the mortgagor in whole or in part; (d) the security committee has certified in writing (1) that the mortgagor does not require junior financing; (2) that the building has a useful life beyond the term said loan has to run and (3) that the building shall be completed prior to the making of any disbursement on the loan; (e) the terms of the note or mortgage require only monthly payments for interest for the first ten years of the mortgage loan, and in such amounts that the aggregate principal reduction at any time during the remaining term of the loan shall not be less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of twenty-five years which payment shall be first applied to interest and the balance thereafter remaining applied to principal; and provided, further, that that portion of the unpaid balance of the loan which exceeds seventy per cent of the value of the real estate, as certified by the security committee when said loan was made or acquired, shall be guaranteed or insured by a mortgage insurance company which has been determined to be a "qualified private insurer" by the Federal Home Loan Mortgage Corporation (Public Law 91-351), or has been approved by the commissioner as qualified to insure loans of this class. Interest upon each such loan shall be computed monthly on the unpaid balance thereof. The aggregate amount of loans outstanding hereunder shall not exceed five per cent of the deposits of the corporation.

3D. A note or mortgage taken under subsection 3, 3A, 3B or 3C shall contain a provision requiring the payment each month of a proportionate part of the estimated real estate taxes and betterment assessments if the amount of the loan exceeds seventy per cent of the value of the real estate.

Approved November 28, 1977.

Chap. 776. AN ACT RELATIVE TO LUMP SUM PAYMENTS UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 48 of chapter 152 of the General Laws, as amended by section 6 of chapter 314 of the acts of 1953, is hereby further amended by adding the following paragraph:-

Whenever a lump sum agreement or payment has been approved by the division in accordance with the terms of this section, such agreement or payment shall affect only the insurer and employee who are parties to such lump sum agreement and shall not affect any other action or proceeding arising out of a separate and distinct injury resulting in an incapacity whether said injury precedes or arises subsequent to the date of settlement.

SECTION 2. This act shall apply to injuries arising on and after its effective date.

Approved November 29, 1977.

EMERGENCY LETTER — January 3, 1978 @ 9:28 A.M.

Chap. 777. AN ACT FURTHER REGULATING THE ADMISSIBILITY OF CERTAIN MEDICAL REPORTS IN WORKMEN'S COMPENSATION CASES.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 20B, inserted by chapter 598 of the acts of 1974, and inserting in place thereof 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 employee, including expressions of medical opinion, shall, at the discretion of the member, be admissible as evidence if the member finds that such medical report was made as the result of such physician's attendance or examination of the employee.

Approved November 29, 1977.

Chap. 778. AN ACT CREATING THE ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATION OF LYNN.

Be it enacted, etc., as follows:

SECTION 1. Definitions. In this act, unless a contrary intention clearly appears, the following words shall have the following meanings:

(a) "City", the city of Lynn.

(b) "Corporation", the Economic Development and Industrial Corporation of Lynn created by section three.

(c) "Cost of a project", all costs, whether incurred prior to or after the issue of bonds or notes hereunder, of acquisition, site development, construction, improvement, enlargement, reconstruction, alteration, machinery, equipment, furnishings, demolition or removal of existing buildings or structures, including the cost of acquiring any lands to which such buildings or structures, including the cost of acquiring any lands to which such buildings or structures may be moved, financing charges, interest prior to and during the carrying out of any project, interest for up to two years after the completion or estimated completion date of any project, planning, engineering and legal services, administrative expenses, the funding of notes issued for capital purposes, such reserves for debt service or other capital or current expenses as may be required by a trust agreement or resolution securing notes or bonds and all other expenses incidental to the determination of the feasibility of any project or to carrying out the project or to placing the project in operation.

(d) "Economic development plan", a detailed plan, as it may be approved from time to time by the city council and the mayor under section six, for one or more economic development projects within an economic development area, which plan shall be consistent with local objectives respecting appropriate land uses, and shall be sufficiently complete to indicate the boundaries of the area, such land acquisition, such demolition, removal, and rehabilitation of structures, and such development, redevelopment and general public improvements as may be proposed to be carried out within such area, zoning and planning changes, if any, and proposed land uses, maximum densities and building requirements; provided, however, that without specific approval of the city council and of the mayor, no economic development plan shall propose zoning changes to or from business or residential uses or provide for any office building other than one wholly incidental to a manufacturing or industrial use within the area.

(e) "Economic development area", any blighted open area or any decadent area, as respectively defined in section one of chapter one hundred and twenty-one B of the General Laws, which is located in the city, and is zoned for general or restricted manufacturing uses or for general or waterfront industrial uses, whether restricted or not, and within which there are not more than forty-five dwelling units.

(f) "Economic development project", (1) a project to be undertaken in accordance with an economic development plan for acquisition by the corporation of land and the improvements thereon, if any, within an economic development area covered by an economic development plan and for clearance and development of the land so acquired; or (2) a project for the rehabilitation or conservation of an economic development area, or for the restoration and renewal of any such area or portion thereof, or for the demolition, removal or rehabilitation of improvements on land within an economic development area whenever necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, mitigate or eliminate traffic congestion, reduce traffic hazards or eliminate obsolete or other uses detrimental to the public welfare; or (3) a project involving any combination of the foregoing types of project. An economic development project may include improvements necessary for carrying out the objectives of the economic development project, together with such site improvements as are necessary for the preparation of any site for uses in accordance with the economic development plan and making any land or improvements acquired in the area of the project available for redevelopment or rehabilitation by private enterprise, including sale, initial leasing or retention by the corporation for industrial or manufacturing uses in accordance with the economic development plan. An economic development project may also include the construction by the corporation of any of the buildings, structures or other facilities for industrial or manufacturing uses contemplated by the economic development plan and the repair, removal or rehabilitation by the corporation of any of the buildings, structures or other facilities located in the area covered by the economic development plan and which, under such plan, are to be repaired, moved or rehabilitated.

SECTION 2. Statement of Findings. It is hereby declared that decadent or blighted open areas exist in parts of the city of Lynn zoned for industrial or manufacturing uses; that each such area constitutes a serious and growing menace, injurious and inimical to the safety, health, morals and welfare of the residents of the city; that each such area constitutes an economic liability, substantially impairs or arrests the sound growth of the city and retards the economic well being of the commonwealth; that each decreases the value of private investments and threatens the sources of public revenue; that redevelopment of each such area in accordance with an economic development plan for the elimination of substandard conditions and the prevention of their

recurrence is necessary to retain existing industries, and attract new industries, and promote the sound economic growth of the city; that the menace of such decadent or blighted open areas is beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided; that the acquisition of property for the purpose of eliminating decadent, substandard or blighted open conditions therein, preventing recurrence of such conditions in the area, the removal of structures and improvements of sites for manufacturing and industrial uses, the disposition of the property for redevelopment incidental to the foregoing, the exercise of powers by the corporation and any assistance which may be given by the city or any other public body in connection therewith are public uses and purposes for which public money may be expended and the power of eminent domain exercised; and that the acquisition, planning, clearance, development, rehabilitation or rebuilding of such decadent and blighted open areas for industrial or manufacturing purposes are public uses and benefits for which private property may be acquired by eminent domain or regulated by wholesome and reasonable orders, laws and directions and for which public funds may be expended for the good and welfare of the city and the commonwealth.

It is hereby further found and declared that there exists in the city a condition of substantial and persistent unemployment and underemployment which causes hardship to many individuals and families, wastes vital human resources, increases the public assistance burdens, impairs the security of family life, impedes the economic and physical development of the city and adversely affects the welfare and prosperity of the people; that unemployment and underemployment have been caused in part by industrial and manufacturing companies moving from the city; that many existing industrial and manufacturing facilities within the city are obsolete and inefficient; that such facilities are underutilized or vacated, thereby creating additional unemployment; that such obsolescence and abandonment of existing facilities are causing serious injury to the economy of the city; that the manufacturing and industrial sector of the economy provides the best opportunity for better jobs at higher wages for inhabitants of the city; that new industrial and manufacturing sites are required to attract and house new industries and to retain existing industries in need of expansion space; that the unaided ef-

forts of private enterprise have not provided and cannot provide the necessary industrial sites within the urban environment due to problems encountered in the assembly of suitable building sites, the provision of adequate public services, the unavailability of private capital for development and the inability of private enterprise alone to plan, finance and coordinate industrial development projects.

SECTION 3. Creation of Corporation. There is hereby created a public body politic and corporate, to be known as the Economic Development and Industrial Corporation of Lynn, in this act called the corporation, which shall be an instrumentality of the commonwealth, consisting of seven members appointed by the mayor of the city subject to confirmation by the city council of the city, one member who has experience in industrial development activities. At least one member shall be experienced in financial matters, one in real estate matters and one in municipal government; one member shall be a person of low income, and two members at large. The mayor, in making said appointments to the corporation may give priority to those candidates who have a legal residence within the city limits of Lynn. The mayor shall designate one of the seven members as chairman and another as vice-chairman. Each of the seven members shall be sworn to the faithful performance of his official duties as a member of the corporation. A majority of the seven members shall constitute a quorum for the transaction of any business, but the action of a majority of the entire membership shall be required for any transaction. For the purposes of section eleven A of chapter thirty A of the General Laws, the corporation shall be deemed to be an authority established by the general court to serve a public purpose in the commonwealth.

Of the members of the corporation first appointed, two shall be appointed to serve for one year from the first day of July in the current year, two for two years from said date and three for three years from said date. Upon the expiration of the term of office of any such member, or any subsequent member, his successor shall be appointed in like manner for a term of three years. In the event of a vacancy in the office of a member, his successor shall be appointed in like manner to serve for the unexpired term. Unless reappointed, no member of the corporation shall hold office after the expiration of his term; and the appointment of a successor to any person whose term has expired shall be for the remainder of the term which would have begun at such expiration if the successor had then been appointed.

Any member may be removed by the mayor for malfeasance, misfeasance or willful neglect of duty, but only after reasonable notice and a public hearing, unless the same are in writing expressly waived. For the purposes of chapter two hundred and sixty-eight A of the General Laws, the members of the corporation shall be deemed to be special municipal employees.

Before the issuance of any bonds under the provisions of this act, each member of the corporation shall execute a surety bond with a surety company authorized to transact business in this commonwealth as surety, in the penal sum of fifty thousand dollars conditioned upon the faithful performance of the duties of his office, each such surety bond to be approved by the corporation counsel of the city and filed in the office of the state secretary. The members of the corporation shall receive no compensation for the performance of their duties hereunder; but each member shall be reimbursed for expenses actually incurred in the performance of his duties. Each such reimbursement shall be open to public inspection from and after the requisition therefor.

SECTION 4. General Powers and Duties. The members of the corporation shall adopt a corporate seal for the corporation and designate the custodian thereof; may from time to time appoint and at pleasure remove a director, a clerk, a treasurer or such other officers of the corporation as they may deem necessary and may determine their duties and their compensation, which shall be paid by the corporation; shall cause at all times accurate accounts to be kept of all receipts and expenditures of the funds of the corporation and shall make a report annually in December to the mayor, the city council and the city clerk of the city, containing an abstract of such accounts and detailed information of all receipts and expenditures, including prices paid for land purchased or taken and any buildings constructed thereon, contracts for construction of facilities and for the leasing thereof and such other detailed information as may be deemed helpful. The offices of treasurer and clerk may be held by the same person. The corporation shall cause an audit of its books and accounts to be made at least once in each fiscal year by certified public accountants and the cost thereof shall be treated as an item of current expense. Except as otherwise provided in this act, the corporation shall have full power to exercise care of its property and the management of its business and affairs and to sell and convey any real estate or other property not needed for its business or affairs, by deed or other instrument sealed with the corporate seal, signed and acknowledged by a majority of the members, or in

like manner to authorize such sale and conveyance by any of its officers or agents. The treasurer shall give bond for the faithful performance of his duties, with a surety company authorized to do business in this commonwealth as surety, in such sum as the members may determine, the premium therefor to be paid by the corporation. Neither chapter thirty-one of the General Laws nor any rule made thereunder shall apply to any person employed or engaged by the corporation under this act.

SECTION 5. Specific Powers. The corporation is hereby authorized:

(a) To sue and be sued in its own name and plead and be impleaded.

(b) To adopt by-laws for the regulation of its affairs and the conduct of its business and to alter the same at its pleasure.

(c) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, and to employ consulting engineers, superintendents, managers, and such other engineers, construction and accounting experts and attorneys and such other employees, agents and consultants as may be necessary in its judgement and to fix their compensation!

(d) To receive and accept from any federal agency or the commonwealth of the city grants, loans or advances for or in aid of an economic development project or projects and to receive and accept contributions from any source of either money, property, labor or other things of value, to be held, used and applied for the purposes for which such grants, loans, advances and contributions may be made.

(e) To borrow money, and, from time to time, to make, accept, endorse, execute and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of the corporation, for moneys borrowed or in payment for property acquired or for any of the other purposes of the corporation and to secure the payment of such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights or privileges of the corporation.

(f) To issue revenue bonds of the corporation, payable solely from revenues, for the purpose of paying all or any part of the cost of a project or projects.

(g) To invest any funds not required for immediate use or disbursement in certificates of deposit or in obligations of the government of the United States or in obligations the payment of

the principal of, and interest on, which is guaranteed by the government of the United States.

(h) To provide such advisory services and technical assistance as may be desirable to carry out the purposes of the act.

(i) To prepare or cause to be prepared plans, designs, drawings, specifications and estimates of cost for the construction, reconstruction, development, redevelopment, rehabilitation, remodeling, alteration or repair of economic development projects and from time to time modify such plans, designs, drawings, specifications and estimates.

(j) Subject to the approval of the city council and of the mayor, to designate areas of the city as economic development areas.

(k) To acquire and hold by bequest, devise, grant, gift, purchase, exchange, lease, judicial order or decree, or otherwise, for any of its objects and purposes, any property, either real or personal, or any interest therein; and, without limiting the generality of the foregoing, to acquire by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws insofar as such provisions may be applicable, such private lands, or any interest therein, as it may deem necessary for carrying out the provisions of this act or for providing for the relocation of persons and businesses displaced as a result of carrying out an economic development plan. The provisions of this section forty of said chapter seventy-nine shall apply to any taking by the corporation, except that the security therein required shall be deposited with the collector-treasurer of the city and shall be in an amount at least twenty-five per cent higher than the aggregate average assessed valuations in the three previous calendar years of all real estate to be taken by eminent domain. Prior to the approval of an economic development plan by the city council and the mayor, the corporation shall neither acquire any property nor institute any proceeding under chapter eighty A, except for purposes of relocation; provided, however, that if an economic development plan contemplates the taking by eminent domain of lands particularly described therein, and if said plan is approved by the city council and the mayor, the date as of which the value of such lands shall be determined for eminent domain purposes shall be the date on which said economic development plan was first submitted to the city council.

(l) To make relocation payments to persons and businesses displaced as a result of carrying out an economic development plan, including such payments on a pro tanto basis.

(m) To procure insurance against any loss in connection with its property and other assets and operations in such amounts and from such insurers as it deems desirable.

(n) To clear and improve property acquired by it and to engage in or contract for the construction, reconstruction, development, redevelopment, rehabilitation, remodeling, alteration or repair thereof.

(o) To arrange or contract with the city for the planning, replanning, opening, grading or closing of streets, roads, alleys or other places or for the furnishing of facilities or for the acquisition by the city of property or property rights or for the furnishing of property or services in connection with a project or projects.

(p) To sell, convey, mortgage, lease, transfer, option, exchange or otherwise dispose of any property, either real or personal, or any interest therein, as the objects and purposes of the corporation may require, subject to such limitations as may be prescribed by law.

(q) To loan on mortgages, including purchase money mortgages, on real estate and personal property within economic development areas, to foreclose the same when in default and to bid for and purchase property at any foreclosure or other sale, and, in such event, to deal with such property, in such manner as may be necessary or desirable to protect the interests of the corporation therein.

(r) To manage any project whether owned or leased by the corporation and to enter into agreements with the commonwealth or the city or any agency or instrumentality thereof or with any person, firm, partnership or corporation either public or private for the purpose of causing any project to be managed.

(s) To act with respect to one or more projects as a corporation organized under section three or section eighteen B of chapter one hundred and twenty-one A of the General Laws; provided that the accounts for each project shall be kept separately and the income of one project shall not be expended upon or for the benefit of another project.

(t) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

The corporation is hereby directed to pay the reasonable relocation costs of persons and businesses displaced as a result of

carrying out an economic development plan as authorized by clause (1) of this section; provided, however, that the corporation shall not be required hereby to pay or contribute to the payment of such costs of any relocatee in excess of twenty-five thousand dollars.

SECTION 6. Economic Development Plan. No economic development project shall be undertaken until (a) a public hearing relating to the economic development plan covering such project has been held by the corporation after due notice and (b) the economic development plan has been approved by a two-thirds vote of the city council and the approval of the mayor, except that if within ninety days after the submission of an economic development plan to the city council for approval, the city council has not voted such plan shall be deemed to have been disapproved without prejudice by the city council. If no economic development project covered by an economic development plan is commenced within seven years after the approval of such plan, the approval of such plan shall lapse.

Every economic development plan submitted to the city council for approval under this act (i) shall require that every person occupying the whole or any part of the economic development area covered by such plan during the period of forty years after the approval of such plan shall make every reasonable effort, in employing persons in his business, to give to the fullest practicable extent preference to residents of the city and (ii) shall be accompanied by a report on such plan by the planning agency of the city to whom such plan shall have been submitted before its submission to the city council, by a statement of the proposed method for financing each project covered by such plan, by a comprehensive relocation plan and by such other information as the corporation deems advisable.

Notice of the public hearing required by the first paragraph of this section shall be given by the corporation to (1) such persons, groups and organizations as have requested in writing that such notice be given them, (2) every public agency, whether of the city or of the commonwealth, likely in the judgement of the corporation to have an actual or potential interest in the economic development plan, (3) the senator for every senatorial district of the commonwealth, and the representative for every representative district thereof, within which the economic development area or any part thereof lies, and (4) each publicly appointed or elected local advisory committee, and each community group supported in whole or in part by public funds, whose territory covers all or part of the economic development area. In the

course of preparing an economic development plan, the corporation shall consult with each of the aforesaid so far as in the judgment of the corporation it is practicable.

If an economic development plan is approved by the city council and the mayor, the corporation shall have the powers and duties imposed by this act to undertake and carry out the economic development projects covered by such plan. The corporation shall not be required to submit an economic development plan so approved to the department of community affairs of the commonwealth for further approval.

SECTION 7. Rents and Charges. Rents and charges for services or facilities furnished or supplied by the corporation shall not be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof and, if derived from a project in connection with which revenue bonds have been issued, shall, with all other revenues derived from the project, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust agreement, but including such part thereof as may be necessary to provide such reserves for the payment of the principal of and the interest on said revenue bonds as may be provided for in such resolution or trust agreement, and including also the proceeds of any and all sales by the corporation of property within the project area, be set aside at such regular intervals as may be provided for in such resolution or trust agreement, in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due, (2) the principal of the bonds as the same shall fall due, (3) the necessary charges of paying agents for paying principal and interest and (4) the redemption price or the purchase price of bonds retired by call or purchase as therein provided.

SECTION 8. Liability of the Corporation. The corporation shall be liable in contract or in tort in the same manner as a private corporation. The members, employees, officers and agents of the corporation shall not be liable as such on its contracts or for torts not committed or directly authorized by them. The property or funds of the corporation shall not be subject to attachment or to levy and sale on execution, but if the corporation refuses to pay a judgement entered against it in any court of competent jurisdiction, the superior court, sitting within and for the county in which the corporation is situated, may, by writ of mandamus, direct the treasurer of such agency to pay such judgment. The

real estate of the corporation shall not be subject to liens under chapter two hundred and fifty-four of the General Laws, but the provisions of sections twenty-eight and twenty-nine of chapter one hundred and forty-nine of the General Laws shall be applicable to any construction work by the corporation.

SECTION 9. Exemption from Taxation; Payments in Lieu of Real Property Taxes. The real estate and tangible personal property of the corporation shall be deemed to be public property used for essential public and governmental purposes and shall be exempt from taxation and from betterments and special assessments; provided, however, that in lieu of such taxes, betterments and special assessments the city 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 city may, however, agree with the corporation upon the payments to be made to the city or the corporation may make and the city may accept such payments, the amount of which shall not in either case be subject to the foregoing limitation. The last paragraph of section six and all of section seven of chapter fifty-nine of the General Laws shall, so far as apt, be applicable to payments under this section.

Nothing in this act shall be construed to prevent the taxation to the same extent and in the 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 sold or leased to an urban redevelopment corporation or other entity operating under chapter one hundred and twenty-one A of the General Laws, or to an insurance company or savings bank or group of savings banks operating under said chapter, shall be taxed as provided in said chapter and not otherwise.

The corporation and the debentures, revenue bonds and revenue refunding bonds issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation by the commonwealth or any subdivision thereof.

SECTION 10. Debentures. To provide funds for the general purposes of the corporation, including working capital, the corporation may from time to time issue debentures; provided, however, that such debentures outstanding at any one time shall not exceed five million dollars. Such debentures shall not be deemed to constitute a debt of the commonwealth or of the city or a pledge of the faith and credit of the commonwealth or of the city and shall be subordinated to all other obligations of the corporation and shall be payable at such time or times and in such installments, if any, as the corporation shall determine, but solely out of the net assets of the corporation; and the holders thereof shall be entitled to interest thereon but only out of the net earnings of the corporation and in no event at a rate higher than the rate specified therein.

Such debentures may be secured by a trust agreement by and between the corporation and a corporate trustee, which shall be located within the commonwealth and shall be a trust company or bank having the powers of a trust company. Such trust agreement shall contain such provisions for protecting and enforcing the rights and remedies of the debentureholders as may be reasonable and proper and not in violation of law. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth which may act as depository under such trust agreement to furnish such indemnifying bonds or to pledge such securities as may be required by the corporation. Such trust agreement shall set forth the rights and remedies of the debentureholders and of the trustee and may restrict the individual right of action by debentureholders. In addition to the foregoing, such trust agreement may contain such other provisions as the corporation may deem reasonable and proper for the security of the debentureholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as an item of current expense.

Debentures may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions, or things which are specifically required by this act.

SECTION 11. Financial Aid from the City. The city may raise and appropriate or may borrow or may agree with the corporation or with the federal government or the commonwealth to

raise and appropriate or to borrow, in aid of the corporation, such sums as may be necessary to carry out the purposes and powers of the corporation including defraying part of the development, aquisition and operating costs of any project; provided, however, that the city shall not borrow, nor agree to borrow, as aforesaid unless authorized by a vote of two-thirds of all the city councillors passed only after two separate readings and by two separate votes, the second of such readings and votes to be had not less than fourteen days after the first. Indebtedness of the city authorized under this section shall be outside the limit of indebtedness prescribed in section ten of chapter forty-four of the General Laws and shall be payable within twenty years and otherwise subject to sections sixteen to twenty-seven, inclusive, of said chapter forty-four; provided, however, that the total amount of indebtedness of the city outstanding at any one time under this section and clauses (1), (2) and (4) of section twenty of chapter one hundred and twenty-one B of the General Laws shall not exceed five per cent of the city's equalized valuation as defined in section one of said chapter forty-four. Indebtedness incurred under this act shall be subject to approval under section twenty-two of said chapter one hundred and twenty-one B in like manner as indebtedness incurred under said section twenty.

SECTION 12. Revenue Bonds. The corporation is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of revenue bonds of the corporation for the purpose of paying all or any part of the cost of a project or projects. The principal of and interest on such bonds shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates, and shall mature at such time or times not exceeding forty years from their date or dates, as may be determined by the corporation, and may be made redeemable before maturity, at the option of the corporation, at such price or prices and under such terms and conditions as may be fixed by the corporation prior to the issuance of the bonds. The corporation shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination, or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and suffi-

cient for all purposes the same as if he had remained in office until such delivery. The bonds may be issued in coupon or registered form, or both, as the corporation may determine and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The corporation may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interests of the corporation.

The proceeds of such bonds shall be used solely for the payment of the cost of the project or projects and shall be disbursed in such manner and under such restrictions, if any, as the corporation may provide. Prior to the preparation of definitive bonds, the corporation may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The corporation may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Revenue bonds may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board bureau or agency of the commonwealth or of any political subdivision thereof and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions or things which are specifically required by this act.

The corporation is hereby authorized to provide by resolution for the issuance of revenue refunding bonds of the corporation for the purpose of refunding any revenue bonds then outstanding and issued under the provisions of this act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the corporation, for the additional purpose of constructing or reconstructing any extensions or improvements of the project. The issue of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the corporation in respect of the same shall be governed by the provisions of this act insofar as the same may be applicable.

While any bonds issued by the corporation remain outstanding, the powers, duties or existence of the corporation shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds.

Revenue and revenue refunding bonds issued under the provisions of this section, 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. All such revenue and revenue refunding bonds shall contain on the face thereof a statement to the effect that neither the corporation nor the commonwealth nor the city shall be obliged to pay the same or the interest thereon except from revenues and that neither the faith and credit nor the taxing power of the commonwealth or of the city is pledged to the payment of the principal of or the interest on such bonds.

All revenue and revenue refunding bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments as defined in section 3-104 of chapter one hundred and six of the General Laws.

SECTION 13. Trust Agreement. In the discretion of the corporation such revenue bonds or revenue refunding bonds may be secured by a trust agreement by and between the corporation and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received, but shall not convey or mortgage any project or part thereof.

Either the resolution providing for the issuance of bonds or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including, without limiting the generality of the foregoing, provisions defining defaults and providing for remedies in the event thereof, which may include the acceleration of maturities, and covenants setting forth the duties of, and limitations on, the corporation in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, operation, repair, insurance and disposition of property, the custody, safeguarding, investment and application of moneys, the use of any surplus bond or note proceeds and the establishment of reserves. Such resolution or trust agreement may also contain covenants by the corporation in relation to, among other things, (a) the establishment, revision and collection of such rents and charges for services or facilities furnished or supplied by the corporation as shall provide revenues sufficient with other revenues

of the project, if any, to pay (i) the cost of maintaining, repairing and operating the project and of making renewals and replacements in connection therewith, (ii) the principal of and the interest on said revenue bonds as the same shall become due and payable, (iii) payments in lieu of taxes, betterments, and special assessments, and (iv) reserves for all of such purposes, (b) the purpose or purposes for which the proceeds of the sale of the bonds will be applied and the use and disposition thereof, (c) the use and disposition of the gross revenues of the corporation from the project, any additions thereto and extensions and improvements thereof, including the creation and maintenance of funds for working capital and for renewals and replacements to the project, (d) the amount, if any, of additional revenue bonds payable from the revenues of the project and the limitations, terms, and conditions on which such additional revenue bonds may be issued, and (e) the operation, maintenance, management, accounting, and auditing of the project and of the income and revenues of the corporation. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of bonds or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the corporation. Such trust agreement may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. In addition to the foregoing, such trust agreement may contain such other provisions as the corporation may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the project. The pledge by any such trust agreement or resolution shall be valid and binding from the time when the pledge is made; the revenues or other moneys so pledged and then held or thereafter received by the corporation shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act; and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the corporation, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the corporation, and no filing need be made under chapter one hundred and six of the General Laws.

SECTION 14. Bonds Eligible for Investment. Revenue bonds and revenue refunding bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fifty-four of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifty of chapter one hundred and sixty-eight of the General Laws. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 15. Remedies. Any holder of bonds or debentures issued under the provisions of this act or of any coupons appertaining thereto, and the trustee, except to the extent the rights herein given may be restricted by the trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under the trust agreement, and may enforce and compel the performance of all duties required by this act or by the trust agreement to be performed by the corporation or by any officer thereof.

SECTION 16. Inconsistent Provisions of Other Laws Superseded. Insofar as the provisions of this act are inconsistent with the provisions of any other law, general or special, excluding the Lynn Building Code and the Lynn Zoning Code, the provisions of this act shall be controlling.

SECTION 17. 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.

SECTION 18. Construction of Act. This act, being necessary for the welfare of the city and its inhabitants, shall be liberally con-

strued to effect the purpose thereof; and nothing in this act shall be construed to render chapter forty D of the General Laws inapplicable to the city.

Approved November 29, 1977.

EMERGENCY LETTER — November 30, 1977 @ 10:43 A. M.

Chap. 779. AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE ORGANIZATION OF AFRO-AMERICAN VETERANS, INC.

Be it enacted, etc., as follows:

Section 17 of chapter 8 of the General Laws, as most recently amended by chapter 436 of the acts of 1964, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Whenever in the opinion of the superintendent of buildings there is space available, there shall be set apart and suitably furnished a room or rooms in the state house for the use of the Massachusetts department of the American Legion, of the United Spanish War Veterans, of the Disabled American Veterans of World War, of the Veterans of Foreign Wars of the United States, of the American Veterans of World War II, AMVETS, of the Veterans of Indian Wars, of the Reserve Officers Association of the United States, of the Army-Navy Union, of Italian American War Veterans of the United States, Incorporated, Department of Massachusetts, of the Jewish War Veterans of the United States, Department of Massachusetts, Inc., of the Organization of Afro-American Veterans, Inc., of the Polish-American Veterans of Massachusetts, Inc., of the Marine Corps League, Department of Massachusetts, Inc., of the Polish Legion of American Veterans, Department of Massachusetts, Inc., of the Veterans of World War I of the U.S.A., Department of Massachusetts, of the Massachusetts Regional Group of the Blinded Veterans Association, Inc., of the Amputee Veterans Association of America, Inc., and of the Legion of National Guard Veterans of Massachusetts, Inc., respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter.

Approved November 30, 1977.

Chap. 780. AN ACT PROVIDING FOR THE ACQUISITION OF AGRICULTURAL PRESERVATION RESTRICTIONS BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the protection and preservation of agricultural lands, therefore 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 132A of the General Laws is hereby amended by inserting after section 11 the following four sections:-

Section 11A. The secretary of environmental affairs shall establish a program to assist the commonwealth in the acquisition of agricultural preservation restrictions as defined in section thirty-one of chapter one hundred and eighty-four, for land actively devoted to agricultural or horticultural uses as defined in sections one to five, inclusive, of chapter sixty-one A. The commissioner of food and agriculture may from funds appropriated to carry out the provisions of this section, or received from other sources, pay any agricultural land owner for a project submitted by a city or town and approved by the agricultural lands preservation committee established by section eleven B such amount as is determined by said agricultural lands preservation committee to be equitable in consideration of anticipated benefits from such project but not to exceed the difference between the fair market value of such land and the fair market value of such land restricted for agricultural purposes pursuant to this section. Title to agricultural preservation restrictions purchased by the commonwealth pursuant to this section shall be held in the name of the commonwealth. Projects shall be administered by conservation commissions in cities and towns in which such commissions have been established, or in a city, by the city council or its delegated agency subject to the provisions of the city charter, or in a town, by the board of selectmen or its delegated agency. Said commissioner, subject to the approval of the secretary, shall establish procedures for management of such program.

Section 11B. There is hereby created an agricultural lands preservation committee in the department of food and agriculture, the members of which shall be the commissioner of food and agriculture, who shall be chairman, the secretary of environmental affairs, the secretary of communities and development, the director of the office of state planning, the chairman of

the board of food and agriculture or their respective designees, and four members appointed by the governor, two of whom shall be owners and operators of farms within the commonwealth. The dean of the college of food and natural resources of the University of Massachusetts and the state conservationist of the United States Department of Agriculture Soil Conservation Service, or their respective designees, shall serve as nonvoting members. Said committee shall evaluate and accept or reject projects submitted by cities and towns. In so evaluating, the committee shall consider at a minimum the following:-

1. The suitability of land as to soil classification and other criteria for agricultural use.

2. The fair market value of such land and the fair market value of such land when used for agricultural purposes as determined by independent appraisals.

3. The degree to which the acquisition would serve to preserve the agricultural potential of the commonwealth.

The commissioner of food and agriculture may establish such rules and regulations as may be deemed necessary to carry out the purposes of this section.

Section 11C. The agricultural lands preservation committee shall prepare an annual report. Such report shall include the number and geographic distribution of applications accepted and rejected, the acreage and costs of purchases, and such other information as will enable the program to be evaluated.

Section 11D. Land under agricultural preservation restrictions, while actively devoted to agricultural, horticultural or agricultural and horticultural use as defined in sections one to five, inclusive, of chapter sixty-one A, shall be assessed for general property tax purposes at values no greater than those determined by the methods and provisions of section ten of said chapter sixty-one A.

SECTION 2. Section 31 of chapter 184 of the General Laws, as amended by chapter 15 of the acts of 1976, is hereby further amended by adding the following paragraph:-

An agricultural preservation restriction means a right, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land appropriate to retaining land or water areas predominately in their agricultural farming or forest use, to forbid or limit any or all (a) construction or placing of buildings except for those used for agricultural purposes or for dwellings used for family living by the land owner, his immediate family or employees; (b) excavation, dredging or

removal of loam, peat, gravel, soil, rock or other mineral substance in such a manner as to adversely affect the land's overall future agricultural potential; and (c) other acts or uses detrimental to such retention of the land for agricultural use. Such agricultural preservation restrictions shall be in perpetuity except as released under the provisions of section thirty-two. All other customary rights and privileges of ownership shall be retained by the owner including the right to privacy and to carry out all regular farming practices.

SECTION 3. Said chapter 184 is hereby further amended by striking out section 32, as most recently amended by section 294 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 32. No conservation restriction or agricultural preservation restriction as defined in section thirty-one, held by any governmental body or by a charitable corporation or trust whose purposes include conservation of land or water areas or of a particular such area, and no preservation restriction, as defined in section thirty-one, held by any governmental body or by a charitable corporation or trust whose purposes include preservation of buildings or sites of historical significance or of a particular such building or site, shall be unenforceable on account of lack of privity of estate or contract or lack of benefit to particular land or on account of the benefit being assignable or being assigned to any other governmental body or to any charitable corporation or trust with like purposes, provided (a) in case of a restriction held by a city or town or a commission, authority, or other instrumentality thereof it is approved by the secretary of environmental affairs if a conservation restriction, the commissioner of food and agriculture if an agricultural preservation restriction or the Massachusetts historical commission if a preservation restriction, and (b) in case of a restriction held by a charitable corporation or trust it is approved by the mayor, or in cities having a city manager the city manager, and the city council of the city, or the selectmen or town meeting of the town, in which the land is situated, and the secretary of environmental affairs if a conservation restriction, the commissioner of food and agriculture if an agricultural preservation restriction or the Massachusetts historical commission if a preservation restriction.

Such conservation, preservation, and agricultural preservation restrictions are interests in land and may be acquired by any governmental body or such charitable corporations or trust which have power to acquire interest in the land, in the same manner as it may acquire other interests in land. Such a restric-

tion may be enforced by injunction or other proceeding, and shall entitle representatives of the holder to enter the land in a reasonable manner and at reasonable times to assure compliance. Such a restriction may be released, in whole or in part, by the holder for such consideration, if any, as the holder may determine, in the same manner as the holder may dispose of land or other interests in land, but only after a public hearing upon reasonable public notice, by the governmental body holding the restriction or if held by a charitable corporation or trust, by the mayor, or in cities having a city manager the city manager, the city council of the city or the selectmen of the town, whose approval shall be required, and in case of a restriction requiring approval by the secretary of environmental affairs, the Massachusetts historical commission or the commissioner of food and agriculture, only with like approval of the release.

No restriction that has been purchased with state funds shall be released unless it is repurchased by the land owner at its then current fair market value. Funds so received shall revert to the fund sources from which the original purchase was made, or, lacking such source, shall be made available to acquire similar interests in other land. Agricultural preservation restrictions shall be released by the holder only if the land is no longer deemed suitable for agricultural or horticultural purposes or unless two-thirds of both branches of the general court, by a vote taken by yeas and nays, vote that the restrictions shall be released for the public good.

Approvals of restrictions and releases shall be evidenced by certificates of the secretary of environmental affairs or the chairman, clerk or secretary of the Massachusetts historical commission, the commissioner of food and agriculture, city council, or selectmen of the town, duly recorded or registered.

In determining whether the restriction or its continuance is in the public interest, the governmental body acquiring, releasing or approving shall take into consideration the public interest in such conservation, preservation or agricultural preservation, and any national, state, regional and local program in furtherance thereof, and also any public state, regional or local comprehensive land use or development plan affecting the land, and any known proposal by a governmental body for use of the land.

This section shall not be construed to imply that any restriction, easement, covenant or condition which does not have the benefit of this section shall, on account of any provisions hereof, be unenforceable. Nothing in this section or section thirty-one and section thirty-three shall diminish the powers granted by any

general or special law to acquire by purchase, gift, eminent domain or otherwise to use land for public purposes.

Nothing in this section shall prohibit the department of public utilities from authorizing the taking of easements for the purpose of utility services provided that (a) said department shall require the minimum practicable interference with farming operations with respect to width of easement, pole locations and other pertinent matters, (b) the applicant has received all necessary licenses, permits, approvals and other authorizations from the appropriate state agencies, (c) the applicant shall compensate the owner of the property in the same manner and at the same fair market value as if the land were not under restriction.

SECTION 4. The first sentence in the first paragraph of section 33 of said chapter 184, as appearing in section 5 of chapter 666 of the acts of 1969, is hereby amended by striking out, in line 4, the words "and preservation restrictions" and inserting in place thereof the words:- , preservation and agricultural preservation restrictions.

SECTION 5. The second sentence of the third paragraph of said section 33 of said chapter 184, as amended by section 295 of chapter 706 of the acts of 1975, is hereby further amended by striking out, in line 7, the words "approves a conservation or preservation restriction" and inserting in place thereof the words:- or the commissioner of food and agriculture approves a conservation or preservation restriction or agricultural preservation restriction.

SECTION 6. The fourth paragraph of said section 33 of said chapter 184, as appearing in section 5 of chapter 666 of the acts of 1969, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:- The registers of deeds, or a majority of them, may from time to time make and amend rules and regulations for administration of public restriction tract indexes, and the provisions of section thirteen A of chapter thirty-six shall not apply thereto. No such rule, regulation or any amendment thereof shall take effect until after it has been approved by the attorney general.

SECTION 7. Said section 33 of said chapter 184 is hereby amended by striking out the fifth paragraph, as amended by section 296 of chapter 706 of the acts of 1975, and inserting in place thereof the following paragraph:-

Except in the case of a restriction noted on the certificate of title of registered land subject thereto, or where the general location of the restricted land is indicated on a zoning map published by a city or town with a reference to a marginal note or list in-

dicating the original or then holder of the restriction and the place of record in the public records of the instrument imposing the restriction, no conservation, preservation restriction or agricultural preservation restriction having the benefit of section thirty-two, and no other restriction held by any governmental body, which is not so indexed in the public restriction tract index shall be enforceable after thirty years from the recording of the instrument imposing it unless before expiration of such thirty years there is similarly recorded a notice of restriction identifying the instrument and its place of record in the public records and naming one or more of the owners of record of each parcel of land to be affected by the notice, nor enforceable after twenty years from the recording of any such notice unless before the expiration of twenty years another such notice is so recorded. Such notices may be given by any official of a governmental body holding the restriction, by the secretary of environmental affairs in case of a restriction approved by him, by the chairman or acting chairman of the Massachusetts historical commission in case of a restriction approved by it, by the commissioner of food and agriculture in case of a restriction approved by him, or by any official or any charitable corporation or trust holding the restriction or whose purposes include, in case of a conservation restriction, the conservation of land or water areas, or in case of a preservation restriction, the preservation of buildings or sites of historical significance, in case of an agricultural preservation restriction the preservation of agricultural lands.

SECTION 8. The registers of deeds shall promulgate on or before January first, nineteen hundred and eighty, rules and regulations required by the fourth paragraph of section thirty-three of chapter one hundred and eighty-four of the General Laws, as amended by section six of this act.

SECTION 9. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of five million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Agricultural Preservation Restriction Outlay Loan, Act of 1977, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth,

the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-two.

SECTION 10. The commissioner of food and agriculture shall appoint a task force to consider mechanisms for the protection and promotion of agriculture in the commonwealth, including but not limited to the designation of agricultural districts, creation of a land trust, and extension of the agricultural preservation restriction program to cover other lands and other mechanisms of financing. The task force shall report its recommendations to the general court from time to time, and shall submit a preliminary report to the general court on or before January first, nineteen hundred and seventy-eight.

Approved December 1, 1977.

Chap. 781. AN ACT FURTHER REGULATING THE DIMENSIONS OF SEMITRAILER UNITS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by striking out section 19, as most recently amended by section 2 of chapter 35 of the acts of 1977, and inserting in place thereof the following section:-

Section 19. No motor vehicle or trailer, the outside width of which is more than ninety-six inches or in the case of a motor bus one hundred and two inches or the extreme overall length of which is more than thirty-three feet or, in the case of a truck, thirty-five feet, or in the case of a motor bus, forty feet, shall be operated on any way without a special permit so to operate from the board or officer having charge of such way or, in case of a state highway or a way determined by the department of public works to be a through route, from said department; provided, that such width may be exceeded by the lateral projection of pneumatic tires beyond the rims of the wheels for such distance on either side of the vehicle or trailer as will not increase its outside width above one hundred two inches; provided, further, that such width may be further exceeded by the lateral projec-

tion of mirrors or other devices on semitrailer units, tractor-trailer combinations, tractors, commercial vehicles having a registered gross weight in excess of ten thousand pounds, a bus or a school bus, so long as such mirrors or other devices will not increase the outside width of such vehicles above one hundred and twelve inches and provided such mirrors or other devices are so mounted as not to constitute a hazard to pedestrians on or adjacent to any public way. The overall length of a semitrailer unit or tractor-trailer combination, wherever used, may exceed thirty-three feet but shall not exceed sixty feet, except as authorized by a special permit granted as aforesaid. The overall length of the semitrailer in a semitrailer unit or the trailer in a tractor-trailer combination, except when used for the transportation of irreducible loads, shall not exceed forty-five feet, except that the owner, lessee or bailee of a semitrailer or trailer the overall length of which exceeds forty-five feet but does not exceed forty-eight feet, may obtain a permit from the department of public works, to be called a "trailer length permit", which shall be distinguished from the special permit established under the provisions of this paragraph. A trailer length permit shall prohibit the use of such semitrailer or trailer for the pick-up of goods from or delivery of goods to private residences. A trailer length permit shall restrict such semitrailer or trailer to no more than one intermediate stop where additional cargo may be picked up or part of the shipment delivered between the point of entry into the commonwealth in the case of shipments originating outside the commonwealth or the point of origin in the case of shipments originating within the commonwealth, and the point of delivery within the commonwealth or the point of exit from the commonwealth. A trailer length permit shall be issued on an annual basis to the owner, lessee or bailee of one or more such semitrailers or trailers for an annual fee of fifty dollars for each semitrailer or trailer covered. The total of all such fees paid by any single owner, lessee or bailee in any calendar year for semitrailers or trailers registered in the commonwealth shall not exceed the sum of one thousand dollars. The trailer length permit shall list the manufacturer's vehicle identification number of each semitrailer or trailer covered, and a copy thereof shall be carried on each such semitrailer or trailer or in the tractor accompanying it. The trailer length permit may be amended at any time by the addition of one or more semitrailers or trailers upon payment of the annual fee, subject to the foregoing limitation on total fees. The department may suspend the applicability of any trailer length permit to a specific trailer or semitrailer for a

period not exceeding ten days for the first violation by such trailer or semitrailer in any two-year period of the travel restrictions applicable to such permit, may suspend the applicability of such permit to the same trailer or semitrailer for a period not exceeding thirty days for a subsequent violation of such travel restrictions by the same trailer or semitrailer within such two-year period, and shall revoke the applicability of such permit to the same trailer or semitrailer when it finds that the holder thereof has engaged in a pattern of repeated or continuous violations by the same trailer or semitrailer of the terms of such permit. The department may not suspend or revoke such applicability when it finds that the owner, lessee or bailee of such trailer had no actual or constructive knowledge of such violation or violations at or before the time they were committed. Notwithstanding the previous provisions of this section, the combined overall length of a pole dolly or pole dickey and the load being carried thereon may, while being used for the transportation of poles or single units of lumber or metal, exceed forty-eight feet, but the overall length when considered in combination with the motor vehicle accompanying it shall not exceed sixty-five feet or, in the case of an electric company as defined in chapter one hundred and sixty-four, seventy feet, without a special permit as provided for in this paragraph.

Notwithstanding the provisions of this section, no passenger motor vehicle shall be operated on any way if such vehicle has the side wall or thread of any tire projecting outward beyond the outer portion of the fender or side body panel, unless such vehicle is equipped with four-wheel drive or is otherwise modified and intended for off-the-way use. No vehicle shall exceed a height of thirteen feet six inches, except that a special permit may be issued by the board or officer having charge of the ways for the operation of a vehicle of a height in excess of this limitation. The aforesaid dimensions of width, length and height shall be inclusive of the load and load-holding devices. No motor vehicle registered under the provisions of this chapter which has a total height exceeding ten feet, excluding the height of any load thereon shall be operated on any way unless such total height is painted or printed in letters and numerals at least four inches high in a conspicuous place upon the side or front of such vehicle. The foregoing limitations on length shall not apply to any vehicle or combination of vehicles being towed because of disablement or emergency. Except as provided in this section, no trailer which with its load weighs more than five thousand pounds, other than a semitrailer, a heavy duty platform trailer, a cable-

reel trailer, a house trailer, or a trailer which is an apparatus or other object on wheels not used to transport other things for delivery, shall be operated or drawn on any way without a permit so to operate from the board or officer having charge of such way or, in case of a state highway or a way determined by the department of public works to be a through route, from said department. Any motor vehicle, trailer or other vehicle which carries a crane, or boom whether or not permanently or temporarily attached to said vehicle or trailer shall, if such crane or boom extends more than four feet beyond the bed or body of such vehicle or trailer, display at the extreme rear end of such crane or boom a red light or red flag or cloth in the manner provided in section seven; provided, however, that if such crane or boom extends more than fifteen feet beyond the bed or body of such vehicle or trailer, such vehicle or trailer shall not be operated or drawn on any way unless another vehicle follows immediately behind the projecting extremity of such crane or boom for the purpose of protecting other vehicles approaching from the rear. A trailer which with its load weighs not more than six thousand pounds may be operated or drawn upon any way, if such trailer is used exclusively for agricultural purposes, but this provision shall not prevent any trailer, if used exclusively for such purposes, from being operated without registration upon any way in the manner provided in section nine. A trailer which with its load weighs more than three thousand pounds may be operated or drawn upon any way for a distance not exceeding three hundred yards, if such trailer is used for industrial purposes other than agricultural purposes, for the purpose of going from property owned or occupied by the owner of such trailer to other property so owned or occupied. No motor vehicle shall be operated on any way to draw more than one trailer or other vehicle without a permit so to operate from the department of public works.

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

Approved December 1, 1977.

Chap. 782. AN ACT EXEMPTING THE POSITION OF CITY ENGINEER IN THE CITY OF MARLBOROUGH FROM THE PROVISIONS OF CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of city engineer in the department of public works in the city of Marlborough shall be exempt from the

provisions of chapter thirty-one of the General Laws. Said position shall be filled by appointment by the commissioner of public works of said city and the person so appointed shall serve for a term coterminous with that of said commissioner.

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

Approved December 3, 1977.

Chap. 783. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS IN THE TOWN OF WILMINGTON.

Be it enacted, etc., as follows:

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

“Shall the town of Wilmington grant licenses for the sale of alcoholic beverages to be consumed on the premises to legally charter clubs within the boundaries of said town?”

YES	
NO	

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

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

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

YES	
NO	

If a majority of the votes cast in such town in answer to subdivision A is in the affirmative, such town shall, irrespective of the result of the votes in answer to subdivisions B, C, D, 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 drunk on and off the premises where sold, in accordance with the provisions of chapter one hundred and thirty-eight of the General Laws.

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

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

Approved December 3, 1977.

Chap. 784. AN ACT AUTHORIZING THE TRUSTEES OF THE SOLDIERS' HOME IN MASSACHUSETTS TO PROCURE INSURANCE COVERING BUILDINGS AND CONTENTS UNDER THEIR CONTROL.

Be it enacted, etc., as follows:

Chapter 115A of the General Laws is hereby amended by adding the following section:-

Section 11. The trustees of the Soldiers' Home in Massachusetts may insure the buildings of the said home and contents thereof in such amounts as they deem sufficient over and above any insurance coverage purchased by the commonwealth.

Approved December 3, 1977.

Chap. 785. AN ACT FURTHER DEFINING THE DUTIES OF SUPERVISORS AND ASSISTANT SUPERVISOR OF PROBATION AND PROVIDING FOR ADDITIONAL PERSONNEL.

Be it enacted, etc., as follows:

Section 99C of chapter 276 of the General Laws, inserted by chapter 680 of the acts of 1972, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The commissioner of probation shall appoint four supervisors of court probation services and one assistant supervisor of court probation services. The supervisors of court probation services shall be paid by the commonwealth the salary established in Group 11 of the Salary Schedule for Probation Officers set forth in section ninety-nine B. The assistant supervisor of court probation services shall be paid by the commonwealth the salary established in Group 10 of the Salary Schedule for Probation Officers as set forth in section ninety-nine B. Said positions shall not be subject to chapter thirty-one. Said supervisors and assistant supervisor of court probation services shall, in addition to other duties imposed upon them by said commissioner, be responsible for the evaluation of the probation service in each court in the commonwealth, for the recruitment, training, educational development and evaluation of the work performance of probation officers. They shall plan, initiate and develop volunteer, diversion and other programs in consultation with probation officers throughout the commonwealth and shall supervise and evaluate all programs within the probation service.

Approved December 3, 1977.

Chap. 786. AN ACT PROVIDING FOR THE ACCEPTANCE OF ARREST BOND CERTIFICATES GUARANTEED BY AUTOMOBILE ASSOCIATIONS OR TRAVEL CLUBS LICENSED TO DO BUSINESS IN THIS COMMONWEALTH.

Be it enacted, etc., as follows:

Section 61B of chapter 276 of the General Laws is hereby amended by inserting after the first paragraph the following three paragraphs:-

A guaranteed arrest bond certificate presented by the person whose signature appears thereon shall be accepted in lieu of cash or a bail bond in an amount not to exceed two hundred dollars to guarantee the appearance of such person in any court of the commonwealth, at the time required by such court, when such per-

son is arrested for violation of any law or of any ordinance or by-law of any municipality therein relating to the operation of a motor vehicle. A guaranteed arrest bond certificate so presented in lieu of a bail bond is subject to the same forfeiture and enforcement provisions as a bail bond or cash bail. Such guaranteed arrest bond certificate may only be used where the alleged violation is committed prior to the expiration date shown thereon. A guaranteed arrest bond certificate may not be accepted when a person is arrested for the offense of driving under the influence of intoxicating liquor or of drugs or narcotics. As used in this section, "guaranteed arrest bond certificate" shall mean a printed card or other certificate issued by a licensed automobile association or travel club to any of its members, which is signed by the member and contains a printed statement that such automobile association or travel club and a surety company licensed to do business shall, in the event of the failure of such person to appear in court at the time set for appearance, pay any fine or forfeiture imposed upon such person in an amount not to exceed two hundred dollars.

Whenever a domestic or foreign company licensed to do a surety business in the commonwealth becomes surety in an amount not to exceed two hundred dollars with respect to any guaranteed arrest bond certificates issued in such year by an automobile association or travel club by filing with the office of bail administration an undertaking to become surety, such undertaking shall state: (1) The name and address of the automobile or travel club or association with respect to guaranteed arrest bond certificates of which the surety company undertakes to be surety; (2) The unqualified obligation of the surety company to pay the fine or forfeiture in an amount not to exceed two hundred dollars of any person who, after posting a guaranteed arrest bond certificate with respect to which the surety company has undertaken to be surety, fails to make the appearance for which the guaranteed arrest bond certificate was posted. Such undertaking shall be filed with the office of bail administration ten days prior to its effective date. If such undertaking is terminated, the office of bail administration shall be notified as promptly as possible but not later than the effective date of such termination.

Any such licensed automobile association, travel club or association and any licensed surety company, and its attorneys-in-fact, guaranteeing arrest bond certificates for members of such automobile association, travel club, or association with respect to motor vehicle violations hereunder, pursuant to the

provisions of this section, shall not be required to obtain any additional license and compliance herewith shall be deemed to be in lieu of any such additional licensing.

Approved December 3, 1977.

Chap. 787. 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 to 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 take effect as of January first, nineteen hundred and seventy-seven.

SECTION 3. This act shall cease to be operative on December thirty-first, nineteen hundred and seventy-nine.

Approved December 3, 1977.

Chap. 788. AN ACT RELATIVE TO THE REVIEW OF CERTAIN PROHIBITED PRACTICES UNDER THE PUBLIC EMPLOYEE COLLECTIVE BARGAINING LAW.

Be it enacted, etc., as follows:

The third paragraph of section 11 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 eighth sentence contained therein and inserting in place thereof the following three sentences:— 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 upon such portions of the record of the hearing as the parties or commission may designate. The record in such cases shall consist of the pleadings, motions, rulings and the testimony taken at the hearing. The testimony may be preserved by a taped recording or by stenographic transcription, at the determination of the commission.

Approved December 3, 1977.

EMERGENCY LETTER — December 5, 1977 @ 12:17 P. M.

Chap. 789. AN ACT DESIGNATING AN OVERPASS ON SHAWMUT AVENUE IN THE CITY OF NEW BEDFORD AS THE FREDERICK KELLY MEMORIAL OVERPASS.

Be it enacted, etc., as follows:

The overpass on Shawmut avenue over interstate highway route 195 in the north end section of the city of New Bedford shall be designated and known as the Frederick Kelly Memorial Overpass, in memory of Frederick Kelly, who dedicated his life to the best interests of youth and to athletics. The department of public works shall attach a suitable marker thereto bearing said designation in compliance with the standards of said department, as authorized by the federal highway administration.

Approved December 3, 1977.

Chap. 790. AN ACT ESTABLISHING A FILING FEE UNDER THE LAW FOR CONCILIATION AND ARBITRATION OF INDUSTRIAL DISPUTES.

Be it enacted, etc., as follows:

Section 6 of chapter 150 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first sentence the following sentence:- The application shall be accompanied by a filing fee of one hundred dollars of which fifty dollars shall be paid by the party seeking application and fifty dollars shall be paid by the answering party and if the application is by a single party, the filing fee shall be fifty dollars and the answering party shall accompany his answer with a fifty dollar filing fee; provided, however, that neither the party seeking the application nor the answering party shall be required to pay filing fees in excess of one hundred dollars in any twelve month period.

Approved December 3, 1977.

Chap. 791. AN ACT FURTHER REGULATING THE ESTATE OF HOMESTEAD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 188 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 407 of the acts of 1975, and inserting in place thereof the following section:-

Section 1. An estate of homestead to the extent of thirty thousand dollars in the land and buildings may be acquired pursuant to this chapter by an owner of a home, or one who rightfully possesses premises by lease or otherwise, who has a family and occupies or intends to occupy said home as a principal residence; and such estate shall be exempt from the laws of conveyance, descent and devise and from attachment, levy on execution and sale for the payment of his or her debts or legacies except in the following cases:

- (1) sale for taxes;
- (2) for a debt contracted prior to the acquisition of said estate of homestead;
- (3) for a debt contracted for the purchase of said home;
- (4) upon an execution issued from the probate court to enforce its judgment that a spouse pay a certain amount weekly or otherwise for the support of a spouse or minor children;
- (5) where buildings on land not owned by the owner of a homestead estate are attached, levied upon or sold for the ground rent of the lot whereon they stand.

For the purposes of this chapter, an owner of a home shall include a sole owner, joint tenant, tenant by the entirety or tenant in common; provided, that only one owner may acquire an estate of homestead in any such home for the benefit of his family; and provided further, that an estate of homestead may be acquired on only one principal residence for the benefit of a family.

SECTION 2. Said chapter 188 is hereby further amended by striking out section 3, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 3. In a case in which the probate court has entered a judgment that a spouse is living apart from the owner of a homestead estate for justifiable cause, or the custody of minor children or of a minor child has been awarded by judgment to some person other than said owner, the probate court may by its judgment grant to the spouse or minor children, or to both, the right to use, occupy and enjoy such homestead estate until the further order of the court. The recording of the order of the probate court granting to the spouse or minor children, or to both, the right to use, occupy and enjoy said homestead estate, together with the description thereof, in the registry of deeds for the county or district where the land lies, shall operate to prevent the owner of the homestead estate from disposing of said estate until such time as the probate court may revoke said judgment.

SECTION 3. Said chapter 188 is hereby further amended by striking out section 4, as amended by section 64 of chapter 925 of

the acts of 1973, and inserting in place thereof the following section:-

Section 4. The estate of homestead existing at the death of a person holding a homestead shall continue for the benefit of the surviving spouse and minor children and shall be held and enjoyed by them, if one of them or a purchaser under section eight occupies the premises, until the youngest unmarried child is eighteen and until the marriage or death of the spouse; and if a widow or minor children are entitled to an estate of homestead as provided herein, it may be set off to them in the same manner as dower. But all the right, title and interest of the deceased in the premises in which such estate exists, except the estate of homestead thus continued, shall be subject to the laws relating to devise, descent, dower and sale for the payment of debts and legacies.

SECTION 4. Said chapter 188 is hereby further amended by striking out sections 6 to 8, inclusive, and inserting in place thereof the following three sections:-

Section 6. Property which is subject to a mortgage executed before an estate of homestead was acquired therein, or executed afterward and containing a release thereof, shall be subject to an estate of homestead, except as against the mortgage and those claiming under him, in the same manner as if there were no such mortgage. If the owner of the equity in such property redeems the mortgage, he shall not be allowed to claim under it against the owner of the estate of homestead, his or her surviving spouse, heirs or assigns; but if said owner of the estate of homestead, his or her surviving spouse, heirs or assigns offers to redeem the residue above the homestead estate and the mortgage from a sale or set-off on execution and the judgment creditor has redeemed the mortgage, the amount paid for such redemption of the mortgage, with interest and expenses, shall be included in the amount to be paid for the redemption of said residue.

Section 7. No conveyance of property in which an estate of homestead exists, and no release or waiver of such estate, shall convey the part so held and exempted, or defeat the right of the owner or of the owner's spouse and minor unmarried children to a homestead therein, unless such conveyance is by a deed signed by the spouse, he or she being competent so to act, or unless such right is released as provided in chapter two hundred and nine; but a deed duly executed without such signature or release shall be valid to pass, according to its terms, any title or interest in the property beyond the estate of homestead. An estate of homestead created under section two may be discharged and released as to

the claims of minor unmarried children by the execution of an instrument signed and sealed by the person owning the estate or if husband and wife, by both of them or the survivor, so indicating said discharge or release; provided that the original instrument creating the estate of homestead conferred said authority.

Section 8. The surviving spouse and the guardian of the minor children, if he has obtained a license therefor from the probate court as in the sale of land of minors, may join in a sale of an estate of homestead; or if there is no surviving spouse entitled to rights therein, the guardian may, upon obtaining such license, make sale of such estate; and the surviving spouse may make such sale if there are no minor children. The purchaser shall enjoy and possess the premises for the full time the surviving spouse and children or either of them might have continued to hold and enjoy them if no sale had been made. The probate court may apportion the proceeds of the sale among the parties entitled thereto.

Approved December 3, 1977.

EMERGENCY LETTER — December 5, 1977 @ 12:17 P. M.

Chap. 792. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO EXPEND CERTAIN FEDERAL FUNDS FOR THE RESTORATION AND RENOVATION OF THE PROBATE COURT AND REGISTRY OF DEEDS IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

The county commissioners of Middlesex county are hereby authorized to expend such sums as may be provided by the United States Department of Commerce Economic Development Administration, or any other federal agency for the restoration and renovation of the probate court and registry of deeds building in the city of Cambridge and to carry out such project, notwithstanding the provisions of section two of chapter seventy-four of the acts of nineteen hundred and forty-five.

Approved December 3, 1977.

EMERGENCY LETTER — December 5, 1977 @ 12:17 P. M.

Chap. 793. AN ACT RELATIVE TO THE CONTROL AND ERADICATION OF BRUCELLOSIS IN BOVINE ANIMALS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 129 of the General Laws is hereby amended by striking out section 36G, inserted by section 4 of chapter 527 of the acts of 1956, and inserting in place thereof the following section:-

Section 36G. If any animal tested by an approved licensed veterinarian designated by the director under this section reacts positively to an approved blood test for brucellosis and is slaughtered in consequence thereof, or if any animal does not react positively but has been exposed to brucellosis in an infected herd, said animal may be slaughtered because of such exposure to the positive reactors in accordance with the recommended uniform methods and rules published by the veterinary services of the animal and plant health inspection service of the United States Department of Agriculture. The director may appoint persons to make appraisals of reacting cattle in conjunction with the owner or his authorized representative. Such appraisal shall be subject to the rights of arbitration and petition set forth in section thirty-one; provided, that the award or damage shall be within the limits prescribed by this section. The commonwealth, shall within thirty days after the filing in the office of the director of a valid claim for reimbursement in pursuance of such an appraisal or award under said section thirty-one, pay to the owner of any animal slaughtered under authority of any rules and regulations made hereunder, or to any mortgagee or assignee designated in writing by said owner, two thirds of any difference between the amount received by the owner for the carcass of the animal and the value of the animal as determined by appraisal as aforesaid; provided, that payment by the commonwealth hereunder shall not exceed one hundred and fifty dollars for any grade animal or two hundred dollars for any purebred animal; and provided, further, that no payment shall be made for any such animal unless it was kept by the owner applying for the test on the premises where tested for at least sixty days next prior to the date of said test, or unless it was admitted to the herd on a test approved by the director and provided, further, that no payment shall be made for any animal if, since a previous test, the owner or his representative has violated the rules and regulations made hereunder; and provided, further, that the owner or his representative has not unlawfully or improperly obtained or attempted to obtain reimbursement for any animal; and provided,

further, that the owner or his representative has not, in the opinion of the director, by wilful act or neglect, contributed to the spread of bovine brucellosis. If the federal government pays part of the value of any animal slaughtered under this section, the payment by the commonwealth shall be limited to the difference between the payment authorized by the federal government and the payment as hereinbefore provided.

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

Approved December 3, 1977.

Chap. 794. AN ACT AUTHORIZING THE STATE TREASURER TO PAY RETIREES BY DIRECT CREDIT TO THEIR BANK ACCOUNTS.

Be it enacted, etc., as follows:

Section 31 of chapter 29 of the General Laws is hereby amended by adding the following paragraph:-

The state treasurer or other state official authorized to expend money on behalf of the commonwealth may pay any retirement benefit due to any retired employee in the state system or retired teachers in the teachers retirement system by means of deposits to such retired person's bank account, provided, the retired persons have expressly authorized said deposits.

Approved December 3, 1977.

Chap. 795. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY TO SPEND CERTAIN FEDERAL FUNDS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Franklin county are hereby authorized to expend such sums as may be provided by the United States Department of Commerce Economic Development Administration, or any other federal agency for renovations and improvements to the county jail and house of correction in the town of Greenfield and to carry out such project, notwithstanding the provisions of section two of chapter seventy-four of the acts of nineteen hundred and forty-five or chapter six hundred and forty-two of the acts of nineteen hundred and seventy-seven.

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

Approved December 5, 1977.

Chap. 796. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO SPEND CERTAIN FEDERAL FUNDS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampshire county are hereby authorized to expend such sums as may be provided by the Economic Development Agency of the United States Department of Commerce or any other federal agency, to extend water and sewage systems at the site of the Hampshire county jail and house of correction in the city of Northampton and to carry out such project notwithstanding the provisions of section two of chapter seventy-four of the acts of nineteen hundred and forty-five or chapter six hundred and forty-two of the acts of nineteen hundred and seventy-seven.

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

Approved December 5, 1977.

Chap. 797. AN ACT RELATIVE TO APPOINTMENTS TO THE POSITION OF STATE POLICE DETECTIVE LIEUTENANT-INSPECTOR.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by inserting after section 9R, added by section 2 of chapter 785 of the acts of 1965, the following section:-

Section 9S. There shall be within the office of investigation and intelligence the positions of state police detective lieutenant-inspectors.

The commissioner may promote members of the uniform branch of the division of state police who are eligible for promotion to the position of state police detective lieutenant-inspector. All such promotions shall be based on the following factors which shall be marked on a percentage basis:

(1) a competitive promotional examination open to all candidates who have completed not less than one year of service in the grade of corporal or above and who have completed a total of five years of service as a member of the uniform branch prior to the final date of filing the application;

(2) performance evaluation reports which shall be submitted annually to the commissioner by each troop commanding officer or bureau head and first-line supervisor, under whom each candidate has served and the average percentage of all such annual reports in the then current grade of such candidate shall be the performance evaluation mark;

(3) a determination of longevity based upon the granting of five per cent for each year of service plus one-twelfth of such five per cent for each additional full month of service, up to twenty years of service, computed as of the final date for filing applications for such promotions;

(4) an oral interview conducted by members of the office of investigation and intelligence of the division of state police, or by officers of a state police department outside the commonwealth holding a grade of detective or higher.

The commissioner shall prepare notice of all promotional examinations, which shall be written examinations, and shall cause notice thereof to be published in the departmental orders no later than thirty days prior to the final date for filing application therefor. No examination shall be held less than thirty days after the final date for filing such applications. All performance evaluation reports required by this section shall be submitted to the commissioner annually on the anniversary date of the officer's enlistment, or whenever there is a change in first-line supervisors and prior to the promotional examination, if the candidate has not been evaluated in his current rank, the candidate shall be evaluated prior to the filing date. A candidate who has not been evaluated within sixty days prior to the final date for promotional examination shall be reevaluated.

No member who is a candidate for promotion shall be eligible for promotion unless he has attained a mark of at least seventy per cent in the written examination.

The standards for promotion shall be based upon the following factors which shall be weighted as follows:- written examinations, eight; performance evaluation, three; oral interview, three; longevity, six.

Each candidate for promotion who is a veteran shall have two points added to his general average mark.

Before making any promotions in accordance with this section, the commissioner shall publish and distribute in departmental orders a list of members of the uniformed branch of the division of state police who are eligible for promotion. Such lists shall remain valid for a period of two years from the date of publication. Appointment to a vacancy occurring in any grade shall be made from the top three candidates on the appropriate list who are eligible for promotion.

SECTION 2. The first paragraph of section 20 of chapter 31 of the General Laws, as amended by section 1 of chapter 389 of the acts of 1976, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following

sentence:- Appointments and promotions in such police and fire forces of cities and towns as are within the official service in the capitol police force and in the force of the metropolitan district commission shall be made only by competitive examination, except as otherwise provided in this chapter.

SECTION 3. All state police detective lieutenant-inspectors in the department of public safety 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 position by reason of section nine A of chapter thirty of the General Laws, are hereby transferred to the position of state police detective lieutenant-inspectors in the office of investigation and intelligence of said department without impairment of civil service status, seniority, retirement or other rights without interruption of his service within the meaning of said chapter thirty-one or said section nine A, and without reduction in compensation and salary grade.

Nothing in this section shall be construed to confer upon any such employee any rights not held immediately prior to said effective date, or to prohibit any subsequent reduction in compensation or salary grade, transfer or reassignment, suspension, discharge, layoff or abolition of the position not prohibited prior thereto.

Approved December 5, 1977.

Chap. 798. AN ACT PROVIDING FOR THE DESTRUCTION OR DISPOSAL OF CONTROLLED SUBSTANCES UPON COMPLETION OF TRIAL BY THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

Section 47A of chapter 94C of the General Laws, inserted by chapter 318 of the acts of 1974, is hereby amended by inserting after the first paragraph the following four paragraphs:-

The court having jurisdiction shall, upon completion of a trial or other disposition by the trial court, in writing, order such drugs to be caused to be delivered forthwith by the evidence officer to the department for destruction or disposition in any way not prohibited by law. In the event of an appeal, the evidence officer shall retain possession of such drugs until final disposition of the case.

The department shall keep a record of the place where such drugs were seized, of the kinds and quantities of drugs received, by whose order the drugs were received, by whom the drugs

were delivered and received, the date and manner of destruction or disposition of such drugs, and a report, under oath, of such destruction or disposition shall be made to the court.

The department may at its discretion upon an official written order, deliver to any hospital within the state, not operated for private gain, any narcotic drugs, except heroin and its salts and derivatives, for medicinal purposes.

The department shall keep a complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities and forms of such drugs; the persons from whom received and the dates of receipt, disposal or destruction, which record shall be open to inspection by all federal and state officers charged with enforcement of federal and state narcotic laws.

Approved December 6, 1977.

Chap. 799. AN ACT AUTHORIZING EMERGENCY COURT ORDERS TRANSFERRING THE CUSTODY OF A CHILD.

Be it enacted, etc., as follows:

Section 24 of chapter 119 of the General Laws, as most recently amended by section 3 of chapter 276 of the acts of 1975, is hereby further amended by inserting after the second sentence the following two sentences:- If, after a recitation under oath by the petitioner of the facts of the condition of the child who is the subject of the petition, the court is satisfied that there is reasonable cause to believe that the child is suffering from serious abuse or neglect, or is in immediate danger of serious abuse or neglect, and that immediate removal of the child is necessary to protect the child from serious abuse or neglect, the court may issue an emergency order transferring custody of a child under this section to the department or to a licensed child care agency or individual described in clause (2) of section twenty-six. Said transfer of custody shall be for a period not exceeding seventy-two hours. Upon the entry of the order a date for a hearing on the extension of the order shall be set, which date shall fall within the seventy-two hour period. Written notice of the issuance of the emergency order and the reasons therefor, the hearing date and time, the right of the defendant to be represented by counsel, and to have counsel appointed where available if the defendant is indigent, shall be given to the parent or guardian with care and custody of the child and such other person, if any, as had custody at the time of the entry of the emergency order.

Approved December 6, 1977.

Chap. 800. AN ACT RELEASING PREVIOUSLY AUTHORIZED RAIL FREIGHT FUNDS FOR PURPOSES OF ACQUIRING ABANDONED RAIL RIGHTS-OF-WAY.

Be it enacted, etc., as follows:

There is hereby appropriated from the Freight Rail Fund, established under the provisions of paragraph (c) of section two of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five, the sum of one hundred and seventy-five thousand dollars to be expended as follows:-

(a) a sum not to exceed one hundred and fifteen thousand dollars for the acquisition of certain railroad properties in the city of Taunton and the town of Dighton, in the town of Bourne, and in the town of Millis, including costs of surveys, closing costs and other expenses reasonably related to such acquisitions; and

(b) a sum not to exceed sixty thousand dollars for acquisition of other railroad rights-of-way, provided that the general court is not in session at the time such acquisition is deemed necessary by the secretary of transportation and construction and provided, further, that said secretary shall notify, in writing, not less than thirty days prior to said acquisition, the clerk of the senate and the clerk of the house of representatives of his intent to acquire said rights-of-way. Said clerks shall notify the members of the joint committee on transportation.

Approved December 6, 1977.

Chap. 801. AN ACT REQUIRING INSURANCE POLICIES TO BE WRITTEN IN A FORM THAT CAN BE EASILY UNDERSTOOD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 2A the following section:-

Section 2B. 1. No policy form of insurance shall be delivered or issued for delivery to more than fifty policyholders in the commonwealth until a copy of the policy form has been on file for thirty days with the commissioner, unless before the expiration of said thirty days the commissioner shall have approved the form of the policy in writing as complying with this section; nor shall any such policy be delivered or issued for delivery if the commissioner notifies the company in writing within said thirty days that in his opinion the form of said policy does not comply with the provisions of this section, specifying the reasons for his opinion, provided that such action of the commissioner shall be subject to review by the supreme judicial court, but during any such

review the form shall not be delivered or issued for delivery in the commonwealth; nor shall any such policy form be so delivered or issued for delivery unless:

(a) The text achieves a minimum Flesch scale readability score of fifty;

(b) It is printed, except for tables, in not less than ten point type, two points leaded, and with respect to schedule pages, in not less than ten point type, one point leaded;

(c) The style, arrangement and overall appearance of the policy give no undue prominence to any portion of the text of the policy and any endorsements or riders;

(d) It contains a table of contents or an alphabetical subject index;

(e) The width of margins and ink to paper contrast do not unreasonably interfere with the readability of the form; and

(f) The organization of the content of the policy and the summary of the policy is conducive to understandability of the form.

Nothing in this section shall be construed to require the affirmative approval of the commissioner before issuance of a policy form which has been on file for at least thirty days.

For the purposes of this section, a Flesch scale readability score shall be measured as hereinafter provided:

(1) For policy forms containing ten thousand words or less of text, the entire form shall be analyzed. For policy forms containing more than ten thousand words, the readability of two two hundred word samples per page may be analyzed in lieu of the entire form. The samples shall be separated by at least twenty printed lines.

(2) (a) (i) The number of words and sentences in the text shall be counted and the total number of words divided by the total number of sentences. The figure obtained shall be multiplied by a factor of 1.015.

(ii) The total number of syllables shall be counted and divided by the total number of words. The figure obtained shall be multiplied by a factor of 84.6.

(iii) The sum of the figures computed under subclause (i) and subclause (ii) subtracted from 206.835 equals the Flesch scale readability score for the policy form.

(b) For the purposes of clause (a) the following procedures shall be used:

(i) A contraction, hyphenated word, or numbers and letters, when separated by spaces, shall be counted as one word;

(ii) A unit of words ending with a period, semicolon, or colon, but excluding headings and captions shall be counted as a sentence; and

(iii) A syllable means a unit of spoken language consisting of one or more letters of a word as divided by an accepted dictionary. Where the dictionary shows two or more equally acceptable pronunciations of a word, the pronunciation containing fewer syllables may be used.

Every policy form filed with the commissioner under this section shall be accompanied by a certificate stating the Flesch scale readability score achieved by such form.

The term "text" as used in this section shall include all printed matter except the name and address of the insurer, name or title of the policy, the brief description if any, captions and subcaptions, and schedule pages and tables.

The commissioner may, after notice and hearing, designate other readability tests as acceptable alternative tests to the Flesch scale readability analysis if he finds that any other such tests are equivalent in function, result and understandability.

This section shall apply to any domestic or foreign company, whether licensed or unlicensed by the commissioner to do business in the commonwealth.

2. For the purposes of this section the words policy form shall include, in addition to all policy forms of insurance, all certificates and subscription agreements or contracts of insurance issued pursuant to chapters one hundred and seventy-six, one hundred and seventy-six A, one hundred and seventy-six B and one hundred and seventy-six G, but shall not include any form for casualty or property insurance which is issued to insure a business, professional or governmental operation or any form for life insurance, accident or health insurance, or annuities, (a) which is a security subject to federal jurisdiction, (b) which is issued in connection with any employee benefit plan subject to Title I of the Employee Retirement Income Security Act of 1974, 29 United States Code, sections 1002 to 1144, inclusive, or described in any of sections 79, 105, 401 or 403(a) of the Internal Revenue Code, (c) which conforms to the requirements of sections 403(b) or 408(b) of said Code or (d) which is a form used in connection with, as a conversion from, or in exchange for a policy form approved or deemed approved prior to the date such forms must be approved under this section; policyholder shall include, in addition to all insurance policyholders, all subscribers and holders of certificates issued pursuant to chapters one hun-

dred and seventy-six, one hundred and seventy-six A, one hundred and seventy-six B and one hundred and seventy-six G.

3. Where the requirements of this section are met, the commissioner may approve such policy form for use in the commonwealth notwithstanding those provisions of any other laws which specify the content of insurance policies, provided the approved policy assures to the policyholders and claimants protection no less favorable than they would be entitled to under such other law.

In any action brought by a policyholder or claimant arising out of a policy form approved pursuant to this section, the policyholder or claimant may base such an action on either or both the substantive language prescribed by such other statute or the wording of the approved policy form.

SECTION 2. Clause Ninth of section 99 of said chapter 175, as appearing in section 1 of chapter 478 of the acts of 1951, is hereby amended by striking out, in line 3, the words "eight point" and inserting in place thereof the words:- ten point, two points leaded.

SECTION 3. Clause Twelfth of said section 99 of said chapter 175 is hereby amended by striking out the introductory paragraph and inserting in place thereof the following paragraph:-

Said standard form of policy shall be plainly printed and no portion thereof shall be in type smaller than ten point, two points leaded and shall be substantively as follows:-.

SECTION 4. Section 193F of said chapter 175, as appearing in chapter 426 of the acts of 1962, is hereby amended by inserting after the word "sections", in line 1 and in lines 11 and 12, in each instance, the words:- two B,.

SECTION 5. Section 193G of said chapter 175, as so appearing, is hereby amended by inserting after the word "sections", in line 2, the words:- two B,.

SECTION 6. Section 193H of said chapter 175, as so appearing, is hereby amended by inserting after the word "sections", in line 3, the words:- two B,.

SECTION 7. The first paragraph of section 8 of chapter 176C, as appearing in chapter 334 of the acts of 1941, is hereby amended by inserting after the first sentence the following sentence:- In addition to any other requirements such a form must meet the minimum readability standards required by section two B of chapter one hundred and seventy-five.

SECTION 8. Clause (12) of section 3 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 "sections", in line 1, the words:- two B,.

SECTION 9. Section 15 of chapter 178 of the General Laws is hereby amended by striking out the first sentence, as amended by section 4 of chapter 421 of the acts of 1972, and inserting in place thereof the following sentence:- The state actuary, appointed under section ten of chapter twenty-six, with the advice of the attorney general as to matters of legal form and in compliance with the minimum readability requirements of section two B of chapter one hundred and seventy-five, shall prepare standard forms of life insurance policies and life annuity contracts, including a whole life policy, a limited payment life policy, a limited term policy, an endowment policy, an annuity contract, and a combination of life insurance policy and deferred annuity contract, and such others as may from time to time, in the opinion of the commissioner of insurance, be desirable.

SECTION 10. This act applies to all policy forms filed on and after July first, nineteen hundred and seventy-eight. No policy form approved or deemed approved other than under this section shall be delivered or issued for delivery in the commonwealth on or after July first, nineteen hundred and seventy-nine unless approved by the commissioner or deemed approved under this section, except a policy delivered to fifty or fewer policyholders in the commonwealth.

SECTION 11. If the National Association of Insurance Commissioners adopts a model statute which the commissioner determines, at his discretion, can be substituted for this act without loss of effectiveness, such determination shall be reported to the general court.

SECTION 12. Nothing in this act shall limit any authority over the form or readability of insurance policies granted to the commissioner of insurance by law.

Approved December 6, 1977.

Chap. 802. AN ACT PROVIDING THAT CERTAIN PEOPLE SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS POLICE OFFICERS IN THE TOWN OF WILMINGTON.

Be it enacted, etc., as follows:

Notwithstanding any provision of any law or any civil service rule to the contrary regulating the maximum age for applicants for appointment as a police officer, Raffaella Zaccagnini, Patricia

Gately, Cecile Marini, Margaret Duffy, Mary Lynch, Joanne Bradley, Patricia Robarge, Carole Bailey, Barbara La Fave, Jeannette Davidson, Maureen McHugh, Marilyn Fuller, Barbara Knickle, Mary Kuchler, Rosemarie Morgan, Frances Dec, Evelyn Grassia, Margaret Stewart, Patricia Johnson and Mary Harvey, all of whom are traffic supervisors shall be eligible to take the next open competitive examination for police officer in the town of Wilmington and provided any such applicant meets all other requirements, she shall be eligible for certification and appointment as a police officer in said town.

Approved December 6, 1977.

Chap. 803 AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight.

HAMPDEN COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$1,125,000 00
2. For reduction of county debt		325,000 00
3. For county commissioners, salaries and expenses		85,714 41
1. Personal services	\$76,564 41	
2. Contractual services	2,100 00	
3. Supplies and materials	1,900 00	
4. Current charges and obligations	3,850 00	
5. Equipment	1,300 00	
4. For transportation and expenses of county and acting commissioners		500 00

Item	Subtotal	Total
5. For clerk of courts, salaries and expenses		\$360,459 98
1. Personal services	\$319,154 98	
2. Contractual services	17,000 00	
3. Supplies and materials	12,000 00	
4. Current charges and obligations	8,335 00	
5. Equipment	3,970 00	
6. For county treasurer, salaries and expenses		98,325 70
1. Personal services	87,825 70	
2. Contractual services	5,825 00	
3. Supplies and materials	2,400 00	
4. Current charges and obligations	1,225 00	
5. Equipment	1,050 00	
7. For sheriff, salary and expenses		22,615 00
1. Personal services	21,890 00	
2. Contractual services	500 00	
4. Current charges and obligations	225 00	
8. For registry of deeds, salaries and expenses		454,681 53
1. Personal services	396,731 53	
2. Contractual services	8,400 00	
3. Supplies and materials	29,100 00	
4. Current charges and obligations	20,450 00	
8a. For registry of probate, salaries and expenses		39,791 00
2. Contractual services	17,700 00	
3. Supplies and materials	12,500 00	
4. Current charges and obligations	6,361 00	
5. Equipment	3,230 00	
9. For law library, salaries and expenses		69,747 20
1. Personal services	36,522 20	
2. Contractual services	6,325 00	
3. Supplies and materials	900 00	
4. Current charges and obligations	26,000 00	
10. For highways, including state highways, bridges and land damages		13,017 50
1. Personal services	11,667 50	
2. Contractual services	700 00	
3. Supplies and materials	650 00	
12. For superior court costs		1,632,204 69
1. Personal services	800,332 95	
2. Contractual services	786,400 00	
3. Supplies and materials	23,690 00	
4. Current charges and obligations	20,296 00	
5. Equipment	1,485 74	
13. For civil expenses in probate court		62,383 80
1. Personal services	45,458 80	
2. Contractual services	9,700 00	
3. Supplies and materials	5,175 00	
4. Current charges and obligations	2,050 00	
14. For district courts, salaries and expenses District Court of Chicopee		267,432 90

Item	Subtotal	Total
1. Personal services	\$245,247 90	
2. Contractual services	8,525 00	
3. Supplies and materials	5,765 00	
4. Current charges and obligations	7,895 00	
District Court of Holyoke		\$336,504 65
1. Personal services	297,049 65	
2. Contractual services	20,850 00	
3. Supplies and materials	10,500 00	
4. Current charges and obligations	6,480 00	
5. Equipment	1,625 00	
District Court of Eastern Hampden		282,155 28
1. Personal services	252,205 28	
2. Contractual services	15,670 00	
3. Supplies and materials	5,250 00	
4. Current charges and obligations	9,030 00	
District Court of Springfield		1,511,411 99
1. Personal services	1,395,687 49	
2. Contractual services	46,185 00	
3. Supplies and materials	38,865 00	
4. Current charges and obligations	24,219 50	
5. Equipment	6,455 00	
District Court of Western Hampden		323,111 11
1. Personal services	291,896 11	
2. Contractual services	14,525 00	
3. Supplies and materials	7,125 00	
4. Current charges and obligations	6,625 00	
5. Equipment	2,940 00	
Springfield Juvenile Court		644,036 70
1. Personal services	438,611 70	
2. Contractual services	151,000 00	
3. Supplies and materials	9,560 00	
4. Current charges and obligations	42,075 00	
5. Equipment	2,790 00	
16. For jail and house of correction, maintenance and operation ...		1,778,049 19
1. Personal services	1,164,101 19	
2. Contractual services	197,098 00	
3. Supplies and materials	349,010 00	
4. Current charges and obligations	33,350 00	
5. Equipment	30,990 00	
6. All other	3,500 00	
17. For training school		11,707 25
1. Personal services	3,887 25	
2. Contractual services	1,300 00	
3. Supplies and materials	6,500 00	
4. Current charges and obligations	20 00	
18. For court houses and registry buildings, maintenance and operation		1,248,732 57
1. Personal services	754,532 57	
2. Contractual services	440,000 00	
3. Supplies and materials	32,800 00	
4. Current charges and obligations	20,750 00	
5. Equipment	650 00	
20. For agricultural school or county cooperative extension service .		305,667 09

Item	Subtotal	Total
1. Personal services	\$283,764 35	
2. Contractual services	16,665 00	
3. Supplies and materials	4,040 00	
4. Current charges and obligations	560 00	
5. Equipment	637 74	
21. For the Mount Tom state reservation, maintenance and operation		\$75,824 61
24. For noncontributory pensions		122,057 75
25. For contributory retirement system and supervisory expenses ...		632,128 23
26. For miscellaneous and contingent expenses		51,180 96
27. For unpaid bills of previous years		50,000 00
28. For reserve fund		150,000 00
28a. For reserve for salary increases		908,456 62
28d. For reserve for counsel for indigent defendants		225,000 00
28f. For special reserve fund		239,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		15,000 00
31. For radio system for fire protection or police radio system		19,600 00
39. For group insurance		450,000 00
45. For purchasing department	46,167 73	
Total amount of appropriations	\$13,982,665 44	
Less estimated amount available for reduction of county tax		<u>1,085,000 00</u>
And the county commissioners of 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		\$12,897,665 44

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.

2. For reduction of county debt	\$1,200,000 00
15. For medical examinations and commitments of insane	90,000 00
26. For miscellaneous and contingent expenses	<u>32,000 00</u>
Total	\$1,322,000 00

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

(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, November 29, 1977, and, in concurrence, by the Senate, December 6, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 804. AN ACT FURTHER REGULATING THE DISBURSEMENT OF INSURANCE PROCEEDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate forthwith the disbursement of insurance proceeds, therefore 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 139 of the General Laws is hereby amended by inserting after section 3A the following section:-

Section 3B. No insurer shall pay any claim (1) covering any loss, damage, or destruction to a building or other structure, amounting to one thousand dollars or more, or (2) covering any loss, damage or destruction of any amount, which causes the condition of a building or other structure to render section six of chapter one hundred and forty-three applicable, without having at least ten days previously, given written notice to the building commissioner or inspector of buildings appointed pursuant to the state building code, and to the board of health or the board of selectmen of the city or town in which the same is located. If at any time prior to payment the said city or town notifies the insurer by certified mail of its intent to initiate proceedings designed to perfect a lien pursuant to section three A, or to section nine of chapter one hundred and forty-three, or section one hundred and twenty-seven B of chapter one hundred and eleven, the said payment shall not be made while the said proceedings are pending; provided, however, that said proceedings are initiated within thirty days of receipt of such notification.

Any lien perfected pursuant to section three A, or to section nine of chapter one hundred and forty-three or section one hun-

dred and twenty-seven B of chapter one hundred and eleven, shall extend to and may be enforced by the city or town against any casualty insurance policy or policies covering any loss, damage, or destruction pursuant to which the proceedings to perfect the lien were initiated.

No insurer shall be liable to any insured owner, mortgagee, assignee, city or town, or other interested party for amounts disbursed to a city or town under the provisions of this section, or for amounts not disbursed to a city or town under the provisions of this section.

SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section 97 the following section:-

Section 97A. Notwithstanding any provision to the contrary of any general or special law, every company shall, before paying any claim for loss or damage to real property from any hazard, where the amount of the loss payable under the policy equals or exceeds five thousand dollars, first require the claimant to submit to the company a certificate of municipal liens from the collector of taxes of the city or town wherein such property is located.

Said company shall pay to the city or town any amount shown as outstanding on the certificate of municipal liens arising from the provisions of chapter forty, chapter fifty-nine, chapter sixty, chapter eighty and chapter eighty-three to the extent of the amount of loss payable under the policy.

The claim of the city or town for such amounts shall have priority over the claim of any insured owner, mortgagee, assignee or other interested party except where otherwise provided by the laws of the United States.

Said company shall not be liable to any insured owner, mortgagee, assignee, city or town, or other interested party for amounts disbursed to a city or town under this section or for amounts not disbursed to said city or town based upon a certificate indicating the nonexistence of any municipal liens.

The provisions of this section shall not apply to owner-occupied one, two, three or four family dwellings, provided, however, that the owners of said dwellings must be domiciled in said dwellings at the time the claim for loss or damage arose.

SECTION 3. Section 99 of said chapter 175 is hereby amended by adding the following two clauses:-

Fourteenth, A company shall print on or in all its policies, that notwithstanding any provision to the contrary of any general or special law, said company shall, before paying any claim for loss or damage to real property, other than owner-occupied one, two, three, or four family dwellings, from any hazard, where the

amount of the loss payable under the policy equals or exceeds five thousand dollars, first require the claimant to submit to the company a certificate of municipal liens from the collector of taxes of the city or town wherein such property is located.

Said company shall pay to the city or town any amount shown as outstanding on the certificate of municipal liens arising from the provisions of chapter forty, chapter fifty-nine, chapter sixty, chapter eighty and chapter eighty-three to the extent of the amount of loss payable under the policy.

The claim of the city or town for such amounts shall have priority over the claim of any insured owner, mortgagee, assignee or other interested party except where otherwise provided by the laws of the United States.

Said company shall not be liable to any insured owner, mortgagee, assignee, city or town, or other interested party for amounts disbursed to a city or town or for amounts not disbursed to said city or town based upon a certificate indicating the nonexistence of any municipal liens.

Fifteenth, A company shall print on or in all of its policies that said insurer shall not pay any claim (1) covering any loss, damage, or destruction to a building or other structure, amounting to one thousand dollars or more, or (2) covering any loss, damage or destruction of any amount, which causes the condition of a building or other structure to render section six of chapter one hundred and forty-three applicable, without having at least ten days previously, given written notice to the building commissioner or inspector of buildings appointed pursuant to the state building code, and to the board of health or the board of selectmen of the city or town in which the same is located. If at any time prior to payment the said city or town notifies the insurer by certified mail of its intent to initiate proceedings designed to perfect a lien pursuant to section three A, or to section nine of chapter one hundred and forty-three, or section one hundred and twenty-seven B of chapter one hundred and eleven, the said payment shall not be made while the said proceedings are pending; provided, however, that said proceedings are initiated within thirty days of receipt of such notification.

Any lien perfected pursuant to section three A, or to section nine of chapter one hundred and forty-three or section one hundred and twenty-seven B of chapter one hundred and eleven, shall extend to and may be enforced by the city or town against any casualty insurance policy or policies covering any loss, damage, or destruction pursuant to which the proceedings to perfect the lien were initiated.

No insurer shall be liable to any insured owner, mortgagee, assignee, city or town, or other interested party for amounts disbursed to a city or town, or for amounts not disbursed to a city or town under the provisions of this section.

SECTION 4. The provisions of this act shall take effect on all insurance policies to take effect or be renewed on and after January first, nineteen hundred and seventy-eight.

Approved December 9, 1977.

Chap. 805. AN ACT DIRECTING THE CITY OF SPRINGFIELD TO CONVEY CERTAIN PARK LAND TO THE COMMONWEALTH FOR AN ARMORY AND TO PURCHASE CERTAIN LAND OF THE ARMORY COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The armory commission, 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 Springfield, a certain parcel of land in said city presently used as a state armory and commonly known as the Howard Street Armory. The conveyance may be upon terms and conditions, including but not limited to, provisions for temporary continued occupancy by the Massachusetts National Guard, as the armory commission may deem advisable. In partial consideration for said conveyance, the city of Springfield, with the approval of the board of park commissioners of said city, is hereby authorized to convey to the commonwealth, for the purpose of construction and operation thereon a state armory, a certain parcel of park land in said city, which is a portion of the Mayo Brick Yard, so-called, transferred by said city to the park department of said city, in June, nineteen hundred and forty-eight and used for park or playground purposes.

The park land parcel which the city is hereby authorized to transfer and convey is bounded and described as follows: A certain parcel of land shown on a plan entitled, "Springfield, Mass., Department of Streets and Engineering, Proposed Transfer of Park Department Land at Cass St. & Stafford Street, Scale: 1" = 100', Date: Nov. 1972", said plan being now on file in the office of the Engineering Division of the Department of Public Works revised April, 1977, and more particularly bounded and described as follows:

Beginning at a point in the northeasterly corner in land described, said being 134.04 feet southeasterly from the north-

westerly corner of Springfield Housing Authority property; thence southeasterly along Springfield Housing Authority property a distance of 480.55 feet to a point; thence by an internal angle of 98° 59' 30" along lands of William Crocker-Guy Jodice and T.T. Herlihy a distance of 360.01 feet to a point; thence by an internal angle of 85° 12' 45" along land of Mercy Hospital of Springfield, Mass. a distance of 510.45 feet to a point; thence by an internal angle of 30° 00' 00" along land of City of Springfield Park Department a distance of 393.98 feet to the point of beginning and enclosing 4.3 acres of land.

Said conveyance by the city of Springfield to the commonwealth shall however, contain the following restrictions: that if the commonwealth is not using said land for an armory within five years of the effective date of this act its ownership shall revert to said city; that if the commonwealth ceases to use said land as a state armory, its ownership shall revert to said city.

SECTION 2. The armory commission is hereby authorized and directed to proceed to erect on the land described in section one, armory facilities and may expend such sums as have been appropriated therefor.

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

Approved December 9, 1977.

Chap. 806. AN ACT REGULATING AESTHETICIANS.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out sections 87T to 87KK, inclusive, and inserting in place thereof the following eighteen sections:-

Section 87T. The following words, as used in sections eighty-seven T to eighty-seven KK, inclusive, shall have the following meanings:-

"Aesthetician", any person, who with hands or mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, tonics, lotions, or creams engages for compensation in the practice of cleansing, stimulating, manipulating and beautifying skin.

"Board", the board of registration of hairdressers established by section forty-two of chapter thirteen.

"Demonstrator", any person who engages in behalf of a manufacturer, wholesaler, retailer or distributor in demonstrating the use of any machine or other article pertaining

to hairdressing without charge to the person who is subject to such demonstration.

“Hairdresser”, any person who engages in hairdressing for compensation, except the following persons:-

1. A barber engaged in his usual occupation, or only in cutting the hair of any person, in any location not subject to said sections eighty-seven T to eighty-seven JJ, inclusive.

2. A person who engages in behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for purposes of sale, without charge to the person who is the subject of such demonstration.

“Hairdressing”, arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring, or similarly treating the hair of any person, or performing work as a cosmetologist as defined in section eighty-seven F, or any combination of any of the foregoing, but not including the removal of superfluous hair or skin blemishes by direct application of an electric current or any treatment of the bust.

“Instructor”, a person who teaches all branches of hairdressing, manicuring or aesthetics in a registered school.

“Operator”, a person engaged in hairdressing or in any of its branches under the supervision of a registered hairdresser.

“Manicurist”, any person who engages in manicuring for compensation.

“Manicuring”, the cutting, trimming, polishing, tinting, coloring or cleansing the nails of any person.

“Manicuring shop”, a shop licensed to do manicuring only on the nails of any person.

“School”, except in section eighty-seven Z, a school or other institution privately owned, conducted for the purpose of teaching aesthetics or hairdressing and such of its branches as the board may require.

“Shop”, a shop to which customers come for hairdressing and cosmetology or aesthetics.

“Student”, a person studying hairdressing, manicuring or aesthetics in a school.

Section 87U. All students enrolled in registered schools shall, within fifteen days after entering upon their courses of study, be registered with the board by such schools. Students at registered schools may, within such fifteen day period, register with the board. No fee shall be required for such registration. No student shall practice hairdressing, manicuring or aesthetics upon any paying customer, and no school shall directly or indirectly make any charge for services in connection with such practice of hair-

dressings, manicuring or aesthetics. A school shall not pay a student for any services rendered by him.

Section 87V. Any registered student who has completed a course of at least six months, including at least one thousand hours of professional training in the case of a hairdresser and at least three hundred hours in a course in the case of an aesthetician in a school approved by the board, if such registrant after application accompanied by an examination fee as provided in section eighty-seven CC for a first examination, together with two photographs of the applicant, or a fee as provided in said section eighty-seven CC for a second or subsequent examination, passes an oral, written and practical examination satisfactory to the board, may be registered by the board as an operator, and as such may practice hairdressing or aesthetics, as the case may be, for compensation under the supervision of a registered hairdresser or aesthetician during the period of such original registration, and thereafter, upon payment every two years of a renewal fee as provided in said section eighty-seven CC. Any person making application for examination hereunder may be allowed to practice as an operator until the next examination by the board, and the board may grant, without charge, a permit authorizing him to practice as such operator until such next examination; provided, that such application has been filed within six months after the completion of the course. If the applicant fails to appear for the first examination, the board shall cancel his or her permit unless reasonable cause for his failure to appear is shown to the board; if he or she fails to appear for the second examination, the board shall cancel the permit until he or she successfully passes a subsequent examination by the board.

Any person who holds a diploma or certificate from a skin care school that is recognized as such by the state or nation in which such school is located shall be eligible to be registered by the board as an aesthetician after examination by the board pursuant to this section.

Section 87W. Any registered operator who has had not less than two years of practical experience as such, and who makes application therefor, accompanied by a fee as provided in section eighty-seven CC, may be registered by the board as a hairdresser or aesthetician as so qualified, and thereafter may practice hairdressing or aesthetics in a registered shop for compensation and may supervise operators, without additional payment for the period during which such person was originally registered as an operator, and thereafter upon payment every two years of a renewal fee as provided in said section eighty-seven CC. In com-

puting practical experience under this paragraph, time which an operator has worked as such under a temporary permit shall be included in computing such period; provided, however, that credit for such work shall not exceed three months.

Any demonstrator who has had at least three months' practical experience as such, and who after application, accompanied by a notarized affidavit from each manufacturer or distributor for whom he is or was employed during such period and the fee as provided in said section eighty-seven CC, together with two pictures of the applicant, may be registered by the board as a demonstrator, and thereafter may practice as a demonstrator. Any person who is registered as a hairdresser, aesthetician, operator or instructor may, upon payment of said fee, be registered also as a demonstrator, and may thereafter practice as such. Such demonstrations shall be given by a demonstrator only in a registered shop, in the business quarters of distributors or supply houses in the commonwealth, at hairdressers' trade shows or meetings in the presence of licensed beauty shop owners and their employees, or in schools of beauty culture with a licensed instructor in attendance.

Section 87X. Any registered student who has completed a course of at least one month, including at least one hundred hours of professional training in manicuring, in a school approved by the board, if such registrant after application accompanied by an examination fee as provided in section eighty-seven CC for a first examination, together with two photographs of the applicant, or a fee as provided in said section eighty-seven CC for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as a manicurist and may practice manicuring for compensation during the period of such original registration, and thereafter upon payment every two years of a renewal fee as provided in said section eighty-seven CC.

Section 87Y. The board shall hold examinations during the months of February, June and October, on a date designated by the board and in such cities throughout the commonwealth as it may deem most convenient for applicants, and at such additional times as the board may deem necessary.

Section 87Z. The board may register, without examination, any hairdresser, operator, manicurist or aesthetician who has been registered as such under the laws of another state, which, in the opinion of the board, maintains a standard substantially equivalent to that of the commonwealth, and in which hairdressers, operators, manicurists or aestheticians registered in the

commonwealth are given like recognition, upon payment of the fee prescribed in section eighty-seven CC. Any person who has completed in another state, or in a school in the commonwealth supported by public funds, a course of professional training, substantially equivalent to that required by section eighty-seven V, and who, after application accompanied by an examination fee as prescribed in section eighty-seven CC for a first examination, or a fee as prescribed in said section eighty-seven CC for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an operator.

Any hairdresser, operator, manicurist or aesthetician who has been registered as such under the laws of another state which, in the opinion of the board, maintains a standard substantially equivalent to that of the commonwealth but does not have a reciprocal registration agreement with the commonwealth, and who has filed an application for registration under sections eighty-seven T to eighty-seven JJ, inclusive, may, upon request to the board, be granted a temporary license authorizing him to practice as such hairdresser, operator, manicurist or aesthetician, as the case may be. Such temporary license shall bear an expiration date of six months from date of issuance and the address where such temporary licensee is employed. Only one such temporary license shall be granted to such applicant. The fees for such temporary licenses shall be ten dollars for a hairdresser, five dollars for an operator and five dollars for a manicurist or aesthetician. If an applicant fails to appear for examination in accordance with the provisions of section eighty-seven KK he shall forfeit such temporary license, as well as the fee for examination. There shall be no refund once a temporary license has been issued to the applicant.

The word "state" as used in this section shall include the District of Columbia, any territory of the United States or foreign country, state or province.

Section 87AA. The board may authorize one or more registered hairdressers, manicurists or aestheticians or any person employing one or more registered hairdressers, manicurists, or aestheticians, upon payment to the board of a beauty shop, manicure shop or aesthetic shop registration fee as provided in section eighty-seven CC, to operate a registered beauty shop, manicure shop or an aesthetic shop, and such person may thereafter operate such beauty shop, manicure shop or aesthetic shop upon payment annually of a beauty shop, manicure shop or aesthetic shop registration renewal fee as provided in said section

eighty-seven CC; provided, that, in the case of a beauty shop or manicure shop conducted solely by a hairdresser or manicurist owning the same, the beauty shop or manicure shop registration fee and beauty shop or manicure shop renewal fee shall each be as provided in said section eighty-seven CC.

The owner of such beauty shop, manicure shop or aesthetic shop shall not employ for hire or allow any hairdresser, operator, demonstrator, manicurist or aesthetician to work in such beauty shop, manicure shop or aesthetic shop unless registered in accordance with sections eighty-seven T to eighty-seven JJ, inclusive.

Certificates of registration issued hereunder shall be valid only for the location named therein, and shall not be transferable. Upon change of location of a registered shop, a new certificate of registration shall be issued to such shop upon payment of the fee provided in section eighty-seven CC.

The board may register beauty shops operated in state institutions for the sole purpose of crediting the operators employed therein with the practical experience so obtained and thereby enabling them to qualify for the hairdressers' examination.

Each registered beauty shop qualified under this section, or under any other previous provision of law, and which employs operators, shall employ one hairdresser to supervise no more than each three operators employed therein.

Section 87BB. The board may register any school which it approves, upon payment of a school registration fee as provided in section eighty-seven CC, and such school may annually be registered upon payment of a renewal fee as provided in said section eighty-seven CC; provided, that standards of professional training satisfactory to the board are there maintained and a sufficient course is there given. Any registered hairdresser having not less than three years practical experience as such and any aesthetician having not less than two years practical experience as such who enrolls in a registered school for a training course as an instructor, shall, upon such enrollment, file an application for examination as an instructor, accompanied by the appropriate fee, and said applicant shall, pending said examination as an instructor, be granted by the board, upon payment of a fee of fifteen dollars, a temporary license as an assistant instructor, which license shall be valid for a period of six months. Such assistant instructor may, under the direct supervision of a registered instructor, instruct students in such school for the first one hundred hours of his training and thereafter may at the discretion of the school supervisor instruct such students without such direct

supervision up to the first five hundred hours of the student's training; provided, however, that no school shall employ more than one assistant instructor for every two licensed instructors employed by it. Any registered hairdresser who has had not less than three years practical experience as such and any registered aesthetician who has had not less than two years practical experience as such, and who, after application accompanied by an examination fee as provided in said section eighty-seven CC for a first examination, or a fee as provided in said section eighty-seven CC for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an instructor, and thereafter may instruct in hairdressing or aesthetics, as the case may be, in any registered school during the period of original registration, and thereafter, upon payment every two years of a renewal fee as provided in said section eighty-seven CC.

No person not so licensed as an assistant instructor or so registered as an instructor may instruct in hairdressing or aesthetics in any registered school except as authorized by the board.

No person shall be examined as an instructor or registered as such nor granted a temporary license as an assistant instructor, as provided in this section, unless at the time of filing his application for examination he has successfully completed a four-year high school course or possesses the educational equivalent thereof.

The board may make such reasonable rules and regulations as are necessary for the proper conduct of schools, qualifications of instructors, courses of study, and hours of study, and as to standards of professional training.

Section 87CC. The board shall make such uniform and reasonable rules and regulations as are necessary for the proper conduct of its business, the establishment of proper standards of professional skill in relation to, and the proper supervision of, hairdressers, aestheticians, demonstrators, manicurists, operators, beauty shops, manicure shops, schools, students and instructors, and especially may prescribe such sanitary rules, subject to the approval of the department of public health, as it may deem necessary to prevent the spreading of infectious or contagious diseases, or both, but nothing herein shall authorize the board to limit the number of hairdressers, aestheticians, demonstrators, manicurists, beauty shops, manicure shops, schools, operators, students or instructors in the commonwealth or in any given locality, or to regulate or fix compensation or

prices, or to refuse to register a shop solely for the reason that such shop is to be conducted by a person in his own home on a full or part time basis. Except as may be necessary for the protection of the public health, safety or morals, the board shall not make any rule or regulation restraining the normal and incidental business of aestheticians' shops and hairdressers' shops by restricting the retail sale therein of so-called beauty preparations, lotions, salves, toilet articles, jewelry, gift novelties, female personal attire and accessories or other articles.

Before engaging in actual employment in the practice of hair-dressing, aesthetics, manicuring or demonstrating and at least once every twelve months thereafter, every registered hair-dresser, aesthetician, operator, instructor, manicurist or demonstrator shall secure from a physician a certificate stating that such person is not afflicted with tuberculosis, venereal disease in a communicable form, or with any other communicable disease. Said certificate shall be on a form furnished by the board and shall be kept conspicuously posted with the license certificate.

The following fees shall be paid to the board by applicants before a certificate of registration, or any renewal thereof, shall be issued to them:-

Applicant	Original	Renewal
School	\$200.00	\$100.00
Aesthetic Shop	20.00	15.00
Beauty Shop	20.00	15.00
Booth Renter	25.00	50.00
Manicure Shop	20.00	10.00
Aesthetician	20.00	8.00
Hairdressers	20.00	8.00
Hairdressers	25.00	8.00
Hairdressers (nonresidents)	70.00	8.00
Hairdressers (re-examination)	15.00	8.00
Operators	25.00	8.00
Operators (re-examination)	15.00	8.00
Operators (nonresidents)	60.00	8.00
Manicurist	15.00	8.00
Manicurist (reexamination)	8.00	8.00
Manicurist (nonresidents)	20.00	8.00
Instructors	60.00	8.00

Applicant	Original	Renewal
Instructors (reexamination)	\$25.00	\$8.00
Demonstrators	15.00	8.00
Duplicate certificate of registration, \$2.00.		
New certificate of registration to registered shop owners upon change of location, \$10.00.		
Temporary license for operator (nonresident), \$5.00.		
Temporary license for hairdresser (nonresident), \$10.00.		
Temporary license for aesthetician (nonresident), \$5.00.		
Temporary license for instructor, \$15.00.		
Temporary license for manicurist, \$5.00.		
Temporary license for nonresident manicurist, \$5.00.		
Hairdresser forfeiture, \$20.00.		
Temporary license for hairdresser forfeiture, \$5.00.		
Operator forfeiture, \$25.00.		
Temporary license for operator forfeiture, \$5.00.		

¹\$20.00 fee applies to operators who have paid the \$15.00 fee for examination or the nonresident operators, who have paid the \$25.00 fee.

²\$25.00 fee applies to operators who have paid only \$10.00 for the operator's examination, or a \$20.00 fee for the nonresident operator's examination.

A certificate of registration, or renewal thereof, issued to a hairdresser, aesthetician, operator, manicurist, instructor or demonstrator shall expire on the anniversary of such person's date of birth occurring more than twelve months, but not more than twenty-four months, after the date of issuance of such certificate of renewal.

No certificate of registration, or renewal thereof, of a hairdresser, aesthetician, operator, manicurist, instructor or demonstrator, shall be issued by the board to any person unless the application for registration or renewal is accompanied by a certificate of a registered physician stating that such person is not afflicted with any communicable disease.

A certificate of registration or renewal thereof, issued to a school, beauty shop, aesthetic shop or manicure shop, shall expire annually on such date as the board may by regulation determine.

A booth in a beauty shop or manicure shop, which is operated independently thereof, shall be subject to the same regulations and registration fees as an independent shop. Any shop which leases booths to hairdressers shall pay a fee of twenty-five dollars for the registration of such shop.

Section 87DD. Any member or agent of the board may enter and inspect any beauty shop, aesthetic shop, manicure shop or school in a proper manner at any time during business hours thereof. Whenever a complaint is made to the board that any person has suffered personal injury as a result of the practice of the occupation of hairdressing or aesthetics, or that any person has been exposed to moral hazard, or that any contagious or infectious disease has been imparted, at any beauty shop, aesthetic shop, manicure shop, or school, or that any beauty shop, aesthetic shop, manicure shop, or school is kept in an unsanitary condition, or that any person has been engaged in hairdressing, aesthetics or manicuring for compensation is violation of any provision of sections eighty-seven T to eighty-seven JJ, inclusive, a member or agent of the board shall visit and inspect such beauty shop, aesthetic shop, manicure shop, school or place whereat such violation is alleged to have occurred, and enforce the provisions of said sections eighty-seven T to eighty-seven JJ, inclusive. The board and its members and agents may investigate the standard of professional training at any school, and the sufficiency of the course or courses there given.

Section 87EE. The board, under such reasonable rules and regulations as it may make, may for cause, including unprofessional conduct, fraud, deceit or misrepresentation in practice or in advertising, habitual drunkenness, gross incompetence, or for violation of any of the provisions of sections eighty-seven T to eighty-seven JJ, inclusive, or any rule or regulation made thereunder, suspend or cancel any registration granted under said sections eighty-seven T to eighty-seven JJ, inclusive; provided, that before any registration shall be so suspended or cancelled the

registrant shall have had notice in writing of the charge or charges against him or it, and, at a day specified in said notice, which shall be at least five days after the service of notice thereof, shall have been given at a public hearing and an opportunity to present testimony in his or its behalf, and to confront the witnesses against him or it. The mailing of a registered letter, postage prepaid, containing a notice of such hearing, and addressed to the registrant at his or its address in the commonwealth as it appears in his or its registration, shall be a sufficient service of such notice, and said five days shall begin to run from the day of such mailing.

The board may compel the attendance of witnesses and the production of documents at any such hearing.

Section 87FF. The board may, after a public hearing, and after investigation, again register a person or school whose registration has been cancelled, or revoke the suspension of a registration under section eighty-seven EE, if satisfied that this can be done consistently with the public interest.

Section 87GG. Each registration granted under sections eighty-seven T to eighty-seven JJ, inclusive, shall expire upon the date prescribed by or pursuant to section eighty-seven CC, and shall be renewed upon the filing of an application therefor, and the payment of the prescribed renewal fee, on or before its expiration. No person registered under said sections as a hairdresser, aesthetician, manicurist, instructor, demonstrator or operator shall engage in the occupation covered by such registration until the prescribed renewal fee shall have been paid. Any hairdresser, aesthetician, manicurist, instructor or operator whose registration has not been renewed within three years following the date of expiration thereof shall be entitled to renewal of such registration upon filing an application, accompanied by the proper fee therefor and by passing a practical examination satisfactory to the board; provided, however, that upon filing such application and fee plus an additional fee of five dollars the board may, at the request of such applicant, grant to the applicant a temporary license, authorizing him to practice as such hairdresser, aesthetician, operator or manicurist, as the case may be; and provided, further, that the applicant's original license was not suspended or revoked. Such temporary license shall bear an expiration date of six months from the date of issuance, and the place of employment of such temporary licensee. If such applicant fails to appear for examination in accordance with the provisions of section eighty-seven KK during such period he shall forfeit such temporary license, as well as the fee

for examination. There shall be no refund once a temporary license has been issued to the applicant. Notwithstanding the foregoing provisions, a person who has at any time been registered both as a hairdresser, aesthetician and as an instructor, if he has every two years renewed either such registration, may renew the other.

Section 87HH. Any person aggrieved by the refusal of the board to grant, or by its suspension or cancellation of, a registration, or by its refusal to again register him, may, within ten days after such action, appeal to the district court within the judicial district of which he resides by bringing a petition in said court addressed to the justice of the court, praying for a rehearing by the court. Upon the filing of the petition for a rehearing in the case of a suspension or cancellation of a registration, such suspension or cancellation shall be stayed pending the final decision of the court. After such notice to the board as the court deems necessary, the court shall hear the witnesses and shall affirm the decision of the board, unless it shall appear that it was made without proper cause or in bad faith, in which case the decision of the board shall be reversed. The court shall hear the petition within thirty days of the filing of it in said court. The decision of the court shall be final and conclusive.

Section 87II. Whoever engages in or follows, or attempts to engage in or follow, the occupation of an instructor or of hairdressing, aesthetician, demonstrating or manicuring, unless duly registered by the board or unless granted a permit by the board under section eighty-seven V, and whoever conducts, or attempts to conduct, a beauty shop, aesthetic shop, manicure shop, or school not so registered, and whoever violates any provision of sections eighty-seven T to eighty-seven HH, inclusive, or any rule or regulation made under authority thereof, shall, in addition to any other penalty prescribed or authorized by said sections, be punished by a fine of not more than one hundred dollars.

Section 87JJ. Nothing in sections eighty-seven T to eighty-seven II, inclusive, shall be deemed to authorize a hairdresser, aesthetician, demonstrator, instructor or operator to engage in massage or other occupation requiring a license, unless duly licensed therefor, or to prohibit a person registered under said sections from practicing or teaching any such occupation, if duly licensed therefor.

Section 87KK. Every applicant for registration as a hairdresser, aesthetician, manicurist, instructor, or operator shall receive notice from the board prior to an examination of the time and place of such examination. If the applicant does not appear

for any one of three examinations of which he is notified, the examination fee, as provided in section eighty-seven CC, shall be retained by the board, and thereafter such applicant shall register anew as provided in sections eighty-seven T to eighty-seven JJ, inclusive. The notice to such applicant of the third examination shall be by registered mail, postage prepaid, mailed at least seven days prior to the date of examination, addressed to the applicant at his address as appearing on his application, and shall be sufficient service of such notice. If an applicant so requests the board may withhold the sending of notice of the time and place of examination, but if the applicant does not authorize the board to send such notice within a period of two years from the date of filing the application, the examination fee shall be retained by the board, and thereafter the applicant shall register anew as provided in sections eighty-seven T to eighty-seven JJ, inclusive. The provisions of the foregoing sentence shall not be applicable to any person who is in the service of the armed forces of the United States.

Approved December 9, 1977.

Chap. 807. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight.

NORFOLK COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$223,035 00

Item	Subtotal	Total
2. For reduction of county debt		\$917,000 00
3. For county commissioners, salaries and expenses		197,111 96
1. Personal services	\$187,071 96	
2. Contractual services	6,800 00	
3. Supplies and materials	1,570 00	
4. Current charges and obligations	1,320 00	
5. Equipment	350 00	
4. For transportation and expenses of county and acting commissioners		1,825 00
5. For clerk of courts, salaries and expenses		360,887 21
1. Personal services	318,998 40	
2. Contractual services	17,419 79	
3. Supplies and materials	15,400 00	
4. Current charges and obligations	4,238 32	
5. Equipment	4,830 70	
6. For county treasurer, salaries and expenses		182,034 94
1. Personal services	136,239 94	
2. Contractual services	34,800 00	
3. Supplies and materials	5,300 00	
4. Current charges and obligations	5,545 00	
5. Equipment	150 00	
7. For sheriff, salary and expenses		22,294 84
1. Personal services	19,889 84	
2. Contractual services	350 00	
3. Supplies and materials	950 00	
4. Current charges and obligations	500 00	
5. Equipment	605 00	
8. For registry of deeds, salaries and expenses		745,869 63
1. Personal services	608,535 63	
2. Contractual services	48,200 00	
3. Supplies and materials	35,200 00	
4. Current charges and obligations	50,954 00	
5. Equipment	2,980 00	
8a. For registry of probate, salaries and expenses		129,774 48
1. Personal services	1,500 00	
2. Contractual services	74,800 00	
3. Supplies and materials	29,500 00	
4. Current charges and obligations	18,829 23	
5. Equipment	5,145 25	
9. For law library, salaries and expenses		31,770 40
1. Personal services	11,285 40	
2. Contractual services	650 00	
3. Supplies and materials	485 00	
4. Current charges and obligations	19,350 00	
10. For highways, including state highways, bridges and land damages		424,849 25
1. Personal services	266,883 25	
2. Contractual services	40,000 00	
3. Supplies and materials	8,400 00	

Item	Subtotal	Total
4. Current charges and obligations	\$2,266 00	
5. Equipment	7,300 00	
6. All other	100,000 00	
12. For superior court costs		\$1,577,040 99
1. Personal services	872,385 19	
2. Contractual services	668,525 00	
3. Supplies and materials	20,398 40	
4. Current charges and obligations	11,608 00	
5. Equipment	4,124 40	
13. For civil expenses in probate court		201,193 98
1. Personal services	128,173 98	
2. Contractual services	68,125 00	
3. Supplies and materials	3,900 00	
4. Current charges and obligations	395 00	
5. Equipment	600 00	
14. For district courts, salaries and expenses District Court of Northern Norfolk		613,396 17
1. Personal services	560,718 57	
2. Contractual services	31,000 00	
3. Supplies and materials	13,780 00	
4. Current charges and obligations	4,854 00	
5. Equipment	3,043 60	
District Court of East Norfolk		1,176,482 70
1. Personal services	1,025,564 20	
2. Contractual services	111,000 00	
3. Supplies and materials	29,280 50	
4. Current charges and obligations	7,313 00	
5. Equipment	3,325 00	
District Court of Western Norfolk		509,363 92
1. Personal services	459,390 92	
2. Contractual services	27,850 00	
3. Supplies and materials	15,250 00	
4. Current charges and obligations	2,628 00	
5. Equipment	4,245 00	
District Court of Southern Norfolk		354,881 74
1. Personal services	313,726 74	
2. Contractual services	22,175 00	
3. Supplies and materials	9,410 00	
4. Current charges and obligations	2,980 00	
5. Equipment	6,590 00	
Municipal Court of Brookline		388,914 95
1. Personal services	340,214 95	
2. Contractual services	28,745 00	
3. Supplies and materials	14,800 00	
4. Current charges and obligations	3,430 00	
5. Equipment	1,725 00	
15. For medical examiners and commitments of insane		68,000 00
16. For jail and house of correction, maintenance and operation ...		1,105,868 02
1. Personal services	858,789 02	
3. Supplies and materials	243,394 00	
5. Equipment	3,685 00	

Item	Subtotal	Total
18. For court houses and registry buildings, maintenance and operation		\$964,763 51
1. Personal services	\$476,948 51	
2. Contractual services	294,000 00	
3. Supplies and materials	153,045 00	
4. Current charges and obligations	33,200 00	
5. Equipment	7,570 00	
19. For construction of county buildings and purchase of land		25,000 00
20. For agricultural school or county cooperative extension service		1,203,132 70
1. Personal services	871,024 70	
2. Contractual services	142,042 00	
3. Supplies and materials	110,000 00	
4. Current charges and obligations	21,900 00	
5. Equipment	42,266 00	
6. All other	15,900 00	
25. For contributory retirement system and supervisory expenses		567,352 10
26. For miscellaneous and contingent expenses		275,077 26
27. For unpaid bills of previous years		100,000 00
28. For reserve fund		75,000 00
28a. For reserve for salary increases		750,725 00
28d. For reserve for indigent defendants		75,000 00
28e. For reserve for federal grants		31,099 00
29. For advertising recreational, industrial and agricultural advantages of the county		100,000 00
37. For human services		6,000 00
39. For group insurance		716,500 00
40. For rape prevention unit		72,220 20
44. For central purchasing department		1,500 00
45. For Wollaston recreational facility		278,263 72
Total amount of appropriations		\$14,473,228 67
Less estimated amount available for reduction of county tax		2,289,222 09
And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		\$12,184,006 58

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 approval thereof.

Item	Subtotal	Total
14. For county defenders		\$117,494 00
16. For jail and house of correction, maintenance and operation		141,140 78
2. Contractual services	\$60,725 00	
4. Current charges and obligations	5,957 00	
5. Equipment	64,258 78	
6. All other	10,200 00	
24. For noncontributory pensions		30,000 00
Total		\$558,634 78

SECTION 2. This act shall take effect as of July first nineteen hundred and seventy-seven.

(The foregoing was laid before the Governor on the twenty-eighth day of November, 1977 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 808. AN ACT PROVIDING THAT THE POLICE DEPARTMENT OF THE TOWN OF COHASSET BE UNDER THE DIRECTION OF THE BOARD OF SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the acceptance by the town of Cohasset of the provisions of section ninety-seven A of chapter forty-one of the General Laws is hereby rescinded and the police department of said town shall be governed under the provisions of section ninety-seven of said chapter forty-one.

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

Approved December 12, 1977.

Chap. 809. AN ACT EXEMPTING THE OFFICE OF CUSTODIAN OF TOWN HALL AND POLICE STATION IN THE TOWN OF MILFORD FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of custodian of town hall and police station in the town of Milford shall be exempt from the provisions of chapter thirty-one of the General Laws.

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

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

Approved December 12, 1977.

Chap. 810. AN ACT DIRECTING THE BOARD OF SELECTMEN TO LEASE CERTAIN UNUSED PROPERTY OF THE TOWN OF ARLINGTON FOR NOT MORE THAN NINETY-NINE YEARS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter forty of the General Laws or any other general or special law to the contrary, the board of selectmen of the town of Arlington is hereby authorized and directed on behalf of said town to let or lease, for commercial use, for a period of not more than ninety-nine years, on such terms and conditions as they may determine, the following unused property of the town of Arlington:

Being a certain parcel of land with the buildings thereon situated on Water Street in the Town of Arlington as shown on a Massachusetts Bay Transportation Authority plan entitled "Plan of Land owned by Massachusetts Bay Transportation Authority available for sale, Water Street, Arlington, Massachusetts" dated August 29, 1977, and numbered Le24623, containing approximately 9,223 square feet of land; said plan to be recorded with the southern district registry of deeds in Middlesex county and bounded and described as follows:

Beginning at a point being on the Southeasterly sideline of Water Street, a distance of 89.53 feet in a Northeasterly direction from the Northerly sideline of Massachusetts Avenue, then running,

S 79° 22' E by the Northerly sideline of a 20 foot more or less passageway for a distance of 91.96 feet;

N 25° E by land of owners unknown for a distance of 90.59 feet;

N 72° 29' W by Lot 11 a distance of 103.15 feet;

S 17° 31' W by the Southeasterly sideline of Water Street a distance of 100.52 feet to the point of beginning.

Containing 9,223 square feet more or less.

Approved December 12, 1977.

Chap. 811. AN ACT PROVIDING PAY AND ALLOWANCES FOR OFFICERS AND ENLISTED PERSONNEL OF THE ARMED FORCES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 33 of the General Laws is hereby amended by striking out section 83, as appearing in section 1 of chapter 590 of the acts of 1954, and inserting in place thereof the following section:-

Section 83. (a) For duty performed under the provisions of sections sixty and sixty-one, there shall be allowed and paid from funds appropriated therefor to members of the armed forces of the commonwealth the same rate of pay of like grade as would be received by them if they were on active duty status in the armed forces of the United States with less than two years' service, and such subsistence, travel or other allowances as the adjutant general may authorize.

(b) For duty performed under the provisions of sections thirty-eight, forty, forty-one and forty-two, there shall be allowed and paid to members of the armed forces of the commonwealth from funds appropriated therefor the same rate of pay for length of service and basic allowances as if they were on active duty status in the armed forces of the United States, however, such compensation shall not be less than thirty dollars per day, subject, however, to the provisions of subsection (c).

(c) For duty performed under the provisions of sections thirty-eight, forty, forty-one, forty-two and sixty, the pay and allowances authorized by this section shall be reduced by any amounts received from the United States government as pay or allowances for military service performed during the same pay period.

Approved December 12, 1977.

Chap. 812. AN ACT PROVIDING THAT A LICENSEE TO SELL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES AND HIS EMPLOYEES MAY REMAIN ON THE LICENSED PREMISES AFTER CLOSING HOURS FOR CERTAIN PURPOSES.

Be it enacted, etc., as follows:

Section 12 of chapter 138 of the General Laws is hereby amended by striking out the sixth paragraph, as most recently amended by chapter 477 of the acts of 1973, and inserting in place thereof the following paragraph:-

The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specifically for each licensee; provided, that no such sale shall be made on any day between the hours of two and eight o'clock antemeridian and that, except as provided in section thirty-three, no such licensee shall be barred from making such sales on any secular day after eleven o'clock antemeridian and before eleven o'clock postmeridian and no tavern shall be kept open on any day between one o'clock antemeridian and eight o'clock antemeridian; and provided, further, that any such licensee and his employees shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making emergency repairs to, or providing security for, such premises or preparing food for the next day's business or opening or closing the business in an orderly manner. The licensing authority shall not decrease the hour during which sales of such alcoholic beverages may be made by any licensee until after a public hearing concerning the public need for such decrease; provided, that any licensee affected by such change shall be given two weeks notice of such public hearing.

Approved December 12, 1977.

Chap. 813. AN ACT AUTHORIZING THE TOWN OF READING TO RESCIND ITS ACCEPTANCE OF THE LAW RELATIVE TO THE EFFECT OF MILITARY SERVICE ON VACATION ALLOWANCE OF PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

Notwithstanding any provisions of law to the contrary, the town of Reading is hereby authorized, at the annual town meeting held in the year nineteen hundred and seventy-eight or at a special town meeting called for the purpose, to rescind its prior acceptance of section fifty-nine of chapter thirty-three of the General Laws.

Approved December 12, 1977.

Chap. 814. AN ACT PROVIDING THAT CERTAIN LOCAL REFERENDUM QUESTIONS CONTAIN THE VOTE OF THE TOWN MEETING, IF TABULATED.

Be it enacted, etc., as follows:

Section 10 of chapter 43A of the General Laws is hereby amended by inserting after the word "vote", in line 29, as appearing in the Tercentenary Edition, the words:- and by what vote thereon if such vote was tabulated.

Approved December 12, 1977.

Chap. 815. AN ACT EXTENDING CERTAIN VETERANS' BENEFITS TO SPOUSES AND PARENTS OF FEMALE VETERANS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 23B, as most recently amended by section 109 of chapter 835 of the acts of 1974, and inserting in place thereof the following section:-

Section 23B. The spouse or single parent of a veteran who was 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 that such spouse or parent has not remarried, shall be entitled to the preference provided under section twenty-three.

SECTION 2. Section 24 of said chapter 31, as most recently amended by section 2 of chapter 639 of the acts of 1975, is hereby further amended by striking out the second and third paragraphs and inserting in place thereof the following two paragraphs:-

The names of surviving spouses or surviving parents of veterans who were killed in action or died from service-connected disability, upon presenting proof from official sources of such facts, satisfactory to the administrator, and who have not remarried, shall be placed on the eligible lists for the classes in the labor service for which they apply and qualify above the names of all other applicants but below the names of veterans.

If the appointing officer certifies in the requisition for laborers that the work to be performed requires young and vigorous persons, 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.

SECTION 3. Chapter 115A of the General Laws is hereby amended by striking out section 9, inserted by chapter 563 of the acts of 1962, and inserting in place thereof the following section:-

Section 9. Domiciliary facilities within the limitation of physical facilities, are hereby authorized for the admission of female veterans at the Soldiers' Home in Massachusetts. Female veterans seeking admission shall be subject to all requirements, both federal and state, as may presently apply to other veteran applicants and services provided for domiciliary care shall be identical and equal to services provided male veterans.

SECTION 4. The definition of "Veteran" in section 1 of chapter 121B of the General Laws, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The word "veteran", as used herein, shall also include the spouse, surviving spouse, parent, or other dependent of such person.

SECTION 5. The eighth paragraph of section 34 of said chapter 121B, as appearing in chapter 4 of the acts of 1976, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- In offering for sale residences constructed under this section, preference to potential buyers shall be given whenever reasonably possible as follows: (1) veteran tenants of such residences; (2) all other World War II veterans, as defined in section seven of chapter four; (3) surviving spouses and parents of said veterans of World War II; (4) all other United States war veterans; (5) all other resident citizens of the city or town in which said residences are located; (6) all other citizens of the commonwealth; (7) an urban redevelopment corporation; and (8) all others.

Approved December 12, 1977.

Chap. 816. AN ACT ESTABLISHING THE CAPITAL RESOURCE COMPANY AND REFORMING THE TAXATION OF DOMESTIC LIFE INSURANCE COMPANIES AND SAVINGS AND INSURANCE BANKS, AND PROVIDING FOR THE REDUCTION OF UNEMPLOYMENT THROUGH INCREASED INVESTMENTS IN MASSACHUSETTS BUSINESSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to create jobs and expand business opportunities 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. It is hereby found that domestic life insurance companies represent one of the great economic assets of the commonwealth, both as an employer of citizens and as a source of capital financing for business; and that such companies propose to establish and fund the Massachusetts Capital Resource Company in the amount of one hundred million dollars pursuant to the terms and conditions of this act.

It is further found that there currently exists in the commonwealth a condition of unemployment; that the alleviation of the current unemployment problem, and the alleviation and avoidance of similar problems in the future, accomplished through the promotion, attraction, stimulation, development and revitalization of commerce and industry, depend in large part upon the availability of large flows of private investment funds from financial institutions and others to provide capital financing, particularly long-term financing, for such businesses as would not otherwise be able to obtain such financing.

Therefore, it is imperative that, for the public purpose hereby found and declared of alleviating and avoiding unemployment through the promotion, attraction, stimulation, development and revitalization of commerce and industry, certain taxes paid by domestic life insurance companies be reformed and domestic life insurance companies be encouraged to expand the amount of long-term capital financing available to such businesses as would not otherwise be able to obtain such financing.

SECTION 2. In this act the following words or terms shall have the following meanings unless the context otherwise requires:-

“Admitted assets”, the assets of a domestic life insurance company sufficient to meet policyholder claims and obligations of the company valued by the commissioner in accordance with standards set forth under chapter one hundred and seventy-five of the General Laws and as reported in the company’s annual statement required to be filed thereunder.

“Affiliate”, any person directly or indirectly owning, holding or otherwise having power to vote ten per cent or more of the outstanding voting securities of another person; any person ten per cent or more of whose outstanding voting securities are directly or indirectly owned, held, or otherwise subject to power to vote, by another person; any person directly or indirectly possessing the power to direct or cause the direction of the management and policies of another person pursuant to the terms of a contract or contracts entered into for that purpose; any officer, director, partner, co-partner, or employee of such person.

“Aggregate cumulative investment”, the sum of the accumulated capital contributions of all partners of the Capital Resource Company.

“Capital Resource Company”, the Massachusetts Capital Resource Company, a partnership, or its successor, of domestic life insurance companies or the successor or successors to any such domestic life insurance company, created pursuant to this act for the public purposes described herein.

“Commissioner”, the commissioner of insurance.

“Domestic life insurance company”, a corporation organized under the laws of the commonwealth which is a life insurance company as defined in section one hundred and eighteen of chapter one hundred and seventy-five of the General Laws.

“Person”, an individual, corporation, partnership, limited partnership, association, joint stock company, trust, unincorporated organization or any similar entity.

SECTION 3. Notwithstanding the provisions of section eighteen of chapter five hundred and forty-six of the acts of nineteen hundred and sixty-nine, for any year in which the provisions of section twenty-two A of chapter sixty-three of the General Laws, of that portion of section eighteen of chapter sixty-three of the General Laws which imposes a gross investment income tax, and of section thirty of chapter five hundred and fifty-five of the acts of nineteen hundred and seventy-one, do not apply to domestic life insurance companies and savings and insurance banks, the surtax imposed by said section eighteen of said chapter five hundred and forty-six shall not apply to taxes imposed by sections eighteen, twenty, twenty-two, twenty-two B and twenty-three of said chapter sixty-three, and by section two of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three.

SECTION 4. For taxable years ending in calendar year nineteen hundred and seventy-seven and in calendar year nineteen hundred and seventy-eight, if the provisions of section twenty-two A of chapter sixty-three of the General Laws do not apply to domestic life insurance companies, a surtax of twenty per cent is hereby imposed upon said domestic life insurance companies and savings and insurance banks of the taxes imposed under sections eighteen, twenty and twenty-two of chapter sixty-three of the General Laws and under the provisions of section two of chapter five hundred and thirty-one of nineteen hundred and forty-three.

SECTION 5. For the taxable years ending December thirty-first, nineteen hundred and seventy-seven through nineteen hun-

dred and eighty-two, an insurer subject to section twenty-two B of chapter sixty-three of the General Laws, inserted by section twenty-eight of this act, having admitted assets of more than two hundred million but less than one billion dollars shall be allowed a credit against the taxes imposed under said section twenty-two B and sections six and seven of this act. The amount of such credit shall be equal to the amount by which the sum of the taxes imposed on such insurer under said chapter sixty-three, under this act and under section two of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three for the taxable year exceed the applicable percentage of the sum of the taxes imposed on the insurer under chapter sixty-three and under section two of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three for the taxable year ending in nineteen hundred and seventy-six together with surtaxes and additional surtaxes thereon. The applicable percentage shall be one hundred and ten per cent for the taxable years ending December thirty-first, nineteen hundred and seventy-seven and December thirty-first, nineteen hundred and seventy-eight, one hundred and five per cent for the taxable year ending December thirty-first, nineteen hundred and seventy-nine, and one hundred per cent for the taxable years ending December thirty-first, nineteen hundred and eighty to nineteen hundred and eighty-two, inclusive.

SECTION 6. In addition to the excise payable under section twenty-two B of chapter sixty-three of the General Laws, inserted by section twenty-eight of this act, an insurer subject to said section twenty-two B, and having admitted assets of two hundred million dollars or more shall pay for taxable years nineteen hundred and seventy-seven and thereafter, an additional investment privilege excise equal to thirty-one per cent of the net investment income of such insurer computed and allocated in accordance with the provisions of said section twenty-two B; provided, however, that upon the organization and funding, by two or more domestic life insurance companies, of the Capital Resource Company in accordance with the provisions of this act, the rate of the additional excise payable under this section shall be reduced in accordance with the following schedule:

If the aggregate initial cost cost of the qualified investments made by the Capital Resource Company as of the last day of

Then the rate of additional excise for the taxable year indicated and for all subsequent taxable years shall be

1978 is at least	\$10 million	26%
1979 is at least	\$22 million	21%
1980 is at least	\$34 million	16%
1981 is at least	\$47 million	10%
1982 is at least	\$60 million	4%

The additional excise payable under this section shall not apply to taxable years ending on or after December thirty-first, nineteen hundred and eighty-three provided that the aggregate initial cost of the qualified investments made by the Capital Resource Company is at least sixty million dollars as of said December thirty-first, nineteen hundred and eighty-three, provided, further, that if such aggregate initial cost of the qualified investments is less than sixty million dollars as of December thirty-first, nineteen hundred and eighty-three, the additional excise payable under this section shall continue until the year in which such aggregate of the initial cost of the qualified investments reaches sixty million dollars.

SECTION 7. In addition to the tax payable under section six, if any, there shall be for taxable years ending December thirty-first, nineteen hundred and eighty-one and thereafter, an additional excise equal to one and one half per cent of the net investment income of each insurer taxable under said section six for each short-fall, if any, of one hundred jobs below the applicable level of direct jobs maintained or created in the commonwealth for the taxable year in question: (A) For taxable years nineteen hundred and eighty-one and nineteen hundred and eighty-two, the applicable level shall be one thousand direct jobs; (B) For taxable years nineteen hundred and eighty-three and thereafter, the applicable level shall be two thousand direct jobs.

The number of direct jobs shall be determined by the secretary of manpower affairs as the jobs reasonably expected to be maintained or created as a direct result of qualified investments of the Capital Resource Company. Once a qualified investment has been made, and the number of direct jobs to be created or maintained thereby has been determined and certified by the secretary of manpower affairs, said certification shall not be decreased. In certifying the number of such jobs, the secretary of manpower affairs shall base his determination on information to be provided to him as specified in section twelve of this act, and upon such other information as may be in his possession. The secretary of manpower affairs, in certifying the number of such jobs, shall use his best judgment to include jobs to be created or maintained even if such jobs subsequently are lost as a conse-

quence of business failure, contraction, or other condition adversely affecting the borrower, so long as the jobs were, in his judgment, to have been created or maintained as a consequence of a good faith effort of the Capital Resource Company; provided, however, that the jobs so certified shall not include construction jobs resulting from the placement of the qualified investments.

The secretary of manpower affairs shall certify to the commissioner of corporations and taxation the number of direct jobs on or before March fifteenth of each year subsequent to calendar year nineteen hundred and eighty.

SECTION 8. All provisions of chapter sixty-two C of the General Laws relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall so far as pertinent be applicable to taxes imposed and credits and deductions allowed under this act. Notwithstanding the provisions of any general or special law to the contrary, for taxable years ending on and after October thirty-first, nineteen hundred and seventy-seven, the tax returns of savings and insurance banks, subject to the net investment privilege excise due under section twenty-two B of chapter sixty-three of the General Laws, shall be filed and paid on April fifteenth of the year following the close of the taxable year.

SECTION 9. The provisions of chapter sixty-three B of the General Laws shall apply to the taxes imposed under this act.

Notwithstanding the provisions of said chapter sixty-three B to the contrary, declarations of estimated tax filed under said chapter sixty-three B with respect to taxable years commencing after December thirty-first, nineteen hundred and seventy-six shall include the amount which the taxpayer estimates as the surtaxes and additional taxes imposed under this act. The computation of the addition to the tax with respect to such declarations under section six of said chapter sixty-three B shall be made as if the surtaxes and additional taxes imposed under this act were in effect and applicable to the preceding taxable year.

SECTION 10. Notwithstanding the provisions of section twenty-two A of chapter sixty-three of the General Laws, of that portion of section eighteen of said chapter sixty-three which imposes a gross investment income tax, and of section thirty of chapter five hundred and fifty-five of the acts of nineteen hundred and seventy-one, the tax imposed therein shall not apply as of the taxable year nineteen hundred and seventy-seven to domestic life insurance companies, or savings and insurance banks, if the aggregate cumulative investment in the Capital Resource Company

is at least twenty million dollars on December thirty-first, nineteen hundred and seventy-seven; forty million dollars on December thirty-first, nineteen hundred and seventy-eight; sixty million dollars on December thirty-first, nineteen hundred and seventy-nine; eighty million dollars on December thirty-first, nineteen hundred and eighty and one hundred million dollars on December thirty-first, nineteen hundred and eighty-one.

SECTION 11. There shall be allowed as a credit against the tax imposed by sections twenty and twenty-two of chapter sixty-three of the General Laws and by section two of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three with respect to each taxable year during the twenty-five year period contained in subsection (b) of section fourteen an amount equal to one and one-half per cent of any domestic life insurance company's proportionate share of the cost of equity securities and the outstanding principal balance of debt securities which constitute qualified investments of the Capital Resource Company as of the last day of the previous taxable year; provided, however, that such domestic life insurance company is an equal opportunity employer and makes available annually to the Massachusetts commission against discrimination copies of its reports to the federal equal employment opportunity commission. As used in this section, each such company's "proportionate share" shall be a fraction, the numerator of which is the amount of its aggregate contributed capital in the Capital Resource Company and the denominator of which is the amount of the aggregate cumulative investment in the Capital Resource Company as of the last day of such taxable year.

SECTION 12. On or before March fifteenth following each of the taxable years indicated, the Capital Resource Company shall file a certificate with the commissioner of corporations and taxation which shall include the following information:

(a) for the years nineteen hundred and seventy-seven to nineteen hundred and eighty-one, inclusive, the total amount of partnership capital contributions made in the Capital Resource Company during the year and the aggregate cumulative investment in the Capital Resource Company as of December thirty-first,

(b) for all years to and including the year in which the aggregate initial cost of the qualified investments made by the Capital Resource Company reaches sixty million dollars, the aggregate initial cost of such qualified investments as of December thirty-first, and

(c) for all years during which the Capital Resource Company is subject to the provisions of this act, the cost of equity securities

and the outstanding principal balance of all debt securities which constitute qualified investments of the Capital Resource Company as of December thirty-first and the proportionate share, as defined in section eleven, of each partner of the Capital Resource Company as of such date.

The Capital Resource Company shall file a report with the clerk of the senate and the clerk of the house of representatives on or before September first, nineteen hundred and seventy-eight and each year thereafter, describing the formation and current status of said company. Said clerks shall forward a copy of such report to the speaker of the house of representatives and the president of the senate.

The Capital Resource Company shall also file reports on March first, nineteen hundred and eighty-one and each year thereafter with the secretary of manpower affairs detailing the number of direct jobs reasonably expected to be created or maintained as result of the qualified investments as defined in section sixteen and not previously reported pursuant to this section. The Capital Resource Company shall supply said secretary with such additional information relative to such direct jobs as he may deem necessary from time to time. Said secretary shall file a report with the clerk of the senate and the clerk of the house of representatives on or before November first, nineteen hundred and eighty-one and each year thereafter reporting his judgment whether said annual report filed with him by the Capital Resource Company has accurately detailed the number of direct jobs reasonably expected to be so created or maintained and his judgment as to the current status of said company. Said clerks shall forward a copy of such report to the speaker of the house of representatives and the president of the senate.

SECTION 13. (a) The Capital Resource Company shall be a limited partnership formed by two or more domestic life insurance companies under the provisions of this act and of chapter one hundred and nine of the General Laws.

(b) The certificate required to be filed by section two of said chapter one hundred and nine shall be submitted to the commissioner who shall determine whether it complies with the provisions of this act and other provisions of law. If he so determines, he shall then endorse his approval thereon and thereupon said certificate shall be filed with the state secretary at which time the Capital Resource Company shall be deemed to be organized.

(c) Upon the organization of the Capital Resource Company as provided herein and throughout the twenty-five year period set out in section fourteen of this act, the terms of the limited part-

nership agreement shall at all times be consistent with the certificate and this act; provided, however, that amendments to the certificate may be submitted to the commissioner for his approval as provided in the case of the original certificate, pursuant to subsection (b) which shall, after such approval, be filed with the state secretary; and provided, further, that if the partners elect to continue the Capital Resource Company beyond the twenty-five year period specified in subsection (b) of section fourteen, submission to and approval by said commissioner shall not be required prior to the filing of any amended certificate with the state secretary.

(d) In any case of conflict between the certificate, the limited partnership agreement, or chapter one hundred and nine of the General Laws and any provision of this act or amendments thereto, this act shall control.

(e) Notwithstanding any other provisions of this act, the return to partners of their aggregate cumulative investment and the return permitted on such investment shall be as specified in this act as in effect at the time such investment is made in the partnership and shall be for all purposes a matter of private contract between the Capital Resource Company and its partners and not subject to subsequent statutory amendment.

SECTION 14. The certificate referred to in subsection (b) of section thirteen of this act shall contain the following specific provisions, restrictions and limitations:

(a) The character of the partnership business shall consist of the investment and reinvestment of partnership assets exclusively in debt and equity securities conforming to the investment criteria set forth in sections fifteen and sixteen of this act.

(b) Except as specified in this subsection, the Capital Resource Company shall be subject to the provisions of this act for a period of not less than twenty-five years from the date of its organization. The Capital Resource Company may, at its election, choose to no longer be subject to the provisions of this act by filing a certificate to such effect with the commissioner and the state secretary (i) at any time after expiration of such twenty-five year period, or (ii) at any time on or prior to December thirty-first, nineteen hundred and eighty-two, in the event there has been a statutory amendment which results in an increase in the total level of direct taxes paid by domestic life insurance companies to the commonwealth, which increase is other than attributable to business growth and other than a proportional part of a general increase in the taxation of business in the commonwealth.

(c) Funds shall be provided to the partnership only in cash, and the amount so provided by each partner in such partner's capacity as a general partner shall be stated separately from any amounts provided by such partner as a limited partner.

(d) At least twenty-five per cent of the capital funds of the partnership shall be provided by domestic life insurance companies acting in their capacity as general partners, the balance shall be provided by such companies in their capacity as limited partners.

(e) No distribution constituting a return of capital contributed by a person as a general partner shall be made prior to the filing of the certificate referred in subsection (b). Prior to the fifteenth anniversary of the organization or the funding of the first twenty million dollars of the partnership, whichever occurs later, no distribution from the Capital Resource Company to the partners shall be permitted other than distributions of partnership net earnings. After such fifteenth anniversary, in addition to such distribution of net earnings, distributions of capital contributions shall be allowed but shall not exceed five per cent per annum of the aggregate cumulative investment made prior to such fifteenth anniversary of the organization of the Capital Resource Company.

(f) The general partners may from time to time admit additional domestic life insurance companies as partners.

(g) Upon such terms and conditions as are necessary to assure compliance with the public purpose set out in section one of this act, the Capital Resource Company may form one or more wholly owned subsidiaries through which funds of the Capital Resource Company may be invested; provided, however, that such subsidiary shall be subject to all appropriate provisions of this act consistent, in the case of any subsidiary which is a small business investment company, with requirements of federal law.

(h) With the prior written approval of the commissioner and upon such terms and conditions as may be deemed necessary to assure compliance with the public purpose set out in section one of this act, to assure the continuation of the Capital Resource Company and to assure the continuation of the investment policies and restrictions set forth in this act, the Capital Resource Company may incorporate under chapter one hundred and fifty-six B of the General Laws.

SECTION 15. The business of the Capital Resource Company shall be managed by its general partners and conducted, at all times, in compliance with the provisions of this act. The Capital Resource Company shall employ as a member of its staff an ur-

ban loan specialist who shall be concerned with areas of high unemployment. The partners shall form an investment committee to evaluate and act upon specific investments. The investment committee shall at all times include one disinterested person appointed by the governor who shall have expertise in the field of investments and who shall serve a term coterminous with the governor. Investment decisions shall at all times be within the sole discretion of the Capital Resource Company subject to the following criteria:

(a) The Capital Resource Company shall use its best efforts to invest and reinvest funds in qualified investments as defined in section sixteen for the period it remains subject to the provisions of this act. The Capital Resource Company shall invest not less than three million dollars in investments which do not exceed the asset, net worth and net earnings standards applicable to investments which could be made by a small business investment company at the time such investments are made and which conform to the requirements set out in subsection (g) of section sixteen. One or more subsidiaries formed pursuant to subsection (g) of section fourteen may be utilized for the making of such investments. The making of qualified investments shall have priority over the making of other investments defined in this section.

(b) To the extent that such funds are not invested as provided in subsection (a), they shall be invested and reinvested in securities which constitute marketable general obligations of the commonwealth, its agencies or political subdivisions thereof. The Capital Resource Company shall dispose of such obligations, from time to time, as may be appropriate to provide funds for the purchase of qualified investments. The Capital Resource Company shall annually execute after due inquiry a certificate based on its best information and belief that investments of the nature described in this subsection made during the preceding fiscal year were made in compliance with the provisions of this section.

(c) Notwithstanding the requirements of subsection (b), the Capital Resource Company may purchase and hold debt issued by any person maturing less than one year from the date of its issuance up to an amount not exceeding the greater of (1) the amount received by the Capital Resource Company in cash as contributions from partners during the preceding calendar year, or (2) ten per cent of aggregate cumulative investment made in the Capital Resource Company as reduced by distributions of capital pursuant to subsection (e) of section fourteen.

SECTION 16. (a) For the purpose of section fifteen of this act, qualified investments shall consist of original issue debt and equity securities, or securities which are derived from the exchange of previously held original issue securities or otherwise acquired by the Capital Resource Company in circumstances which make such securities the substantial equivalent of original issue securities, of any issuer who is unable to obtain financing on substantially similar terms elsewhere and who certifies that the proceeds of the investment will be utilized for purposes which will increase or maintain equal opportunity employment in the commonwealth, except that the following shall not constitute qualified investments:

(1) Debt securities issued or guaranteed by any issuer whose senior debt is rated Baa or above by Moody's Investors Service, Inc. or, whose senior debt, if unrated or unissued, has or would have in the opinion of the Capital Resource Company, the same characteristics as debt so rated; provided, however, that the foregoing shall not preclude the making of debt investments on a subordinated basis in such issuer so long as such subordinated debt is rated Ba or below by Moody's Investors Service, Inc. or, if such subordinated debt is not rated, such subordinated debt has in the opinion of the Capital Resource Company, the same characteristics as debt so rated. For the purposes of this section securities not rated by Moody's Investors Service, Inc. shall be deemed not rated. However, the rating classifications of any other independent rating service which are the substantial equivalent of those of Moody's Investors Service, Inc. may be used with the permission of the commissioner.

(2) Equity securities issued or guaranteed by any issuer whose senior debt is rated above Baa by Moody's Investors Service, Inc. or issued or guaranteed by any issuer, without rated senior debt, whose senior debt, in the opinion of the Capital Resource Company, has or would have the same characteristics as debt so rated.

(3) Debt or equity securities issued or guaranteed by an issuer with an affiliate whose senior debt is rated Baa or above by Moody's Investors Service, Inc. or whose senior debt, if unrated or unissued, in the opinion of the Capital Resource Company, has or would have the same characteristics as debt so rated, or issued or guaranteed by an issuer with an affiliate whose primary activity is the development of real estate, the business of a financial intermediary, the business of a construction contractor, or the business of a public utility, including refuse and waste facilities.

(4) Debt securities issued or guaranteed by the federal government, or by any state or any political subdivision thereof, or by any agency or instrumentality of the federal government, any state or of a political subdivision thereof.

(5) Debt or equity securities of any issuer having a stated maturity at time of issuance of less than five years.

(6) Debt securities of any issuer the payment of principal or interest on which is secured by an interest in any real or personal property; provided, however, that the obtaining of security in the following circumstances shall not affect the qualifications of otherwise qualified investments: security acquired in connection with the acquisition of debt securities by the Capital Resource Company when either substantially all of the issuer's assets are subject to prior security interests or other liens or when no negative pledge covenant can reasonably be obtained, and security obtained to secure a previously held qualified investment during the course of a judicial or non-judicial workout or restructuring of the capitalization of an issuer in financial difficulty.

(7) Debt or equity securities of any issuer if after giving effect to the proposed investment, the aggregate amount of outstanding debt and cost of the equity invested by the Capital Resource Company in such issuer and its affiliates exceeds five million dollars.

(8) Any debt or equity securities issued or guaranteed by any issuer whose primary activity is the development of real estate, the business of a financial intermediary, the retailing of goods, the business of a construction contractor, or the business of a public utility, including refuse and waste facilities; provided, however, that qualified investments may be made in a division of a retailer of goods so long as the primary activity of the division is not that of such retailing, assurances are received by the Capital Resource Company that the proceeds of the investment will be fully utilized by such division and such investment otherwise constitutes a qualified investment.

(b) Notwithstanding the foregoing, debt or equity securities of any issuer shall constitute qualified investments although they do not qualify by reason of paragraphs (5) and (6) of subsection (a), so long as at the time of acquisition the cost of such securities, when added to the cost, reduced by any amortization of such cost, of all other securities acquired pursuant to this subsection and held at such time by the Capital Resource Company, does not exceed the greater of ten million dollars or twenty-five per cent of the cost, reduced by an amortization of such cost, of qualified investments then held by the Capital Resource Com-

pany, and, such securities in all other respects constitute qualified investments. Debt securities of financial intermediaries, when the sole recourse, other than by lien offset, tax indemnification and similar agreements and other than recourse to any security involved, for payment of principal and interest on such debt is to a person whose senior debt would constitute a qualified investment, shall constitute qualified investments included in this subsection.

(c) Not later than ninety days after the completion of a loan as described in subsection (b), the Capital Resource Company shall issue a special report detailing such transaction to the commissioner.

(d) In addition, debt and equity securities of subsidiaries formed pursuant to subsection (g) of section fourteen shall constitute qualified investments so long as the aggregate outstanding debt and cost of equity of such investments does not exceed five million dollars.

(e) Every issuer in which the Capital Resource Company makes an investment of the nature described in this section shall represent and warrant in a loan agreement or other appropriate document that it attempted but was unable to obtain financing on substantially similar terms elsewhere and that the full proceeds of the investment will be utilized for purposes which will increase or maintain employment in the commonwealth. Prior to disbursing funds to any such issuer, the Capital Resource Company shall require the issuer to certify in writing the facts and circumstances upon which such representations and warranties are based.

(f) The Capital Resource Company shall execute after due inquiry a certificate on its best information and belief that each investment of the nature described in this section constitutes a qualified investment within the standards of this section and that it has confirmed by means of not less than three independent inquiries that financing on substantially similar terms was not available elsewhere.

(g) The provisions of this section, other than those contained in subsections (d) and (e), shall not apply to investments of the nature referred to in the second and third sentences of subsection (a) of section fifteen except that such investments when made by the Capital Resource Company directly shall constitute qualified investments.

SECTION 17. Notwithstanding any limitations contained in the laws of the commonwealth or in its charter, and in addition to existing authority, any domestic life insurance company may be-

come a general or limited partner in the Capital Resource Company pursuant to the provisions of this act, may make loans and contributions to such partnership, and may enter into binding agreements with other such life insurance companies to make such loans and contributions, either initial or additional, and to restrict the transfer or other disposition of any interest in the Capital Resource Company. The authority to make the aforesaid loans or contributions and the authority of the Capital Resource Company to make investments under section fifteen of this act shall not be subject to any provision relating to the control of investments or to any limitation on investment, including any limitations on the type or amount of investment, whether stated as a percentage or otherwise, other than those contained in this act. All such loans and contributions by a life company in such partnership shall be deemed to be eligible as investments constituting three-fourths of the reserve of any domestic stock or mutual life insurance company pursuant to section sixty-three of chapter one hundred and seventy-five of the General Laws, provided that the total cost of such loans and contributions shall not exceed one per cent of the admitted assets of said life company as valued by the commissioner in accordance with standards established with respect to annual statements for such year under chapter one hundred and seventy-five of the General Laws. No restriction or prohibition contained in said chapter one hundred and seventy-five shall be deemed violated on account of any investments held by the Capital Resource Company.

The Capital Resource Company may indemnify any of its officers, employees or agents and each partner of the Capital Resource Company may indemnify any of its officers, employees or agents which serve the Capital Resource Company at such partners' request, against any and all liabilities, costs and expenses arising from such service.

SECTION 18. The Capital Resource Company shall furnish to the commissioner within ninety days after the end of each fiscal year:

(a) a statement showing its financial condition as of the end of such year and reporting the investments of the Capital Resource Company, indicating those made during such year and an estimate of the number of jobs created or preserved by said investments. Such annual statement shall be made on a form prescribed by the commissioner and shall be subscribed and sworn to by two principal officers of the Capital Resource Company. The financial statements contained in the annual statement shall be certified by an independent certified public accountant.

Other financial statements required by the commissioner shall be so certified if the commissioner shall so specify.

(b) copies of the certificates referred to in subsection (b) of section fifteen and subsection (f) of section sixteen.

SECTION 19. (a) The commissioner shall have the power to inspect and examine the affairs of the Capital Resource Company, and to require such statements and reports as he may reasonably deem necessary, to determine its financial condition, its ability to fulfill its obligations and whether it is in compliance with this act. The Capital Resource Company shall pay the charges incurred in such examination, including the expenses of the commissioner or his deputy or his examiners and the expenses and compensation of any disinterested experts which the commissioner shall reasonably deem advisable to complete his examination. The commissioner or the person authorized by him to make examinations provided for by this section shall have free access to all of the assets of the Capital Resource Company for purpose of verification and to all the books and papers relating to its business. The commissioner or the person authorized by him may summon and examine under oath any person who, he believes, has knowledge of the affairs, transactions or circumstances being examined. Whoever without justifiable cause neglects upon due summons to appear or testify before the commissioner or his authorized representative, and whoever unlawfully obstructs said commissioner or said representative in making examinations hereunder, shall be punished by a fine of not more than one thousand dollars.

(b) If the commissioner, upon his review of the information submitted to him pursuant to section eighteen and upon his examination of the Capital Resource Company as authorized by subsection (a), shall have reasonable cause to believe that any investment reported by the Capital Resource Company pursuant to said section eighteen as a qualified investment as defined in section sixteen of this act is in fact not properly characterized as a qualified investment, he may hold a public hearing, conducted in accordance with the provisions of chapter thirty A of the General Laws, to determine whether such investment is a qualified investment. Any such action brought by the commissioner to determine the status of an investment as a qualified investment shall be commenced no later than six months following the receipt of the certificate required by said section eighteen. Upon there being a final determination, which shall be the later of the commissioner's order or a final judicial determination, that

an investment is not a qualified investment, the following remedial action shall be taken:

(1) The commissioner shall promptly notify the commissioner of corporations and taxation of such final determination. The commissioner of corporations and taxation, upon receipt of such notice, shall promptly proceed to recover from each partner of the Capital Resource Company an amount equal to the total tax credit specified in section eleven of this act which such partner has received in respect to any investment so determined not to be qualified, and shall subtract the amount of such investment from the sum of the aggregate of the qualified investments made by the Capital Resource Company; provided, however, that any final determination shall affect the reduction in the rate of additional excise payable only in taxable years subsequent to the year in which such final determination was made.

(2) The Capital Resource Company shall dispose of any investment finally determined not to be a qualified investment to one or more partners of the Capital Resource Company or to any outside party within a reasonable time following such final determination, or, within ninety days of such final determination, the partners shall make additional partnership capital contributions to the Capital Resource Company equal to the face amount of outstanding debt and the cost of all equity securities involved. In the event of any disposition as aforesaid, to the extent that the amount of funds received by the Capital Resource Company is less than the face amount of all outstanding debt and the cost of all equity securities involved, such difference shall be restored to the Capital Resource Company by the partners as additional partnership capital contributions within ninety days of such disposition. No such final disposition, nor any obligation of the partners to make additional partnership capital contributions, shall have any effect in respect to any other section of the act. Notwithstanding and without affecting any other provision of this act, any investment finally determined not to be a qualified investment as to which additional capital contributions have been made may be distributed by the Capital Resource Company to the partners at any time.

(c) The commissioner, in accordance with the provisions of chapter thirty A of the General Laws and after a public hearing, may issue such rules and regulations as he shall deem necessary to assist him in carrying out his duties under subsections (a) and (b).

(d) At the request of the commissioner, the attorney general shall maintain and prosecute, in the name of the commonwealth, an action against the Capital Resource Company, its officers,

directors, partners, trustees, or agents, for the purpose of obtaining an injunction restraining such person or persons from doing any acts in violation of the provisions of this act or any lawful orders of the commissioner.

(e) Any finding, ruling, order or decision of the commissioner under authority of this section shall be subject to review by appeal directly to the supreme judicial court for the county of Suffolk at the instance of the Capital Resource Company or the attorney general within twenty days after the receipt of such finding, ruling, order or decision, which appeal shall be on the basis of the record of the proceedings before the commissioner. The filing of such an appeal shall act as a stay of any such finding, ruling, order or decision unless the court shall determine otherwise. The court shall review all questions of fact and of law involved in said proceedings and may modify, amend, annul, reverse or affirm such finding, ruling, order or decision or make any other appropriate order or decree.

SECTION 20. Not less than sixty days following the end of the taxable year for domestic life insurance companies, the Capital Resource Company shall file a report on its activities with the clerk of the senate and he shall forward copies of said report to the joint committee on taxation of the general court. Said report shall include, but not be limited to, a list of the loans made under the provisions of this act, the value of said loans, and the number of jobs both created and preserved due to said loans.

Said committee on Taxation shall study said report and examine the tax revenues from the life insurance industry to determine if the intent of this act has been adhered to. Said committee shall file a report with the clerk of each house of the general court, not less than sixty days following receipt of the report of the Capital Resource Company, stating its findings and recommendations.

SECTION 20A. Sections one to twenty, inclusive, of this act shall be known and may be cited as the Capital Resource Company Act.

SECTION 21. Section thirty of chapter five hundred and fifty-five of the acts of nineteen hundred and seventy-one is hereby repealed.

SECTION 22. Section 12 of chapter 62C of the General Laws, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by striking out paragraph (c) and inserting in place thereof the following paragraph:-

(c) Every savings and insurance bank shall annually, on or before November twenty-fifth, make a return to the commis-

sioner, giving such information as the commissioner may deem necessary for the determination of the tax due under sections eighteen and twenty-two B of chapter sixty-three for the preceding fiscal year.

SECTION 23. Said section 12 of said chapter 62C, as so appearing, is hereby amended by striking out paragraph (e) and inserting in place thereof the following paragraph:-

(e) Every insurance company liable to taxation under section twenty-two, twenty-two A, twenty-two B or section twenty-three of chapter sixty-three shall annually, on or before March fifteenth, make a return to the commissioner giving such information as the commissioner may deem necessary for the determination of the excise thereby imposed.

SECTION 24. Section 18 of chapter 63 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 23 of said chapter 415, and inserting in place thereof the following paragraph:-

Every savings and insurance bank authorized to do business under chapter one hundred and seventy-eight shall annually pay an excise of two per cent upon all new and renewal premiums received by it during the twelve months ending October thirty-first of the year for which the excise is due and payable on all policies issued by it, or assumed by it under the provisions of section twenty-five of chapter one hundred and seventy-eight.

SECTION 25. Said section 18 of said chapter 63 is hereby further amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:-

The word "premiums", as used in this section, shall include all amounts received as consideration for life insurance policies, total and permanent disability or accidental death benefits, and shall include dividends applied to purchase additional insurance or to shorten the premium paying period. In determining the amount of the excise payable hereunder, there shall be deducted, to the extent that they are properly allocable to premiums taxable hereunder, (a) all premiums returned to policyholders during the said twelve months but not including cash surrender values, and (b) dividends which during said twelve months have been paid or credited to policyholders or applied to purchase additional insurance or to shorten the premium paying period.

SECTION 26. The second paragraph of section 20 of said chapter 63, as most recently amended by section 1 of chapter 596 of the acts of 1966, is hereby further amended by striking out the second to eighth sentences, inclusive.

SECTION 27. Said chapter 63 is hereby further amended by striking out section 22, as most recently amended by section 45 of chapter 698 of the acts of 1966, and inserting in place thereof the following section:-

Section 22. Every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five, except life insurance companies with respect to amounts received as consideration for annuity contracts and business taxable under section twenty and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A, shall annually pay an excise of two per cent upon the gross premiums for all policies written or renewed, all additional premiums charged, and all assessments made by such company or policyholders during the preceding calendar year, exclusive of reinsurance; but such premiums and assessments for policies written or renewed for insurance, exclusive of reinsurance, of property or interests in other states or countries where a tax is actually paid by such company, or its agents, shall not be so taxed.

SECTION 27A. Said chapter 63 is hereby further amended by striking out section 22A, as inserted by section 27 of chapter 555 of the acts of 1971, and inserting in place thereof the following section:-

Section 22A. Every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five, except life insurance companies as defined in section one hundred and eighteen of said chapter one hundred and seventy-five, which are also life insurance companies as defined under subsection (a) of section 801 of the Federal Internal Revenue Code, as amended, and in effect for the taxable year, shall annually pay, as part of its excise imposed under this chapter, an amount equal to one per cent of its total gross investment income earned during the preceding calendar year, as reported in its annual statement for said year filed with the commissioner of insurance and as shown in Exhibit 3 of said statement for a life insurance company or in Item 10, Column 8, Part 1, of the Underwriting and Investment Exhibit for any other domestic insurance company.

SECTION 28. Said chapter 63 is hereby further amended by inserting after section 22A, the following three sections:-

Section 22B. (1) Every domestic life insurance company not subject to tax under section twenty-two A and every savings and insurance bank not subject to the gross investment income tax under section eighteen shall annually pay an investment privilege

excise equal to fourteen per cent of its net investment income for the taxable year as adjusted and as apportioned to the commonwealth in accordance with this section.

(2) As used in this section, "net investment income" means taxable investment income as defined in paragraph two of subsection (a) of section 804 of the Federal Internal Revenue Code. To the extent that the following items are deducted or excluded in computing such taxable investment income, there shall not be deducted or excluded in computing net investment income:

- (a) dividends received,
- (b) taxes on or measured by investment income, franchise taxes for the privilege of doing business and capital stock taxes imposed by any state,
- (c) interest from bonds, notes, and evidences of indebtedness of any state, including this commonwealth, and
- (d) premium taxes.

(3) Net investment income shall be adjusted as follows:

Dividends included therein shall be deducted other than dividends from or on account of the ownership of shares in a corporate trust, as defined in section one of chapter sixty-two, engaged in business in the commonwealth, or deemed distributions and actual distributions, except actual distributions out of previously taxed income, from a DISC which is not a wholly owned DISC, or any class of stock if the insurer owns less than fifteen per cent of the voting stock of the corporation paying such dividend.

(4) Net investment income, as adjusted by this section shall be apportioned to this commonwealth by multiplying such income by the lesser of twenty per cent or the percentage which is the sum of ninety per cent of the insurer's premium factor and ten per cent of the insurer's payroll factor, as hereinafter defined.

(a) The premium factor is a fraction, the numerator of which is the sum of life insurance premiums, annuity considerations and accident and health premiums received during the taxable year with respect to direct business in the commonwealth, and in addition all such life insurance premiums, annuity considerations and accident and health premiums received during the taxable year with respect to direct business in other jurisdictions unless the insured at the time of payment of the premiums therefor is a resident of a state or county in which such company is subject to an insurance excise, and the denominator of which is the sum of all life insurance premiums, annuity considerations and accident and health premiums received during the taxable year with respect to direct business, exclusive in each case of premiums and

annuity considerations waived, dividends applied to shorten endowment or premium paying periods, and dividends applied to purchase paid-up additions and annuities.

(b) The payroll factor is a fraction, the numerator of which is the compensation paid in this commonwealth during the taxable year by the insurer and the denominator of which is total compensation paid everywhere during the taxable year. As used in this section "compensation" shall mean wages, salaries, commissions and any other form of remuneration paid to employees for personal services and all commissions for the sale of insurance paid to persons whether or not employees of the insurer. The determination of compensation paid in this commonwealth shall be made in accordance with the provisions of subdivisions (1), (2) and (3) of subsection (e) of section thirty-eight.

Section 22C. A domestic life insurance company or savings or insurance bank subject to the investment privilege excise imposed by section twenty-two B having admitted assets of two hundred million dollars or less at the close of a taxable year, shall be allowed a credit against such excise in the amount of twenty thousand dollars. Any such company, whose admitted assets at the close of a taxable year are in excess of two hundred million dollars, shall be allowed a credit against such excise in the amount of twenty thousand dollars, reduced pro rata by five hundred dollars for each one million dollars or fraction thereof by which the value of the admitted assets of such company at the close of the taxable year exceeds two hundred million dollars. For the purpose of this section admitted assets shall be valued by the commissioner of corporations and taxation in accordance with standards established with respect to annual statements under chapter one hundred and seventy-five.

Section 22D. For the purposes of determining the amount of gains, but not losses, under the investment privilege excise imposed by section twenty-two B, a qualifying domestic life insurance company, as hereinafter defined, subject to said excise and having admitted assets of less than one billion dollars, at the close of the taxable year, as valued by the commissioner of corporations and taxation in accordance with standards established with respect to annual statements under chapter one hundred and seventy-five, may elect to adjust the basis, as defined in section 1011 of the Federal Internal Revenue Code, of all merger assets, to equal their market value on the qualifying date. Said election shall be irrevocable and made on or before the date for filing, including any extension thereof, the return of the qualify-

ing domestic company for the taxable year ending December thirty-first, nineteen hundred and seventy-seven.

For purposes of this section, a “qualifying domestic life insurance company” is a company which, after December thirty-first, nineteen hundred and fifty-eight and before December thirty-first, nineteen hundred and seventy-six, was a party to a reorganization, as defined in section 368 of the Federal Internal Revenue Code and in effect for the taxable year of the reorganization, with another domestic insurance company which was not a life insurance company, as defined by subsection (a) of section 801 of the Federal Internal Revenue Code in effect for the taxable year of the reorganization.

For purposes of this section, “merger assets” shall mean stock, other than stock in a party to the reorganization, acquired in the reorganization by the qualifying domestic life insurance company and “qualifying date” shall mean the date of the reorganization.

SECTION 29. The Capital Resource Company established by this act may not be formed unless the certificate required under section thirteen has been filed with the state secretary within one year after the effective date of this act. The provisions of sections twenty-one, twenty-four, and twenty-seven A shall take effect on January first, nineteen hundred and eighty-two and shall apply to taxable years ending on and after December thirty-first, nineteen hundred and eighty-two, provided that as of said January first, the aggregate cumulative investment in the Capital Resource Company is not less than one hundred million dollars. The provisions of section twenty-eight shall take effect on the passage of this act but shall apply only to those taxable years in which the tax imposed under section twenty-two A of chapter sixty-three of the General Laws either does not apply or is repealed.

Approved December 14, 1977.

Chap. 817. AN ACT EXTENDING THE PRIVILEGE NOT TO DISCLOSE COMMUNICATIONS BETWEEN A PATIENT AND A PSYCHOTHERAPIST.

Be it enacted, etc., as follows:

Section 20B of chapter 233 of the General Laws is hereby amended by striking out the definition of “Psychotherapist”, as appearing in chapter 418 of the acts of 1968, and inserting in place thereof the following definition:-

“Psychotherapist”, a person licensed to practice medicine who devotes a substantial portion of his time to the practice of psychiatry or a person who is licensed as a psychologist by the board of registration of psychologists; provided that such person has a doctoral degree in the field of psychology; and.

Approved December 14, 1977.

Chap. 818. AN ACT PROVIDING FOR THE LICENSING OF SOCIAL WORKERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by adding the following five sections:-

Section 80. There shall be a board of registration of social workers hereinafter called the board, which shall consist of seven members to be appointed by the governor. Members of the board shall be residents of the commonwealth and citizens of the United States. Four of such members shall represent each of the levels of licensure provided for in section one hundred and thirty-one of chapter one hundred and twelve, except that such members constituting the first board shall be persons who are eligible for licensing as social workers. Three of said four board members shall have had two years experience working in or consulting for an agency with an executive board comprised of community members. Three members of the board shall be selected from and shall represent the general public.

Of the members required to be licensed, one shall be actually engaged in social work education, one shall be actually engaged in the independent practice of clinical social work, and one shall be an active member of an organized labor organization representing social workers. At least one licensed social work member and one member representing the general public shall be from a minority group, as defined by the federal Department of Health, Education and Welfare. At least one member representing the general public shall be a consumer of social work services. No more than four members of the board shall belong to any one political party.

Section 81. The term of office of each member of the board shall be three years, except that of the members of the first board, two shall be appointed for terms of one year, two members for terms of two years, and three members for terms of three years. At least one member representing the general public and at least one member from a minority group, as defined by

the federal Department of Health, Education and Welfare, shall be appointed for the initial term of three full years.

Section 82. A member of the board may be removed from office for cause, provided that said member shall have a right to request a public hearing which shall be advertised by notification of the major social work organizations and publication of notices in the commonwealth. Upon the death, resignation or removal for cause of any member of the board, the governor, after consultation with the board, shall fill such vacancy for the remainder of that member's term.

Section 83. The members of the board shall serve without compensation but each member shall be reimbursed for actual expenses reasonably incurred in the performances of his duties as a member or on behalf of the board.

Section 84. The board shall, at its first meeting, and annually thereafter, organize by electing from its membership a chairman, vice-chairman, and a secretary. Such officers shall serve until their successors are elected and qualified.

The board shall hold at least two regular meetings each year, but additional meetings may be held upon the call of the chairman, or the secretary, or at a written request of any two members of the board. Four members of the board shall constitute a quorum, provided, however, that at least one of those four members shall be a member who was selected from and who represents the general public.

The board shall examine and pass upon the qualifications of applicants for license to practice social work in the commonwealth and shall issue licenses to qualified applicants but no action shall be taken with respect to the granting of a license or its revocation or suspension without the concurrence of at least four members of the board, provided, however, that at least two of those four members shall be members who were selected from and who represent the general public. The board shall adopt a seal which shall be affixed to all licenses issued by the board.

Fees shall be as established and published by the board and shall be non-refundable. Clerical staff and supportive services shall be appointed or provided under the division of registration.

The board shall have the following powers, duties and functions:

(a) promulgate rules and regulations that set professional standards for all licensed social workers, including, licensed, independent clinical social workers, and from time to time adopt such other rules and regulations and such amendments and supplements thereto as it may deem necessary;

(b) recommend to the governor and the legislature, after a public hearing which shall be advertised by notification of the major social work organizations and publication of notices in the media throughout the commonwealth, modifications and amendments to statutes regulating the licensing of social workers;

(c) cause examinations to be held not less than four times a year and carefully evaluate examinations to try to make them free from cultural bias and balanced in theory;

(d) annually publish a list of the names and addresses of persons who are licensed to practice social work;

(e) set fees for examinations, initial application and renewal procedures at nominal rates sufficient to cover operating expenses incurred by the board in carrying out its functions;

(f) establish regulations for continuing education requirements for licenses, and negotiate for a sliding scale fee for such educational requirements with the participating educational institutions. Said regulations shall not require more than two semester hours per year at an accredited educational institution as a condition for continuing registration. Should there not be any continuing education courses available at a fee that an individual applicant can afford, if the applicant meets the other conditions of licensing, the board shall issue a provisional license while continuing to negotiate to make such courses available.

The board shall cause public hearings to be held prior to setting specifications for any continuing education requirements.

The board shall appoint an educational committee consisting of seven members. It shall consist of one social worker actually engaged in the field of social work education, one actually engaged in private agency practice, one actually engaged in independent clinical social work practice and one an active member of an organized labor organization representing social workers, and three members selected from the general public. At least one licensed social worker and one member representing the general public shall be from a minority group, as defined by the federal Department of Health, Education and Welfare. At least one member representing the general public shall be a consumer of social work services. The composition of the educational committee shall represent a balance of theoretical perspectives. The board member representing social work education shall be the chairman of the educational committee. The educational committee shall make specific recommendations on an annual basis to the board concerning continuing education.

(g) establish a mechanism to enable consumers to file complaints against licensed social workers and investigate and take appropriate action on such complaints, providing said complaints are in writing.

SECTION 2. Chapter 112 of the General Laws is hereby amended by adding after section 129 the following eight sections:-

Section 130. As used in this section and sections one hundred and thirty-one to one hundred and thirty-seven, inclusive, the following words shall have the following meanings, unless the context clearly indicates a different meaning:-

“Board”, means the board of registration of social workers.

“Recognized educational institution”, a degree granting college or university recognized as such by the United States Office of Education or the commonwealth.

“Social worker”, an individual who by training and experience meets the requirements for licensing by the board and is duly licensed to engage in the practice of social work in the commonwealth.

“The practice of social work”, rendering or offering to render professional service for any fee, monetary or otherwise, to individuals, families, or groups of individuals, which services involve the application of social work theory and methods in the prevention, treatment, or resolution of mental and emotional disorders or family or social dysfunctioning caused by physical illness, intrapersonal conflict, interpersonal conflict or environmental stress. Such professional services may include, but shall not be limited to, the formulation of a psychosocial evaluation, counseling, psychotherapy of a nonmedical nature, referral to community resources, and the development and provision of educational programs.

“Counseling”, engaging individuals, families, or groups of individuals in conscious, problem solving discussions about psychosocial problems. Such counseling efforts may or may not include facilitating the client’s obtaining financial or other forms of environmental assistance.

“Psychotherapy of a nonmedical nature”, the utilization of psychological and interpersonal theories and related practice methodologies to assess, interpret and modify conscious and unconscious processes of behavior.

“Licensed certified social worker”, an individual who is licensed by the board to practice social work and who meets the qualifications set forth in section one hundred and thirty-one for a certified social worker.

“Licensed social worker”, an individual who is licensed by the board to practice social work and who meets the qualifications set forth in section one hundred and thirty-one for a social worker.

“Licensed social work associate”, an individual who is licensed by the board to practice social work and who meets the qualifications set forth in section one hundred and thirty-one for a social work associate.

“The independent practice of clinical social work”, rendering or offering to render professional services for any fee, monetary or otherwise, to individuals, families, or groups of individuals, which services involve the application of social work theory and methods in the treatment of mental and emotional disorders through the use of psychotherapy of a nonmedical nature by an individual who is not providing such services under the employ of a recognized educational institution, federal, state or municipal institution, or an institution, facility or agency which is licensed to operate under the laws of the commonwealth.

“Licensed independent clinical social worker”, an individual who is licensed by the board to practice independent clinical social work and who meets the qualifications set forth in section one hundred and thirty-one for an independent clinical social worker.

Section 131. Any individual desiring to obtain a license as a certified social worker shall make application therefor to the board upon such form and in such manner as the board shall prescribe and shall furnish evidence satisfactory to the board that he has received a doctorate or master’s degree in social work from an accredited educational institution; has passed an examination prepared by the board for this purpose; and will conduct his professional activities as a certified social worker in accordance with generally accepted professional standards.

Any individual desiring to obtain a license as a social worker shall make application therefor to the board upon such form and in such manner as the board shall prescribe and shall furnish evidence satisfactory to the board that he has received a baccalaureate degree in social work from an accredited educational institution, or; has received a baccalaureate degree from an accredited educational institution and, in addition, has had two years of full-time, or the equivalent in part-time, experience in a social service setting deemed suitable by the board; provided, however, that two years of such experience may also be substituted for each year of undergraduate college education. When such substitution is utilized, a minimum of five years of

such experience shall be required. Said individual shall also furnish evidence satisfactory to the board that he has passed an examination prepared by the board for this purpose; and will conduct his activities as a social worker in accordance with generally accepted professional standards.

State, county, and municipal employees are exempt from the examination and experience requirements necessary to become a licensed social worker provided they have completed six months of employment in a public agency as a social worker and have passed equivalent civil service examinations or have satisfied the board that they can otherwise meet the examination or experience requirements for licensing as set forth in this act. In the event of a dispute over equivalency, the board shall consult with the appropriate public employment authorities before rendering a final decision.

Any individual desiring to obtain a license as a social work associate shall make application therefor to the board upon such form and in such manner as the board shall prescribe and shall furnish evidence satisfactory to the board that he has received an associate in arts degree in a human service field or a baccalaureate degree from an accredited educational institution or can satisfy the board's requirements for equivalent educational credits. Two years of full-time, or the equivalent in part-time, experience in a social service setting deemed suitable by the board may be substituted for each year of undergraduate college education. Said individual shall also furnish evidence satisfactory to the board that he has passed an examination prepared by the board for this purpose; and he will conduct his activities as a social work associate in accordance with generally accepted professional standards.

State, county, and municipal employees are exempt from the examination and experience requirements necessary to become a licensed social work associate provided they have completed six months of employment as a social worker in a public agency and have passed equivalent civil service examinations or have satisfied the board that they can otherwise meet the examination or experience requirements for licensing as set forth in this section. In the event of a dispute over equivalency, the board shall consult with the appropriate public employment authorities before rendering a final decision.

Any individual desiring to obtain a license as an independent clinical social worker shall make application therefor to the board upon such form and in such manner as the board shall prescribe and shall furnish evidence satisfactory to the board that

he is licensed under this section as a certified social worker; has had three years of full-time experience in the field of clinical social work, or the equivalent in part-time experience which is acceptable to the board, at least two of which are subsequent to receiving the master's degree in social work; and has passed a specialty examination in clinical social work prepared by the board for this purpose.

Section 132. Examinations for licensed certified social workers, including those in independent clinical practice, licensed social workers and licensed social work associates shall be conducted at least four times per year at times and places designated by the board. Examinations shall be written, oral or both written and oral, as requested by the individual applicant. An applicant shall be held to have passed such examination upon the decision of at least four members of the board. Any person who shall have failed an examination conducted by the board may be admitted to the next subsequent examination.

The board may issue a license without examination to an applicant who satisfies the board that he has passed an examination and is or has been licensed or registered under the laws of another state, territory, or political subdivision of the United States, whose standards, in the opinion of the board, are substantially the equivalent of the requirements of section one hundred and thirty-one, and whose license has not been suspended or revoked by the licensing jurisdiction.

Section 133. No person shall engage in the practice of social work unless he is licensed under the provisions of section one hundred and thirty-one.

No person shall hold himself out to be a licensed certified social worker, or a licensed social worker, or a licensed social work associate unless he has met the applicable requirements set forth in section one hundred and thirty-one.

No person shall engage in the independent practice of clinical social work or hold himself out to be a licensed independent clinical social worker unless he is licensed under the applicable provisions of section one hundred and thirty-one.

Violation of this section shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than three months or by both such fine and imprisonment.

Section 134. Nothing in sections one hundred and thirty to one hundred and thirty-seven, inclusive, shall be construed to prevent qualified members of other professions or occupations such as licensed physicians, registered nurses, licensed practical nurses, licensed psychologists, members of the clergy, attorneys,

clinical members of the American Association of Marriage and Family Counselors, school adjustment or school guidance counselors who are employed by recognized private educational institutions while performing those duties for which they are employed, registered occupational therapists or certified occupational therapist assistants who are certified by the American Occupational Therapy Association, certified rehabilitation counselors who are certified by the Commission on Rehabilitation Counselor Certification of the National Rehabilitation Counselors Association and the American Rehabilitation Counselors Association, from doing work of a social service nature; provided, however, that they do not hold themselves out to the public by any title or description stating or implying that they are engaged in the practice of social work, or that they are licensed to practice social work or independent clinical social work.

Nothing in sections one hundred and thirty to one hundred and thirty-seven, inclusive, shall prevent the practice of social work by students of social work or social work interns or persons preparing for the practice of social work under qualified supervision in a recognized educational institution or facility so long as they are designated by such titles as "social work student", "social work trainee", or "social work intern", or others clearly indicating such training status.

Nothing in sections one hundred and thirty to one hundred and thirty-seven, inclusive, shall prevent the practice of social work or the use of the official titles social worker or social work associate by individuals employed in state, county, or municipal governmental agencies, provided that such persons are performing those activities as part of the duties for which they are employed or solely within the confines or under the jurisdiction of the agency in which they are employed.

A license to practice social work shall not be a requirement for qualification for civil service examinations nor shall it be a requirement for employment in any state, county, or municipal agency.

Section 135. No social worker in any licensed category, including those in private practice, may disclose any information he may have acquired from persons consulting him in his professional capacity except:

(a) with the written consent of the person or, in the case of death or disability of his own personal representative, other person authorized to sue, or the beneficiary of an insurance policy on his life, health, or physical condition;

(b) that a licensed certified social worker, including those engaged in independent clinical practice, licensed social worker, or licensed social work associate shall not be required to treat as confidential a communication that reveals the contemplation or commission of a crime or a harmful act;

(c) when the person waives the privilege by bringing charges against the licensed certified social worker, including those engaged in independent clinical practice, the licensed social worker, or the licensed social work associate.

Section 136. All licenses shall be effective when issued by the board. The license of licensed certified social workers, including those engaged in independent clinical practice, licensed social workers and licensed social work associates shall expire on a date to be determined by the board.

A license may be renewed by the payment of the renewal fee as set by the board and by the completion and submission on a form provided by the board of a sworn statement by the applicant that his license has been neither revoked nor is currently suspended and that he has not been convicted of a felony involving moral turpitude in connection with the practice of social work.

The application for renewal may be made within one year of the expiration of the license.

At the time of license renewal, each applicant shall present satisfactory evidence that in the period since the license was issued, he has completed the continuing education requirements specified by the board.

In the case of renewal of licenses for state, county, and municipal employees, the continuing education requirement shall be waived provided that the applicant can show satisfactory evidence of his continued employment in the field of social work during this period of time.

Section 137. The board may refuse to renew, revoke, suspend for an indefinite period or cancel the certificate of registration or order further training or reprimand, censure or otherwise discipline a licensee on proof after a hearing that the person has been convicted of a felony involving moral turpitude in connection with the practice of social work or has been found guilty by the board of having employed fraud or deceit in obtaining his license unethically or of gross negligence in the conduct of his practice. Notice in writing of a contemplated revocation or suspension of a license, of the cause therefor in sufficient particularity and of the date of the hearing thereon, shall be sent by registered or certified mail to the licensee at his last known address at least fifteen days before the date of such hearing. The social worker against

whom a charge has been filed shall have a right to appear before the board in person or by counsel, or both, may produce witnesses and evidence in his behalf, and may question witnesses. No license shall be revoked or suspended without such hearing, but the non-appearance of the licensee, after notice, shall not prevent such hearing. All matters upon which the decision of the board is based shall be specified in writing and the licensee shall receive written notification of the board's decision. Except as specified above, all proceedings conducted by the board pursuant to this section shall be implemented in accordance with the provisions of chapter thirty A.

After issuing an order for revocation or suspension the board may also file a petition in equity in the superior court in the county in which the respondent resides or conducts his practice of social work, or in Suffolk county, to ensure appropriate injunctive relief to expedite the secure enforcement of its order.

The board may, not less than three years after the revocation of any license to practice social work, accept an application to reinstate such license. The board may reinstate such license if, in its opinion, the circumstances causing such revocation no longer warrant continuation of the revocation.

SECTION 3. For two years from the effective date of this act, a license as a social worker shall be issued without examination to an applicant who satisfies the board of registration of social workers, established by section one of this act, that he has obtained an associate or baccalaureate degree in social work from an accredited educational institution, or who satisfies the board that he is and actually has been engaged, for at least two years, in the practice of social work as defined by section one hundred and thirty of chapter one hundred and twelve of the General Laws, inserted by section two of this act.

For two years from the effective date of this act, a license as a certified social worker shall be issued without examination to an applicant who satisfies the board that he has received a master's or doctorate degree in social work or a related field from an accredited educational institution, or who satisfies the board that he is and actually has been engaged for at least two years in the practice of social work, as defined by said section one hundred and thirty of said chapter one hundred and twelve.

For two years from the effective date of this act, a license as an independent clinical social worker shall be issued without examination to an applicant who has received a master's or doctorate degree in social work from an accredited educational institution and has had three years of full-time experience, or the

equivalent in part-time experience which is acceptable to the board, at least two of which are subsequent to receiving the master's degree in social work and are in the field of clinical social work.

SECTION 4. Section one hundred and thirty-three of chapter one hundred and twelve of the General Laws inserted by section two of this act, shall take effect on July first, nineteen hundred and seventy-eight.

Approved December 14, 1977.

Chap. 819. AN ACT PROVIDING FOR AN ASSISTANT CLERK IN THE DISTRICT COURT OF MARLBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 148 of the acts of 1974, is hereby amended by inserting after the line reading "district court of Holyoke" the following line:- district court of Marlborough.

SECTION 2. Prior to the original appointment of any person authorized by this act, the clerk of the Marlborough district court shall post such position for thirty days in at least three locations in Middlesex county, one of which shall be the county seat and the other two of which shall be a city or town municipal building.

(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, December 13, 1977, and, in concurrence, by the Senate, December 13, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 820. AN ACT PROVIDING FOR COMPENSATION TO CERTAIN MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Revere is hereby author-

ized to appropriate from available funds, the sum of four thousand two hundred and thirty-four dollars and sixty cents, and after such appropriation to pay the sum of four thousand two hundred and thirty-four dollars and sixty cents to certain members of the fire department of said city as compensation for overtime work performed by them during the period from June fifteenth to June thirtieth, nineteen hundred and seventy-seven, inclusive.

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

Approved December 15, 1977.

Chap. 821. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF
PLYMOUTH COUNTY TO SPEND CERTAIN FEDERAL FUNDS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Plymouth county are hereby authorized to expend such sums as may be provided by the United States Department of Commerce Economic Development Administration, or any other federal agency for the restoration and renovation of the superior court house at Brockton and to carry out such project notwithstanding the provisions of section two of chapter seventy-four of the acts of nineteen hundred and forty-five or chapter six hundred and forty-two of the acts of nineteen hundred and seventy-seven.

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

Approved December 16, 1977.

Chap. 822. AN ACT PROVIDING FOR EQUAL EMPLOYMENT RIGHT FOR
WOMEN AS POLICE OFFICERS.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by inserting after section 20D the following section:-

Section 20E. The employment of or promotion from a list as a police officer under the provisions of this chapter shall be from a certification list of persons eligible for appointment or promotion without regard or consideration of the sex of such person.

Approved December 16, 1977.

Chap. 823. AN ACT REQUIRING REGIONAL DISTRICT SCHOOL COMMITTEES TO NOTIFY CITIES AND TOWNS WITHIN THE DISTRICT OF THE AMOUNT OF STATE AID RECEIVED BY SUCH COMMITTEES.

Be it enacted, etc., as follows:

Section 16B of chapter 71 of the General Laws, as most recently amended by section 12 of chapter 492 of the acts of 1974, is hereby further amended by inserting after the second sentence the following sentence:- The regional school district treasurer shall include in the certification to each town a statement setting forth the amount which the district is to receive under said section sixteen D for the ensuing fiscal year and the proportionate share of such aid for such town.

Approved December 16, 1977.

Chap. 824. AN ACT CLASSIFYING A CERTAIN SUBSTANCE AS A CONTROLLED SUBSTANCE.

Be it enacted, etc., as follows:

Paragraph (e) of Class C of section 31 of chapter 94C of the General Laws, as appearing in section 1 of chapter 1071 of the acts of 1971, is hereby amended by adding the following clause:-
(17) 4-BROMO-2,5-DIMETHOXY-AMPHETAMINE.

Approved December 16, 1977.

Chap. 825. AN ACT FURTHER REGULATING THE RECEIPT OF CERTAIN PUBLIC ASSISTANCE BENEFITS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 117 of the General Laws is hereby amended by striking out the fourth paragraph, as amended by section 19 of chapter 1210 of the acts of 1973, and inserting in place thereof the following paragraph:-

No recipient of assistance under chapter one hundred and eighteen A or recipients of assistance with dependent children under high school age, shall be subject to the provisions of this section; provided, however, that in a two parent household, only one parent shall be exempt from the provisions of this section.

SECTION 2. Chapter 118 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 21 of said chapter 1210, and inserting in place thereof the following section:-

Section 3. Except as hereinafter provided, the department shall determine what aid is necessary to enable such parent to bring up such child or children. For this purpose, the department shall make an immediate and careful inquiry, including the resources of the family and ability of its other members, if any, to work or otherwise contribute to its support, the existence of relatives able to assist the family and societies or agencies who may be interested therein; shall, in any case involving a missing parent require the applicant or recipient to furnish in writing under the penalties of perjury, complete information within the knowledge of such applicant or recipient pertinent to the location of said missing parent; shall take all lawful means to locate said missing parent; shall take all lawful means which shall include, in appropriate cases, the institution of criminal proceedings, to compel all persons bound to support such parents and such child or children to support them, and to enforce any other legal rights for their benefit; shall encourage all members of the family who are able to work, to secure work; shall help them to find work; and shall secure all necessary aid for such parent and such child or children which can be secured from relatives or organizations; provided, however, that any exemption now or hereinafter permissible under the federal Social Security Act relative to earned income may be allowed.

The department shall follow federal regulations relative to search for missing parents, and employment and employment training for certain recipients.

A recipient whose youngest dependent is attending high school or is of high school age shall be referred to the division of employment security or shall be enrolled in any vocational training program; provided, however, that a recipient shall not be compelled by the department to be trained or to be employed in domestic service, nor required to accept such employment if such employment would require work between the hours from six o'clock postmeridian of one day and six o'clock antemeridian of the following day. In no case shall a recipient be required to seek or accept employment as a condition for eligibility when a mental or physical disability of a dependent child requires presence at home.

No individual shall be considered ineligible for aid or assistance because of failure to comply with the provisions of this chapter if such failure is due to illness or disability. This section shall not apply to any recipients under chapter one hundred and eighteen A nor to recipients of assistance under this chapter with dependent children under high school age; provided, however,

that in a two parent household, only one parent shall be exempt from the provisions of this section. In no event shall such failure to comply with the provisions of this section affect the eligibility of minor children for assistance under this chapter.

SECTION 3. Section 10 of chapter 118E of the General Laws is hereby amended by striking out the fifth paragraph, as most recently amended by section 39 of chapter 925 of the acts of 1973, and inserting in place thereof the following paragraph:-

In determining responsibility of any individual for any applicant or recipient of assistance under this chapter, such responsibility shall be limited to a person for his spouse and parents for children under the age of eighteen.

Approved December 19, 1977.

Chap. 826. AN ACT FURTHER REGULATING PRIVATE TRADE, BUSINESS AND CORRESPONDENCE SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the General Laws is hereby amended by inserting after section 1R, inserted by section 2 of chapter 565 of the acts of 1977, the following section:-

Section 1S. There shall be a nine member advisory committee in the department of education to be appointed by the commissioner to advise the commissioner on the matters relating to private trade, business and correspondence schools. Of the appointed members, two shall have at least five years of managerial experience in private trade schools, two shall have had at least five years of managerial experience in private business schools, and two shall have managerial experience in private correspondence schools. Three of the initial appointees shall serve for a term of one year, three shall serve for a term of two years, and three shall serve for a term of three years, and thereafter all appointments shall be for a term of three years.

The members of said committee shall serve without compensation and shall be reimbursed for the necessary expenses actually incurred in the performance of their duties. The members shall annually elect their own chairman.

SECTION 2. Chapter 75C of the General Laws is hereby amended by inserting after section 1 the following section:-

Section 1A. Any person desiring to operate a correspondence school within the commonwealth shall submit to the state auditor on a form supplied by him, such financial information as he may require, including but not limited to ownership and or-

ganization of the school, the financial condition of the school, and the form and content of the student enrollment agreement to be used by the school.

If, after investigation, the state auditor finds the applicant is financially qualified to operate a correspondence school, he shall certify to the commissioner of education the financial eligibility of the applicant to apply for a license to operate a correspondence school. Such certification shall establish the eligibility of the applicant for a single license period of one year. Renewal of such license for any succeeding year shall be issued only after such an investigation has been conducted and certification of the financial eligibility of the applicant for renewal has been made by the state auditor, and every such applicant for renewal shall submit to the said state auditor the financial information required under this section. Financial statements shall be submitted to the state auditor thirty days prior to the expiration of the school license.

Notwithstanding the provisions of section twelve of chapter eleven pertaining to maintenance of the records in the department of the state auditor, such financial information submitted to the state auditor shall be retained in the office of the state auditor and shall not be classified as public records.

If the state auditor finds that the applicant is not financially responsible and qualified to operate a correspondence school, he shall refuse to approve the application. The state auditor shall state his reasons therefor in writing.

Any person desiring to operate a correspondence school within the commonwealth whose application has been granted initial approval by the state auditor pursuant to this section shall submit to the commissioner, on a form supplied by him, the information required under the provisions of section two.

SECTION 3. Said chapter 75C is hereby further amended by striking out section 4, as appearing in section 1 of chapter 652 of the acts of 1963, and inserting in place thereof the following section:-

Section 4. No license shall issue under this chapter until the prospective licensee, or two or more prospective licensees who intend to secure a joint bond, shall furnish a bond with surety acceptable to the commissioner or his designee in the amount determined by the state auditor in a sum not less than five thousand dollars and not more than fifty thousand dollars in the case of a school's license, and in the amount of one thousand dollars in the case of a license for a representative of a correspondence school; provided, however, that the liability of the surety on the bond

shall be limited to indemnifying the claimant only for his actual damages. The state auditor shall require additional security in those cases where he is of the opinion that the cash resources of the licensee may not be sufficient to make tuition refunds to students as required under section thirteen K of chapter two hundred and fifty-five; provided, that the amount of the bond in the case of the school shall not exceed the anticipated maximum unearned tuitions. For the purposes of this section, a joint bond shall be defined as a surety bond issued to cover all prospective licensees to be insured under the bond in an amount sufficient to cover the tuition refunds of the participating schools. Each such bond shall be conditioned to provide that the obligor shall satisfy all judgments rendered against it in actions to recover damages sustained by students resulting from a breach of contract; provided, however, that the aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the sum of such bond. The surety on any such bond may cancel the bond upon giving thirty days' notice in writing to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation. Such bond shall not limit or impair any right of recovery otherwise available pursuant to law, nor shall the amount of the bond be relevant in determining the amount of damages or other relief to which any plaintiff may be entitled.

The bond shall be procured only from companies doing business in the commonwealth.

SECTION 4. Section 1 of chapter 75D of the General Laws, as amended by chapter 674 of the acts of 1974, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:- As used in this chapter the term "private business school" shall mean a school maintained or classes conducted, for profit or by charging tuition, for the purpose of teaching business administration, accounting, data processing, computer operation, preparation for civil service examinations, secretarial skills, sales techniques or social skills, habits or customs, tractor-trailer operating skills, and all health and allied health related occupational skills, and any other private business school not regulated by any agency of the commonwealth. The provisions of this chapter shall not apply to any schools giving instruction in health and allied health related occupational skills if such schools are licensed by any agency of the commonwealth.

SECTION 5. Section 2 of said chapter 75D, as appearing in section 1 of chapter 1096 of the acts of 1971, is hereby amended by striking out the third, fourth, fifth, sixth and seventh sentences.

SECTION 6. Section 3 of said chapter 75D is hereby amended by striking out the second paragraph, as amended by chapter 737 of the acts of 1973, and inserting in place thereof the following paragraph:-

If, after investigation, the state auditor finds that the applicant is financially qualified to operate a private business school, he shall certify to the commissioner the financial eligibility of the applicant to apply for a license to operate a private business school. Such certification shall establish the eligibility of the applicant for a single license period of one year. Renewal of such license for any succeeding year shall be issued only after such an investigation has been conducted and certification of the financial eligibility of the applicant for renewal has been made by the state auditor. Every such applicant for renewal shall submit to the said state auditor the financial information required under this section. Financial statements shall be submitted to the state auditor thirty days prior to the expiration of the school license. Notwithstanding the provisions of section twelve of chapter eleven pertaining to maintenance of the records in the department of the state auditor, such financial information submitted to the state auditor shall be retained in the office of the state auditor and shall not be classified as public records.

SECTION 7. Section 7 of said chapter 75D, as appearing in section 1 of chapter 1096 of the acts of 1971, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

A license issued hereunder shall be valid for one year from the date of issue.

SECTION 8. Said chapter 75D is hereby further amended by striking out section 14, as so appearing, and inserting in place thereof the following section:-

Section 14. Any pupil of a private business school who is misled by an officer or representative of the school, or by any advertisement or circular issued by the school, which representation was untrue, deceptive or misleading may recover treble damages, or one thousand dollars, whichever is greater, plus court costs and reasonable attorney's fees.

No license shall issue under this chapter until the prospective licensee, or two or more prospective licensees who intend to secure a joint bond, shall furnish a bond, with surety acceptable to the commissioner or his designee in the amount determined by

the state auditor in a sum not less than five thousand dollars and not more than fifty thousand dollars in the case of a school's license, and in the amount of one thousand dollars in the case of a license for a representative of a private business school; provided, however, that the liability of the surety on the bond shall be limited to indemnifying the claimant only for his actual damages. The state auditor shall require additional security in those cases where he is of the opinion that the cash resources of the licensee may not be sufficient to make tuition refunds to students as required under section thirteen K of chapter two hundred and fifty-five; provided, that the amount of the bond in the case of the school shall not exceed the anticipated maximum unearned tuitions. For the purposes of this section, a joint bond shall be defined as a surety bond issued to cover all prospective licensees to be insured under the bond in an amount sufficient to cover the tuition refunds of the participating schools.

Each such bond shall be conditioned to provide that the obligor shall satisfy all judgments rendered against it in actions to recover damages sustained by students resulting from a breach of contract; provided, however, that the aggregate liability of the surety for all breaches of conditions of the bond shall, in no event, exceed the sum of such bond. The surety on any such bond may cancel the bond upon giving thirty days' notice in writing to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation. Such bond shall not limit or impair any right of recovery otherwise available pursuant to law, nor shall the amount of the bond be relevant in determining the amount of damages or other relief to which any plaintiff may be entitled.

The bond shall be procured only from companies doing business in the commonwealth.

SECTION 9. Chapter 93 of the General Laws is hereby amended by inserting after section 20 the following section:-

Section 20A. Any person desiring to operate a private trade school within the commonwealth as defined in section twenty-one A shall submit to the state auditor on a form supplied by him, such financial information as he may require, including but not limited to ownership and organization of the school, the financial condition of the school, and the form and content of the student enrollment agreement to be used by the school.

If, after investigation, the state auditor finds that the applicant is financially qualified to operate a private trade school, he shall certify to the commissioner of education the financial eligibility of the applicant to apply for a license to operate a

private trade school. Such certification shall establish the eligibility of the applicant for a single license period of one year. Renewal of such license for any succeeding year shall be issued only after such an investigation has been conducted and certification of the financial eligibility of the applicant for renewal has been made by the state auditor. Every such applicant for renewal shall submit to the said state auditor the financial information required under this section. Financial statements shall be submitted to the state auditor thirty days prior to the expiration of the school license.

Notwithstanding the provisions of section twelve of chapter eleven pertaining to maintenance of the records in the department of the state auditor, such financial information submitted to the state auditor shall be retained in the office of the state auditor and shall not be classified as public records.

If the state auditor finds that the applicant is not financially responsible and qualified to operate a private trade school, he shall refuse to approve the application. The state auditor shall state his reasons therefor in writing.

Any person desiring to operate a private trade school within the commonwealth whose application has been granted initial approval by the state auditor pursuant to this section shall submit to the commissioner on a form supplied by him, the information required under the provisions of section twenty-one B.

SECTION 10. The first paragraph of section 21A of said chapter 93, as appearing in section 2 of chapter 371 of the acts of 1955, is hereby amended by striking out, in line 2, the words "twenty-one to twenty-one D" and inserting in place thereof the words:—twenty-one A to twenty-one G.

SECTION 11. Section 21B of said chapter 93, as most recently amended by section 3 of said chapter 371 is hereby further amended by striking out the fourth sentence.

SECTION 12. Section twenty-one D of said chapter ninety-three is hereby repealed.

SECTION 13. Said chapter 93 is hereby further amended by inserting after section 21D the following three sections:—

Section 21E. No representative of any private trade school, which is located within or without the commonwealth shall at the residence of any prospective student solicit enrollments or sell courses therein, make representations or give counsel concerning the educational content or quality of or the benefits to be derived from courses in such school unless licensed by the commissioner of education.

Any person desiring to be a representative of a private trade school shall submit to the commissioner, on a form supplied by him, information setting forth:-

- (a) the applicant's name and address;
- (b) the applicant's educational qualifications;
- (c) the name and address of three business references; and
- (d) the name and address of three personal references.

If, after investigation, the commissioner finds that the applicant is qualified to be a representative of a private trade school and is of good moral character, he shall issue a license to such person. The fee for the issuance of such license shall be twenty dollars, and the fee for such renewal thereof shall be ten dollars.

If the commissioner finds that the applicant is not qualified to be a representative of a private trade school, he shall refuse to issue a license.

The commissioner shall state his reasons therefor in writing. The applicant shall be entitled to a hearing before the commissioner and judicial review subject to the provisions of chapter thirty A.

A license issued hereunder shall be valid for one year from the date of issue.

Section 21F. No license shall issue under the provisions of section twenty-one B until the prospective licensee, or two or more prospective licensees who intend to secure a joint bond, shall furnish a bond with surety acceptable to the commissioner or his designee in the amount determined by the state auditor in a sum not less than five thousand dollars and not more than fifty thousand dollars in the case of a school's license, and in the amount of one thousand dollars in the case of a license for a representative of a private trade school; provided, however, that the liability of the surety on the bond shall be limited to indemnifying the claimant only for his actual damages. The state auditor shall require additional security in those cases where he is of the opinion that the cash resources of the licensee may not be sufficient to make tuition refunds to students as required under section thirteen K of chapter two hundred and fifty-five; provided, that the amount of the bond in the case of the school shall not exceed the anticipated maximum unearned tuitions.

For the purposes of this section, a joint bond shall be defined as a surety bond issued to cover all prospective licensees to be insured under the bond in an amount sufficient to cover the tuition refunds of the participating schools.

Each such bond shall be conditioned to provide that the obligor shall satisfy all judgments rendered against it in actions to

recover damages sustained by students resulting from a breach of contract; provided, however, that the aggregate liability of the surety for all breaches of the conditions of the bond shall in no event, exceed the sum of such bond. The surety on any such bond may cancel the bond upon giving thirty days' notice in writing to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation. Such bond shall not limit or impair any right of recovery otherwise available pursuant to law, nor shall the amount of the bond be relevant in determining the amount of damages or other relief to which any plaintiff may be entitled.

The bond shall be procured only from companies doing business in the commonwealth.

Section 21G. Whoever operates a private trade school without being licensed under section twenty-one B or whoever acts as a representative of a private trade school without being licensed under section twenty-one E shall be punished by imprisonment in jail or house of correction for not more than six months or by a fine of not more than one thousand dollars.

Approved December 19, 1977.

Chap. 827. AN ACT PERMITTING TAX REFUNDS TO BE CREDITED TO TAXPAYERS' BANK ACCOUNTS.

Be it enacted, etc., as follows:

Section 36 of chapter 62C of the General Laws, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by adding the following paragraph:-

The commissioner may, at the request of any taxpayer entitled to a refund of taxes paid, make such refund to a bank account designated by the taxpayer to receive such refund.

Approved December 19, 1977.

Chap. 828. AN ACT INCLUDING "WIDOWER" IN THE MEANING OF THE WORD "DEPENDENT" WITHIN THE PROVISIONS OF VETERANS' BENEFITS LAW.

Be it enacted, etc., as follows:

Section 1 of chapter 115 of the General Laws is hereby amended by striking out the definition of "Dependent", as amended by chapter 601 of the acts of 1969, and inserting in place thereof the following definition:-

“Dependent”, the wife, husband, widow, widower, child, mother or father of a veteran, as hereinafter defined, including any person who stood in the relationship of a parent to such veteran for the five years next preceding the commencement of his wartime service; provided, that no child of a veteran who is more than eighteen years of age shall be deemed a dependent, unless such child is attending school for the purpose of completing a regulation high school course or its equivalent, or unless he is mentally or physically unable to support himself, and his disability existed before he attained that age, or unless he is under twenty-three years of age, and is a full-time student at an educational institution which maintains a regular faculty and curriculum and has a regularly organized body of students in attendance at the place where its educational activities are carried on.

Approved December 19, 1977.

Chap. 829. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN CERTAIN GENERAL AND SPECIAL LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make forthwith certain corrective changes in certain general and special laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 17 of the General Laws is hereby amended by striking out section 9A, as most recently amended by sections 25 and 26 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 9A. There shall be in the department of environmental quality engineering a pesticide board, hereinafter referred to as the board, consisting of the commissioner of environmental quality engineering, who shall be chairman, the commissioners of public health, food and agriculture, fisheries, wildlife and recreational vehicles, the chairman of the state reclamation board, or their designees, and five members to be appointed by the governor. The appointive members shall serve for terms coterminous with the governor. Said appointive members shall serve without compensation but shall receive their necessary expenses incurred in the discharge of their duties. The board shall meet at least four times annually and from time to time at the call of the chairman or upon written request of any two members

of the board. All decisions of the board shall be by majority vote and shall be executed and administered by the commissioner of environmental quality engineering, except as otherwise provided.

SECTION 2. Chapter 30A of the General Laws is hereby amended by striking out section 11B, inserted by section 1 of chapter 303 of the acts of 1975, and inserting in place thereof the following section:-

Section 11A 1/2. All meetings of a governmental body shall be open to the public and any person shall be permitted to attend any meeting except as otherwise provided by this section.

No quorum of a governmental body shall meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as provided by this section.

No executive session shall be held until the governmental body has first convened in an open session for which notice has been given, a majority of the members of the governmental body have voted to go into executive session and the vote of each member is recorded on a roll call vote and entered into the minutes, the presiding officer has cited the purpose for an executive session, and the presiding officer has stated before the executive session if the governmental body will reconvene after the executive session.

Nothing except the limitations contained in this section shall be construed to prevent the governmental body from holding an executive session after an open meeting has been convened and after a recorded vote has been taken to hold an executive session. Executive sessions may be held only for the following purposes:

(1) To discuss the reputation and character, physical condition or mental health rather than the professional competence of an individual. A governmental body shall hold an open meeting if the individual involved requests that the meeting be open.

(2) To consider the discipline or dismissal of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual. A governmental body shall hold an open meeting if the individual involved requests that the meeting be open.

(3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, and to conduct collective bargaining sessions.

(4) To discuss the deployment of security personnel or devices.

(5) To consider allegations of criminal misconduct.

(6) To consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the

negotiating position of the governmental body and a person, firm or corporation.

(7) To comply with the provisions of any general or special law or federal grant-in-aid requirements.

This section shall not apply to any chance meeting or social meeting at which matters relating to official business are discussed so long as no final agreement is reached. No chance meeting or social meeting shall be used in circumvention of the spirit or requirements of this section to discuss or act upon a matter over which the governmental body has supervision, control, jurisdiction, or advisory power.

Except in an emergency, a notice of every meeting of a governmental body subject to this section shall be filed with the secretary of state, and a copy thereof posted in the office of the executive office for administration and finance at least forty-eight hours, including Saturdays but not Sundays and legal holidays, prior to the time of such meeting. The notice shall include the date, time and place of such meeting. Such filing and posting shall be the responsibility of the officer calling such meetings.

A governmental body shall maintain accurate records of its meetings, setting forth the date, time, place, members present or absent and action taken at each meeting, including executive sessions. The records of each meeting shall become a public record and be available to the public; provided, however, that the records of any executive session may remain secret as long as publication may defeat the lawful purposes of the executive session, but no longer. All votes taken in executive sessions shall be recorded votes and shall become a part of the record of said executive sessions. Upon request of any member of a governmental body, any vote taken in its executive session shall be verified by a roll call.

A meeting of a governmental body may be recorded by any person in attendance by means of a tape recorder or any other means of sonic reproduction except when a meeting is held in executive session; provided, that in such recording there is no active interference with the conduct of the meeting.

Upon qualification for office following an appointment or election to a governmental body, a member shall be furnished by the state secretary with a copy of this section. Each member shall sign a written acknowledgement that he has been provided with such a copy.

The attorney general shall enforce the provisions of this section.

Upon proof of failure by any governmental body or by any member or officer thereof to carry out any of the provisions of this section, any justice of the supreme judicial court or any

justice of the superior court sitting in any county in which the governmental body customarily meets or in the absence of such sitting of court then any justice of the superior court sitting in Suffolk county shall issue an appropriate order requiring such governmental body or member or officer thereof to carry out such provisions at future meetings. Any such order may be sought by petition of three or more registered voters, by the attorney general, or by the district attorney for the district in which the governmental body is located. The order of notice on the petition shall be heard no later than ten days after the filing thereof or on such day thereafter as the court shall fix, having regard to the speediest possible determination of the cause consistent with the rights of the parties; provided, however, that orders with respect to any of the matters referred to in this section may be issued at any time on or after the filing of the petition without notice when such order is necessary to fulfill the purposes of this section. In the hearing of such petition the burden shall be on the respondent to show by a preponderance of the evidence that the actions complained of in such petition were in accordance with and authorized by this section, by section twenty-three B of chapter thirty-nine, or by section nine G of chapter thirty-four. All processes may be issued from the clerk's office in the county in which the action is brought and, except as aforesaid, shall be returnable as the court orders.

Such order may invalidate any action taken at any meeting at which provisions of this section may have been violated, provided that such complaint is filed within fourteen days of the date when such action is made public.

Any such order may also, when appropriate, require the records of any such meeting to be made public, unless it shall have been determined by such justice that the maintenance of secrecy with respect to such records is authorized by the provisions of this section. The remedy hereby created is not exclusive, but shall be in addition to every other available remedy.

SECTION 3. The fourth sentence of the eleventh paragraph of section 23B of chapter 39 of the General Laws, as appearing in section 3 of chapter 303 of the acts of 1975, is hereby amended by striking out, in line 4, the word "eleven B" and inserting in place thereof the word:- eleven A½.

SECTION 3A. Chapter 40A of the General Laws is hereby amended by striking out section 1, as appearing in section 3 of chapter 808 of the acts of 1975, and inserting in place thereof the following two sections:-

Section 1. This chapter shall be known and may be cited as “The Zoning Act”.

Section 1A. As used in this chapter the following words shall have the following meanings:-

“Permit granting authority”, shall mean the board of appeals or zoning administrator.

“Special permit granting authority”, shall include the board of selectmen, city council, board of appeals, planning board, or zoning administrator as designated by zoning ordinance or by-law for the issuance of special permits.

“Zoning”, as used in this chapter, shall mean ordinances and by-laws, adopted by cities and towns to regulate the use of land, buildings and structures to the full extent of the independent constitutional powers of cities and towns to protect the health, safety and general welfare of their present and future inhabitants.

“Zoning administrator”, shall mean a person designated by the board of appeals pursuant to section thirteen to assume certain of the duties of said board.

SECTION 3B. The third paragraph of section 5 of said chapter 40A, as so appearing, is hereby amended by striking out, in line 2, the word “on”,- and by striking out, in line 7, the word “lapsed” and inserting in place thereof the word:- elapsed.

SECTION 3C. The seventh paragraph of said section 5 of said chapter 40A, as so appearing, is amended by striking out, in line 5, the words “has been” and inserting in place thereof the words:- is subsequently.

SECTION 3D. The second paragraph of section 6 of said chapter 40A, as so appearing, is hereby amended by striking out, in line 4, the word “less” and inserting in place thereof the word:- more.

SECTION 3E. The third paragraph of section 9 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “the”, in line 4, the word:- special.

SECTION 3F. The seventh paragraph of said section 9 of said chapter 40A, as so appearing, is hereby amended by striking out the third sentence.

SECTION 3G. Section 5 of chapter 808 of the acts of 1975 is hereby amended by striking out the second paragraph.

SECTION 4. Section 7 of said chapter 808 of the acts of 1975 is hereby amended by adding the following paragraph:-

Zoning ordinances and by-laws in effect on said date shall continue to be governed by the provisions of chapter forty A of the General Laws in effect prior to said date until this act is accepted by each respective city or town, provided that no later than June

thirtieth, nineteen hundred and seventy-eight all zoning ordinances and by-laws shall be brought into conformity with the provisions of this chapter and shall be governed hereby, and thereafter no provisions of chapter forty A in effect prior to January first, nineteen hundred and seventy-six shall govern zoning ordinances and by-laws.

SECTION 4A. The fifth paragraph of section 9 of said chapter 40A, as so appearing, is hereby amended by striking out, in line 14, the word “part” and inserting in place thereof the word:- park.

SECTION 4B. The third paragraph of section 10 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “pursuant”, in line 4, the word:- to.

SECTION 4C. The first paragraph of section 11 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “abutting”, in line 16, the words:- city or town.

SECTION 4D. The second paragraph of said section 11 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “date”, in line 5, the word:- , time.

SECTION 4E. The third paragraph of said section 11 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “the”, the first time it appears, in line 9, the word:- special.

SECTION 4F. The fourth paragraph of said section 11 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “elapsed”, in line 14, the words:- after the decision has been filed in the office of the city or town clerk.

SECTION 5. The first sentence of section 8 of chapter 50 of the General Laws, as appearing in section 9 of chapter 453 of the acts of 1943, is hereby amended by striking out, in line 3, the word “twenty” and inserting in place thereof the word:- seventeen.

SECTION 6. The first sentence of the first paragraph of section 1 of chapter 51 of the General Laws, as amended by section 1 of chapter 587 of the acts of 1972, is hereby further amended by striking out, in line 9, the word “such”.

SECTION 7. The first paragraph of section 37 of chapter 53 of the General Laws is hereby amended by striking out the first sentence, as amended by section 10 of chapter 1137 of the acts of 1973, and inserting in place thereof the following sentence:- The voting lists used at primaries shall contain the party enrollment of the voters whose names appear thereon established as provided in this section, in section thirty-eight, and in section forty-four of chapter fifty-one.

SECTION 8. The definition of "Mobile construction crane" of section 1 of chapter 90 of the General Laws, inserted by section 1 of chapter 1198 of the acts of 1973, is hereby amended by striking out, in line 4, the word "eight-five" and inserting in place thereof the word:- eighty-five.

SECTION 9. Said chapter 90 is hereby further amended by striking out section 24G, inserted by section 5 of chapter 266 of the acts of 1976, and inserting in place thereof the following section:-

Section 24H. No person shall remove an abandoned or stolen motor vehicle on a public way or any place to which the public has right of access without the express consent of the owner of such vehicle or without the written permission of the police department. The owner or operator of a motor vehicle that is designed to carry or tow another vehicle shall be licensed for that specific purpose or as a towing service. The owner or agent of a motor vehicle salvage yard or junk yard shall, upon receipt of a motor vehicle, obtain a bill of sale or title from the owner of such vehicle or from his authorized agent which title must be surrendered to the registrar within three working days for cancellation.

The owner of any machine that is designed to crush, mutilate or destroy a motor vehicle, whether the machine be mobile or affixed permanently, shall have that machine listed with the registry of motor vehicles. Prior to the destruction of a motor vehicle by machine, the owner or operator of such machine shall remove from such motor vehicle the vehicle identification number and submit said number to the registrar of motor vehicles.

If the owner or agent of a salvage or junk yard sells crushed or mutilated motor vehicles to an iron reprocessing center, he shall submit to the registrar of motor vehicles the make, model, year and vehicle identification number, along with the vehicle identification plate. If the owner or agent of a salvage or junk yard transports crushed or mutilated vehicles without the commonwealth for purposes of resale, the operator of the transporting vehicle shall carry a list of the vehicles being transported, and a copy of such list, along with the vehicle identification plates, shall be forwarded to said registrar.

Any person convicted of violation of any provision of this section shall forfeit any license issued which is related to such violation and shall be punished by a fine of not less than one thousand dollars or by imprisonment for not less than two years, or both.

SECTION 10. Section 123 of chapter 112 of the General Laws, as appearing in section 2 of chapter 1021 of the acts of 1971, is hereby amended by striking out, in lines 1 and 2, the word "twenty-four" and inserting in place thereof the word:- twenty-two.

SECTION 11. The fourth paragraph of section 61 of chapter 119 of the General Laws, as appearing in section 1 of chapter 840 of the acts of 1975, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:-The case shall thereafter proceed according to the usual course of criminal proceedings and in accordance with the provisions of section thirty of chapter two hundred and eighteen and section eighteen of chapter two hundred and seventy-eight.

SECTION 12. Chapter 400 of the acts of 1975 is hereby amended by striking out section 31 and inserting in place thereof the following section:-

Section 31. Section 31 of said chapter 208, as so appearing, is hereby amended by striking out, in line 1, the word "decree" and inserting in place thereof the word:- judgment.

SECTION 13. Chapter 415 of the acts of 1976 is hereby amended by striking out section 111 and inserting in place thereof the following section:-

Section 111. Section seven and sections eight to ten, inclusive, of chapter sixty-four G of the General Laws are hereby repealed.

SECTION 14. Section 14A of chapter 240 of the General Laws is hereby amended by striking out the second paragraph, added by section 5 of chapter 808 of the acts of 1975.

SECTION 15. Chapter 270 of the acts of 1976 is hereby amended by striking out, in line 2, the words "the trustees of" and inserting in place thereof the word:- Governor.

SECTION 16. The third sentence of subsection (c) of section 19 of chapter 55 of the General Laws as appearing in section 1 of chapter 151 of the acts of 1975, is hereby amended by striking out, in line 2, the word "six" and inserting in place thereof the word:- seven.

SECTION 17. Subsection (f) of said section 19 of said chapter 55, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Any candidate or political committee which fails to file any report required by this section shall be assessed, and shall pay to the state treasurer, a penalty not greater than ten dollars for each day such candidate or political committee has not filed such report.

SECTION 18. The first paragraph of section 4H of chapter 7 of the General Laws is hereby amended by striking out the third sentence, as amended by chapter 681 of the acts of 1975, and inserting in place thereof the following sentence:- He shall hear, or assign for hearing, appeals filed pursuant to section thirty-six of chapter six A and such appeals assigned for hearing pursuant to section forty-three of chapter thirty-one.

SECTION 19. Section 2 of chapter 27 of the acts of 1976 is hereby amended by striking out, in line 1, the word “treasurer” and inserting in place thereof the word:- commissioners.

SECTION 20. Clause (f) of section 7 of chapter 216 of the acts of 1976 is hereby amended by striking out, in line 6, the word “by” and inserting in place thereof the word:- but.

SECTION 21. Said section 7 of said chapter 216 of the acts of 1976 is hereby further amended by striking out clause (h) and inserting in place thereof the following paragraph:-

All contracts made pursuant to this act shall be in accordance with the applicable provisions of section twenty-nine of chapter forty-three of the General Laws.

SECTION 22. Section 151K of chapter 127 of the General Laws, inserted by chapter 363 of the acts of 1958, is hereby amended by striking out, in line 3, the words:- Alaska, Hawaii,.

SECTION 23. The second sentence of section 3C of chapter 7 of the General Laws, as appearing in chapter 311 of the acts of 1976, is hereby amended by striking out, in line 2, the word “act” and inserting in place thereof the word:- section.

SECTION 24. Section 4 of chapter 51 of the General Laws, as most recently amended by section 1 of chapter 367 of the acts of 1977, is hereby further amended by adding the following paragraph:-

In any city or town which communicates with residents by mail for the purpose of obtaining such information, the communication shall state in boldface type on the postcard, envelope and printed material contained in such communication the following statement: “Warning -failure to respond to this mailing may result in removal from the voting list.”.

Approved December 20, 1977.

Chap. 830. AN ACT RELATIVE TO THE BUREAU OF WELFARE AUDITING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to place certain positions within the

bureau of welfare auditing in the comptroller's division of the executive office for administration and finance under civil service, therefore 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 7 of the General Laws is hereby amended by striking out section 30R, inserted by section 2 of chapter 943 of the acts of 1971, and inserting in place thereof the following section:-

Section 30R. There shall be in the comptroller's division of the executive office of administration and finance a bureau of welfare auditing, headed by a director, who shall be appointed by the commission, shall be a person of ability and experience and shall devote his entire time to the duties of his office. Said commission may appoint such other experts and officers as it deems necessary to carry out the work of the bureau. Appointments to the positions of director, legal counsel and confidential administrative secretary, shall not be subject to chapter thirty-one or to section nine A of chapter thirty.

SECTION 2. Notwithstanding any provision of law to the contrary, any person holding a position in the bureau of welfare auditing in the comptroller's division of the executive office for administration and finance, other than the positions of director, legal counsel and confidential administrative secretary, who was appointed to such position on or before September twenty-first, nineteen hundred and seventy-five, shall be deemed to have been appointed thereto under the provisions of chapter thirty-one and shall be subject to the civil service law and rules; provided, however, that such person shall not be required to take a qualifying examination and shall be deemed to be permanently appointed thereto without being required to serve any probationary period. Nothing in this section shall be construed to impair the rights of any person under section nine A of chapter thirty or chapter thirty-one.

(This Bill, returned by the Governor, to the House of Representatives the branch in which it originated, with his objections thereto, was passed by the House of Representatives, December 13, 1977, and, in concurrence, by the Senate, December 14, 1977, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 831. AN ACT FURTHER REGULATING THE PROTECTION OF THE LAND AND WATERS OF THE ISLAND OF MARTHA'S VINEYARD.

Be it enacted, etc., as follows:

SECTION 1. The island of Martha's Vineyard possesses unique natural, historical, ecological, scientific, cultural, and other values and there is a regional and statewide interest in preserving and enhancing these values.

These values are being threatened and may be irreversibly damaged by uncoordinated or inappropriate uses of the land.

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.

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.

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.

The people of Martha's Vineyard did, on March fourteenth, nineteen hundred and seventy-four vote to endorse the provisions of chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four.

The purpose of the commission created by this act shall be to further 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 development 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 waters in the county of 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 to the extent they are excluded from the responsibilities, duties and powers of the towns, 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, except as provided further in this section; one selectman or a resident registered to vote from each town on Martha's Vineyard, appointed by the board of selectmen of that town; nine persons to be elected at-large, island-wide, provided that there shall not be 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 paragraphs; one county commissioner of the county of Dukes County, appointed by the county commissioners of said county; one member of the cabinet, or his designee, 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, upon certification of such enactment by the President of the United States and by the governor of the commonwealth, and one member of the cabinet of the United States or the designee of such cabinet member shall also be a member of the commission.

If the commission adopts regulations for districts of critical planning concern, the commission shall consist of four additional voting members, to be known as the town review committee who shall vote in critical district regulations adopted by the commission affecting their town if that town fails to adopt regulations in accordance with the process established in section ten. The members of said committee, appointed by the board of selectmen of each town, shall be nominated as follows: one member from the board of assessors, one member from the board of health, one member from the board of selectmen, and one member from the conservation commission. Each member shall be sworn by the town clerk. Said appointments shall be made within thirty days after the effective date of this act and within thirty days after annual town elections annually thereafter.

The election of the nine at-large members of the commission shall be conducted at the biennial state election in nineteen hundred and seventy-eight 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 the 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 members with the exception of the members of the town review committee to the commission no later than fifteen days after the date of the certification 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 of 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 any town on Martha's Vineyard. Upon the qualification of its members, 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, on or before December thirty-first, at a meeting called for the purpose; provided that the commission clerk-treasurer shall not concurrently hold the position of treasurer of said 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 member or his designee appointed by the governor, shall serve at the discretion of the governor. Terms of office shall be computed from January first 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 commission shall notify the municipality of any vacancy in the elected membership by notice to the town clerk and planning board at the town of residence of the elected member whose office is vacated. The cabinet member of the United States 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 eight to eleven, inclusive, and to specify conditions and modifications necessary for the control of developments of regional impact pursuant to sections twelve to sixteen, inclusive.

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: section eight C of chapter forty; chapter forty A; sections eighty-one E to eighty-one H, inclusive, of chapter forty C as they relate to official maps, and sections eighty-one K to eighty-one GG, inclusive, of chapter forty-one; section twenty-seven B of chapter one hundred and eleven, as it relates to regional health boards; and sections forty and forty A of chapter one hundred and thirty-one, as they pertain to the protection of wetlands.

Regulations adopted pursuant to section ten or conditions and modifications specified pursuant to section sixteen 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 expenses for the following fiscal year, deduct estimated contributions from 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 town clerk and assessors 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 clerk-treasurer the town's share of the commission's net expenses. The amount so determined and levied shall not exceed .036 per cent of the latest equalized valuation for each town. A penalty of eight per cent per annum shall be paid by towns delinquent in paying their assessed appropriations to the commission if not paid within sixty days of the notice of payment due.

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 individual, association, corporations, or by municipal, county, state, or federal governments. Monies so received shall be disbursed by the clerk-treasurer of the commission upon an order voted by the commission; and the charges upon all towns may be reduced correspondingly upon a majority vote of all members if such monies were not included in the calculations of the town's net share 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 the 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.

The commission shall record all receipts and disbursements in accordance with the requirements of the commonwealth which govern accounting practices for towns. All personnel, material and service charges shall be kept separately and allocated to either direct or indirect accounts by project or program. Complete annual accounting reports, prepared in the manner prescribed for towns, shall be published and distributed within ninety days after the end of each fiscal year. Copies of said annual accounting reports shall be made available to the public and copies shall be sent to the town clerks and the finance committees of each town in the county of Dukes County.

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 shall be filed with the commission.

Where there is a conflict between a local rule, regulation, ordinance, by-law or master plan, the more limiting or restrictive requirement shall prevail.

SECTION 6. The following words, wherever used in this act shall, unless the context requires otherwise, have the following meanings:

"Development", 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, im-

provement, or alteration made to buildings or land within the boundaries of said municipality.

“Development permit”, any permit, license, authority, endorsement, 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.

“Regulation”, 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 or approved by the commission under the provisions of section ten.

SECTION 7. The commission shall submit to the secretary of the executive office of environmental affairs 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 eight; and 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 twelve.

The secretary of the executive office of environmental affairs, 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 the executive office of environmental affairs 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.

The standards and criteria submitted by Martha's Vineyard Commission established under chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four, and by the secretary of communities and development on September eighth, nineteen hundred and seventy-five shall be deemed in

full compliance with this section and shall continue in full force and effect until such time as they are amended by the commission and approved, or amended and approved, by the secretary of the executive office of environmental affairs in accordance with this section.

SECTION 8. 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 seven.

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 seventy-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 the 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 ac-

cepted 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 broad 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 or wetlands environments;

(d) that development of the district will not result in undue harm to cultural, economic, or historic values.

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.

SECTION 9. No municipality shall grant a development permit applicable within a district of critical planning concern except in accordance with regulations promulgated pursuant to section ten.

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 ten have become effective, a municipality may grant development permits, applicable within the district if:

(a) the commission has certified that the type or class 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 10. After designation of a district of critical planning concern, a municipality whose boundaries include all or part of the district may adopt regulations in conformance to 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 submitted to the commission.

Pursuant to the issuance of broad guidelines for the development of the district by the commission in its designation of a district of critical planning concern, the town planning board shall prepare regulations which conform to the guidelines. The town review committee shall approve or amend and approve said regulations, which shall be submitted by the planning board to the commission for approval.

If the commission determines that the proposed regulations submitted conform to the guidelines for the development of the district specified in the commission's 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, notify the planning board of conformance to the guidelines. When two or more planning boards shall, pursuant to this act, submit proposed regulations for areas within a single district, the commis-

sion may encourage such boards to submit compatible regulations, notwithstanding the differences between the municipalities.

If the commission determines that said proposed regulations are not in conformance to the guidelines, the commission shall specify to the planning board why the regulations fail to conform to the guidelines. The town review committee with the town planning board may then submit to the commission proposed amended regulations. Upon the approval by the commission of proposed regulations or proposed amended regulations, the municipality in whose boundaries the district was designated, may adopt the regulations or amended regulations. Such adopted regulations shall then be submitted to the commission for final approval or amendment and approval.

If a municipality whose boundaries include all or part of the district fails to adopt regulations within fourteen months, 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 within forty-five days of the town's failure to adopt regulations.

If a municipality whose boundaries include all or part of the district fails to submit regulations which conform to the guidelines for the development of the district within six months after the designation, the commission may after notice to such municipality and 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.

The commission may adopt regulations by a majority vote of the seventeen voting members of the commission and the four members of the town review committee.

The adoption of 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 con-

stituted by a municipality, the board of selectmen of the municipality shall enforce such 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 this section, shall supersede any regulations adopted by the commission pursuant to this section.

A municipality may amend or rescind regulations in the manner provided for adoption and approval.

SECTION 11. If the commission has not approved or adopted regulations applicable to the entirety of a district within fifteen and one-half 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 12. The commission shall adopt and submit for approval, pursuant to section seven, 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 facili-

ties, parking facilities and tourist services, and public education facilities.

The standards and criteria shall be reviewed at least every two years.

SECTION 13. The governmental agency within each municipality which has responsibility for issuing a development permit shall in accordance with the standards and criteria approved pursuant to section seven determine whether or not a proposed development, for which application for a development permit has been made, is one of regional impact; if so, it shall refer the application for the development permit to the commission.

SECTION 14. The commission shall review all applications for development permits for developments of regional impact. Notice and public hearing pursuant to section two of chapter thirty A of the General Laws shall be required, except that only fourteen days rather than twenty-one days of prior notice shall be required and a copy of said notice need not be sent to the state secretary. The commission shall permit the referring agency to grant a development permit for such development only if it finds after such public hearing that:

(a) the probable benefit from the proposed development will exceed the probable detriment as evaluated pursuant to section fifteen;

(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 the county of Dukes County;

(c) the proposed development is consistent with municipal development ordinances and by-laws, or, if it is inconsistent, the inconsistency 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 ten.

The commission shall hold the public hearing within thirty days after receipt of the referral, or application. The commission shall make the required finding and notify the referring agency and applicant of its decision within sixty days after the public hearing. These time limits may be waived by mutual agreement between the commission and the applicant for the development.

SECTION 15. 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 types 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 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 16. 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 im-

pact the commission 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 17. The commission may enforce any decisions, conditions or restrictions it may impose upon a development by recording certificates of noncompliance with appropriate plan or title references in the registry of deeds. The commission may commence such other actions or proceedings as it may deem necessary to enforce its decisions, conditions or restrictions.

SECTION 18. Any party aggrieved by a determination of the commission may appeal to the superior court within twenty days after the commission has sent the development applicant written notice, by certified mail, of its decision and has filed a copy of its decision with the town clerk of the town in which the proposed development is located. 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. In addition to performing its functions under this act, the commission may perform any function assigned to it under federal law.

SECTION 20. All petitions, hearings and other proceedings duly brought before, and all prosecutions and legal and other proceedings duly begun by, any person, municipal land regulatory agency, local board or official or the Martha's Vineyard Commission, established by chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four, as amended, which arise from or relate to the exercise of powers or the performance of duties under said chapter six hundred and thirty-seven and which are pending or incomplete immediately prior to the effective date of this act, shall continue unabated and remain in full force and effect notwithstanding the passage of this act, and shall thereafter be completed in accordance with this act.

All orders, actions, guidelines, standards and criteria, designations, procedures, by-laws, development ordinances and by-laws, regulations, conditions and modifications and decisions duly made, and all licenses, permits, authorities, permissions, cer-

tificates, approvals and endorsements duly granted, by any municipality, municipal land regulatory agency, local board or official of the said Martha's Vineyard Commission, as so established, which arise from or relate to the exercise of powers or the performance of duties under said chapter six hundred and thirty-seven and which are in effect immediately prior to the effective date of this act, shall continue in full force and effect and the provisions thereof shall thereafter be enforced, until superseded, revised, rescinded or cancelled in accordance with this act and any other applicable law.

SECTION 21. 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 the Martha's Vineyard Commission, established by chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four, as amended, and which relate to or are maintained for the purpose of the exercise of powers or the performance of duties under said chapter six hundred and thirty-seven are hereby held by the Martha's Vineyard Commission established under the provisions of this act.

SECTION 22. All duly existing contracts, leases and obligations of the Martha's Vineyard Commission, established by chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four, as amended, which relate to the exercise of powers or the performance of duties under said chapter six hundred and thirty-seven shall hereafter be obligations which are assumed and performed by the Martha's Vineyard Commission established under the provisions of this act.

SECTION 23. All assessments made by the Martha's Vineyard Commission established by chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four, as amended, and all monies heretofore received or to be received from any source by said commission for the performance of its duties and which remain unexpended on the effective date of this act shall immediately be transferred to the Martha's Vineyard Commission established under the provisions of this act and shall be available for expenditure by said commission. Any such assessments unpaid on the effective date of this act shall be due and owing to the Martha's Vineyard Commission established under the provisions of this act.

SECTION 24. The members of the Martha's Vineyard Commission established by chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four, as amended, in office

on the effective date of this act shall continue in office as members of the Martha's Vineyard Commission established by this act for the duration of the term for which they were originally elected or appointed.

All employees of the Martha's Vineyard Commission established by said chapter six hundred and thirty-seven immediately prior to the effective date of this act shall be transferred to and become employees of the Martha's Vineyard Commission established by this act. Such transfer shall be without impairment of seniority, retirement, or other rights or benefits accruing to the employees and without interruption of service or reduction in compensation or salary grade.

SECTION 25. Chapter six hundred and thirty-seven of the acts of nineteen hundred and seventy-four, as most recently amended by chapter two hundred and nineteen of the acts of nineteen hundred and seventy-six, is hereby repealed.

SECTION 26. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 27. This act shall take effect upon its passage.

Approved December 21, 1977.

Chap. 832. AN ACT FURTHER PROVIDING THAT FISCAL YEAR TAX PRO-
RATA SHALL INCLUDE TAKINGS BY EMINENT DOMAIN
AND PROPERTY MANAGEMENT BY THE DEPARTMENT OF
PUBLIC WORKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent an inequitable assessment of taxes to property owners whose real property is 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. Section 12 of chapter 79 of the General Laws is hereby amended by striking out the third sentence, as amended by section 1 of chapter 522 of the acts of 1975, and inserting in place thereof the following sentence:- Whenever the title or interest taken is such that the property will be exempt from taxation so long as it is held and used for the purpose for which it is taken, the damages for the taking shall include an amount or amounts separately determined and stated which shall be

estimated to be equal to that portion of the tax assessed upon the property for the fiscal year in which it is taken which, if the tax were apportioned pro rata according to the number of days in such fiscal year, would be allocable to the days ensuing after the taking, and an additional amount equal to the tax assessed against the property for the ensuing fiscal year, if the taking is made between January first and June thirtieth.

SECTION 2. The provisions of this act shall apply to all takings by eminent domain made on or after January first, nineteen hundred and seventy-four.

Approved December 21, 1977.

Chap. 833. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR DAVID F. O'BRIEN, INCUMBENT OF THE OFFICE OF CITY PHYSICIAN OF THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any law or rule to the contrary, the tenure of office of David F. O'Brien, as city physician of the city of Somerville, shall be unlimited during good behavior until he reaches age seventy unless incapacitated by physical or mental disability from performing the duties thereof and he shall not, prior to reaching said age, be lowered in compensation, suspended, or removed, except for just cause after a hearing before the board of aldermen.

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

Approved December 21, 1977.

Chap. 834. AN ACT SUPPLEMENTING CERTAIN APPROPRIATIONS FOR THE MAINTENANCE OF BARNSTABLE COUNTY FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT.

Be it enacted, etc., as follows:

SECTION 1. Item 22 of section 1 of chapter 458 of the acts of 1977 is hereby amended, in sub item 1, by striking out the subtotal "1,045,405.66" and inserting in place thereof the following subtotal:- 1,054,373.06 and by striking out, in line 1, the total "1,448,870.66" and inserting in place thereof the following total:- 1,457,838.06.

SECTION 1A. Item 26 of said section 1 of chapter 458 of the acts of 1977 is hereby amended, by striking out the total "180,168.94" and inserting in place thereof the following total:- 233,918.94.

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

Approved December 21, 1977.

Chap. 835. AN ACT DIRECTING THE BOARD OF EDUCATION TO APPROVE A CERTAIN SCHOOL CONSTRUCTION PROJECT IN THE TOWN OF HATFIELD.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the town of Hatfield shall be eligible for sixty-five per cent of the approved cost of school construction such approved cost to include one hundred per cent of the interest paid or payable by such town, pursuant to the applicable provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as most recently amended by the provisions of chapter three hundred and two of the acts of nineteen hundred and seventy-six, and the board of education is hereby authorized and directed to approve, as set forth in section eight of said chapter six hundred and forty-five, as so amended, the application submitted by the town of Hatfield in the year nineteen hundred and seventy-five for such construction. The said board is hereby further directed to certify to the comptroller the amounts due on said construction, including interest, and the state treasurer shall pay to said town said amounts in accordance with the applicable provisions of section nine of said chapter six hundred and forty-five, as amended by sections five and six of said chapter three hundred and two.

Approved December 21, 1977.

Chap. 836. AN ACT AUTHORIZING THE TOWN OF EDGARTOWN TO WITHDRAW FROM MEMBERSHIP IN THE MARTHA'S VINEYARD COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The jurisdiction of the Martha's Vineyard Commission shall not include the town of Edgartown. Said town shall not be represented in the membership of said Commission.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Edgartown at the next annual town election to be held in the year nineteen hundred and seventy-eight in the form of the following question, which shall be placed upon the official ballot at such election: "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven,

entitled 'An Act authorizing the town of Edgartown to withdraw from membership in the Martha's Vineyard Commission', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take effect on July first, nineteen hundred and seventy-eight, but not otherwise.

Approved December 21, 1977.

Chap. 837. AN ACT AUTHORIZING THE TOWN OF OAK BLUFFS TO WITHDRAW FROM MEMBERSHIP IN THE MARTHA'S VINEYARD COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The jurisdiction of the Martha's Vineyard Commission shall not include the town of Oak Bluffs. Said town shall not be represented in the membership of said Commission.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Oak Bluffs at the next annual town election to be held in the year nineteen hundred and seventy-eight in the form of the following question, which shall be placed upon the official ballot at such election: "Shall an act passed by the General Court in the year nineteen hundred and seventy-seven, entitled 'An Act authorizing the town of Oak Bluffs to withdraw from membership in the Martha's Vineyard Commission', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take effect on July first, nineteen hundred and seventy-eight, but not otherwise.

Approved December 21, 1977.

Chap. 838. AN ACT FURTHER REGULATING THE OPERATION OF MOTOR VEHICLES AT STOP AND YIELD SIGNS.

Be it enacted, etc., as follows:

Chapter 89 of the General Laws is hereby amended by striking out section 9, as most recently amended by chapter 479 of the acts of 1971, and inserting in place thereof the following section:-

Section 9. The department of public works may designate any state or other highway or part thereof as a through way and may designate intersections or other roadway junctions at which vehicular traffic on one or more roadways should stop or yield and stop before entering the intersection or junction, and the department may, after notice, revoke any such designation. The department of public works on any state or other highway or

part thereof so designated as a through way shall erect and maintain stop signs, yield signs and other traffic control devices at such designated intersections or junctions.

The local authorities of a city or town authorized to enact ordinances or bylaws, or make rules, orders or regulations under the provisions of section twenty-two of chapter forty of the General Laws may, after approval by the state department of public works as provided in section two of chapter eighty-five of the General Laws, designate any way or part thereof under the control of such city or town as a through way and may designate intersections or other roadway junctions at which vehicular traffic on one or more roadways shall stop or yield and stop before entering the intersection or junction, and may, after notice and like approval, revoke any such designation. Such local authorities of a city or town having control of any way or part thereof so designated as a through way shall erect and maintain stop signs, yield signs and other traffic control devices at such designated intersections or junctions.

Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign or a flashing red signal indication shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways.

The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign

without stopping, such collision shall be deemed *prima facie* evidence of his failure to yield the right of way.

Any person violating the provisions of this section shall be punished by a fine not to exceed twenty dollars for each offense.

Approved December 21, 1977.

Chap. 839. AN ACT RELATIVE TO STATE POLICE DETECTIVE LIEUTENANT INSPECTOR CHARLES L. BYRNE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, Charles L. Byrne, a state police detective lieutenant inspector who was granted leaves of absences from November seventeenth, nineteen hundred and seventy-two to September twelfth, nineteen hundred and seventy-seven to serve as a license commissioner for the city of Boston, shall upon his return to service as detective lieutenant inspector, be entitled to all the rights, benefits and privileges which he would have received if he had served as a detective lieutenant inspector during said period of time.

SECTION 2. This act shall take effect as of September twelfth, nineteen hundred and seventy-seven.

Approved December 21, 1977.

Chap. 840. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF TEWKSBURY TO THE TOWN OF TEWKSBURY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately facilitate the construction of a senior citizens educational drop-in center for the elderly in the town of Tewksbury, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The commissioner of public health, acting for and on behalf of the commonwealth, is hereby authorized to sell and convey by a deed, approved as to form by the attorney general, to the town of Tewksbury for a nominal consideration a parcel of land, located in said town. Said land shall be used for the purpose of constructing and operating a senior citizens educational drop-in center. Said center shall be constructed and operated under the direction

of the Tewksbury council for the aging and shall provide educational and related services for elderly citizens. If construction on the senior citizens educational drop-in center does not commence within three years, or if said land shall cease to be used for the purposes hereinbefore provided, the town of Tewksbury shall execute and record a deed reconveying title to such land to the commonwealth. Said land is bounded and described as follows:-

A certain parcel of land situated on the northerly side of Chandler Street, Tewksbury, Middlesex County, Commonwealth of Massachusetts and being shown as Lot A on a plan entitled "Plan of land in Tewksbury, Massachusetts, scale line 100 feet, September 3, 1977, Robert P. Morris, R.L.S. Tewksbury, Massachusetts" to be recorded with the Middlesex Northern District Registry of Deeds, and bounded and described as follows:-

Beginning at a point on Chandler Street at land of Roger F. and Agnes LaFreniere thence running westerly by said LaFreniere land 450.00 feet to a point; thence northerly by land of the grantor 290.00 feet to a point; thence easterly by land of the grantor 440.00 feet to said Chandler street; thence southerly by said Chandler street 300.00 feet to the point of beginning. Containing three acres of land, more or less, as shown on said plan.

Said senior citizens educational drop-in center shall be exempt from the provisions of the zoning by-laws of said town and notwithstanding the provisions of chapter forty A of the General Laws, the building inspector of the town of Tewksbury is authorized to issue a permit for the construction and occupancy of said center.

Approved December 21, 1977.

Chap. 841. AN ACT AUTHORIZING THE DISSEMINATION OF CERTAIN CRIMINAL INFORMATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to balance potential conflicts between the demands of individual rights of privacy and the need to make certain information available to the public, therefore 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 172 of chapter 6 of the General Laws, as most recently amended by section 4 of chapter 691 of the acts of 1977, is hereby

further amended by striking out clause (b) and inserting in place thereof the following clause:- (b) such other agencies and individuals required to have access to such information by statute including United States Armed Forces recruiting offices for the purpose of determining whether a person enlisting has been convicted of a felony as set forth in Title 10, section 504 of the United States Code; and by adding the following sentence:- Notwithstanding the provisions of this section or chapter sixty-six A, the following shall be public records: (1) police daily logs, arrest registers, or other similar records compiled chronologically, provided that no alphabetical arrestee, suspect, or similar index is available to the public, directly or indirectly; (2) chronologically maintained court records of public judicial proceedings, provided that no alphabetical or similar index of criminal defendants is available to the public, directly or indirectly; and (3) published records of public court or administrative proceedings, and of public judicial administrative or legislative proceedings.

Approved December 23, 1977.

Chap. 842. AN ACT INCREASING YEARS OF ELIGIBILITY FOR EDUCATIONAL ASSISTANCE FOR VIETNAM VETERANS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase the years of eligibility for educational assistance for Vietnam veterans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 601 of the acts of 1966 is hereby amended by striking out the word "ten" inserted by chapter 619 of the acts of 1975, and inserting in place thereof the word:- fifteen.

SECTION 2. Chapter 601 of the acts of 1966, as most recently amended by chapter 457 of the acts of 1976, is hereby further amended by striking section 3 and inserting in place thereof the following section:-

Section 3. Nothing in this chapter shall be construed as prohibiting educational institutions from extending tuition assistance to any Vietnam Veteran in any program as institutional or segmental policy.

Approved December 23, 1977.

Chap. 843. AN ACT ESTABLISHING THE BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish a board of state examiners of plumbers and gas fitters, therefore 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 36 of chapter 13 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 11 of chapter 706 of the acts of 1975, and inserting in place thereof the following paragraph:-

There shall be a board of state examiners of plumbers and gas fitters, in sections thirty-seven and thirty-eight called the examiners, consisting of nine members, citizens of the commonwealth, of whom one shall have had at least ten years practical experience as a master plumber, one shall be a journeyman plumber with at least ten years practical experience, who is a wage earner, one shall be a sanitary engineer, one shall be a master gas fitter with at least ten years practical experience in the field of undiluted liquefied petroleum gas and natural gas, one shall be a journeyman gas fitter with at least ten years practical experience, who is a wage earner, one shall be a master or journeyman gas fitter with at least ten years practical experience in the design and installation of liquefied petroleum gas systems, one shall be the commissioner of public health or his designee, one shall be the commissioner of public safety or his designee, one shall be a representative of the public subject to the provisions of section nine B. As the term of office of a member expires, his successor shall be appointed by the governor to serve for three years. The governor shall designate the chairman of the board and may at any time change such designation. The governor shall designate an appointee as the master plumber, the journeyman plumber, the master gas fitter, the journeyman gas fitter, the gas fitter competent in liquefied petroleum gas systems, the sanitary engineer or the public member of the board.

SECTION 2. Sections twelve H to twelve L, inclusive, of chapter twenty-five of the General Laws are hereby repealed.

SECTION 3. Chapter 142 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 731 of the acts of 1969, and inserting in place thereof the following section:-

Section 1. In this chapter the following words shall have the following meanings:-

“Certificate”, a certificate of registration issued in accordance with section three of chapter five hundred and thirty-six of the acts of nineteen hundred and nine, section two of chapter five hundred and ninety-seven of the acts of nineteen hundred and ten or chapter five hundred and eighteen of the acts of nineteen hundred and twelve.

“Certificate of a plumbing corporation or certificate of a plumbing partnership”, a certificate of registration issued to a master plumber authorizing him to conduct the plumbing business as a corporation or as a partner in a partnership, as the case may be.

“Certificate of a gas fitting corporation or certificate of a gas fitting partnership”, a certificate of registration issued to a master gas fitter authorizing him to conduct the gas fitting business as a corporation or as a partner in a partnership, as the case may be.

“Examiners”, the board of state examiners of plumbers and gas fitters appointed under section thirty-six of chapter thirteen.

“Gas fitting”, any work which includes the installation, alteration, and replacement of a piping system beyond the gas meter outlet or regulator through which is conveyed or intended to be conveyed fuel gas of any kind for power, refrigeration, heating or illuminating purposes including the connection therewith and testing of gas fixtures, ranges, refrigerators, stoves, water heaters, house heating boilers, and any other gas using appliances, and the maintenance in good and safe condition of said systems, and the making of necessary repairs and changes.

“Journeyman gas fitter”, a person who himself does any work in gas fitting, subject to inspection under any law, rule or regulation.

“Journeyman plumber”, a person who himself does any work in plumbing and gas fitting, subject to inspection under any law, rule or regulation.

“Master gas fitter”, a gas fitter, having a regular place of business and who, by himself or journeyman gas fitters in his employ, performs gas fitting work, subject to inspection and in compliance of any law, rule or regulation pertaining to same.

“Master plumber”, a plumber having a regular place of business and who, by himself or journeyman plumbers in his employ, performs plumbing and gas fitting work, subject to inspection and in compliance with any law, rule, or regulation pertaining to same.

“Plumbing”, the work and practice, materials and fixtures used in the installation, removal, maintenance, extension, and alteration of a plumbing system; of all piping, fixtures, fixed appliances, and appurtenances in connection with any of the following: sanitary drainage, storm drainage facilities, special wastes, the venting system and the public or private water-supply systems, within or adjacent to any building, structure, or conveyance; to their connection with any point of public disposal or other acceptable terminal within the property line.

“Apprentice gas fitter”, a person who is learning and working at the business of gas fitting under the direct supervision of a master plumber, master gas fitter, journeyman plumber or journeyman gas fitter.

“Apprentice plumber”, a person who is learning and working at the business of plumbing under the direct supervision of a master plumber or journeyman plumber.

“Registered”, registered in accordance with section three of chapter five hundred and thirty-six of the acts of nineteen hundred and nine, section two of chapter five hundred and ninety-seven of the acts of nineteen hundred and ten or chapter five hundred and eighteen of the acts of nineteen hundred and twelve.

“Undiluted liquefied petroleum gas installer”, a person who does any work in installing undiluted liquefied petroleum gas systems and appliances.

“Limited undiluted liquefied petroleum gas installer”, a person who does any work in installing, connecting and moving from place to place undiluted liquefied petroleum gas salamanders, space heaters and related equipment used in buildings under construction.

SECTION 4. Said chapter 142 is hereby further amended by striking out section 3, as most recently amended by section 2 of chapter 431 of the acts of 1963, and inserting in place thereof the following section:-

Section 3. No person shall engage in the business as a master plumber or a master gas fitter or work as a journeyman plumber or as a journeyman gas fitter or as an apprentice plumber or as an apprentice gas fitter or as an undiluted liquefied petroleum gas installer or as a limited undiluted liquefied petroleum gas installer, nor solicit, by sign, listing or any other form of advertisement, work regulated or controlled by this chapter or by any ordinance, by-law, rule or regulation made hereunder, unless he is lawfully registered, or has been licensed by the examiners as provided in this chapter. Any person so licensed as a master plumber

or a journeyman plumber may carry on the work of a gas fitter throughout the commonwealth, notwithstanding any local ordinance, by-law, rule or regulation to the contrary, and may engage in the work of installing house drainage and connecting with common sewers without being required to have any local license therefor, but shall be subject to local regulations relative to permits and bonding requirements. This section shall not apply to authorized employees of any gas company organized under chapter one hundred and sixty-four; said employees shall not require a gas fitter's license while performing work for said gas company.

The license or certificate of a journeyman plumber or a gas fitter or an apprentice plumber or a gas fitter shall be exhibited whenever required by an inspector of plumbing or gas fitting.

The license or certificate of a master plumber or a master gas fitter shall at all times be displayed conspicuously within his place of business. Any sign, listing or advertisement of a master plumber, a master gas fitter, a journeyman plumber or a journeyman gas fitter shall contain his designation and license number.

SECTION 5. Section 3A of said chapter 142 is hereby amended by striking out the second paragraph, as appearing in section 3 of said chapter 431, and inserting in place thereof the following paragraph:-

A person may be employed as an apprentice plumber by a master plumber only. A person may be employed as an apprentice gas fitter by a master gas fitter only. Such apprentices shall work under the direct supervision of a master plumber or a journeyman plumber or a master or a journeyman gas fitter. A master plumber or a master gas fitter may employ one or more apprentices but not more than one apprentice may work under the direct supervision of a master plumber, a master gas fitter or a journeyman plumber or a journeyman gas fitter.

SECTION 6. Said chapter 142 is hereby further amended by striking out sections 3B and 4 and inserting in place thereof the following two sections:-

Section 3B. A person duly licensed in the commonwealth as a master plumber or as a master gas fitter may apply to the examiners for a certificate of a plumbing corporation or for a certificate of a gas fitting corporation or a certificate of a plumbing partnership or a certificate of a gas fitting partnership upon payment of a fee of fifty dollars and a biennial renewal fee of fifty dollars. A certificate of a plumbing corporation shall authorize a master plumber to conduct the plumbing and gas fitting business

as a corporation, a certificate of a gas fitting corporation shall allow a master gas fitter to conduct the gas fitting business as a corporation, provided, that in a plumbing corporation the master plumber and in a gas fitting corporation the master gas fitter is an officer of the corporation organized under the laws of the commonwealth to engage in the business of plumbing or in the business of gas fitting. A certificate of plumbing partnership shall authorize a master plumber to conduct the plumbing and gas fitting business as a partnership, a certificate of a gas fitting partnership shall authorize a master gas fitter to conduct the gas fitting business as a partnership; provided, that all partners in a plumbing partnership are master plumbers and in a gas fitting partnership all partners are master gas fitters.

Section 4. The examiners may make such rules as they deem proper for the performance of their duties and rules governing the qualifications of applicants for examination, which shall take effect when approved by the general court and by the department of public health. They shall examine each applicant desiring to engage in the business of a master plumber or a journeyman plumber, as to his practical knowledge of plumbing, house drainage, plumbing ventilation, and gas fitting. They shall examine each applicant desiring to engage in the business of a master gas fitter or a journeyman gas fitter as to his practical knowledge pertaining to gas fitting, natural and manufactured gas and the installation of undiluted liquefied petroleum. They shall examine each person who applies to be licensed as an undiluted liquefied petroleum gas installer, and each person who applies to be licensed as a limited undiluted liquefied petroleum gas installer. They shall subject each applicant to a practical test satisfactory to the examiner, who, if satisfied of his competence, shall issue to him a license as applied for. They shall hold frequent examinations in the city of Boston, and also at such other convenient places within the commonwealth as they deem necessary. Public notice shall be given of all examinations. Every application for examination shall be in the handwriting of the applicant who shall be notified by the examiners of the time and place of examination. The examiners may, without payment of any fee, issue a probationary license in force for six months to a person who, having worked as an apprentice, or under a verbal agreement for instruction, for not less than three years, presents an application therefor with the signed endorsement of his employer agreeing to be responsible for all work done under the license and to have the licensee, at the expiration of the license, present himself for examination as a journeyman.

They shall grant a credit of five per cent to the examination standing of each applicant who is a veteran, as defined in clause Forty-third of section seven of chapter four.

SECTION 7. Said chapter 142 is hereby further amended by striking out sections 5 to 7, inclusive, and inserting in place thereof the following three sections:-

Section 5. The fee for the first license of a master plumber or a master gas fitter shall be twenty-five dollars; for any biennial renewal thereof, twenty-four dollars; and for an examination therefor, twenty dollars. The fee for the first license of a journeyman plumber or a journeyman gas fitter shall be ten dollars, for any biennial renewal thereof, twelve dollars; and for an examination therefor, ten dollars. The fee for the first license of an apprentice shall be three dollars and for any biennial renewal thereof, six dollars. The fee for the original license of an undiluted liquefied petroleum gas installer shall be twenty dollars; for any biennial renewal fee thereof, twelve dollars and for an examination therefor, ten dollars. The fee for the original license of a limited undiluted petroleum gas installer shall be twenty dollars; for any biennial renewal fee therefor, ten dollars.

Section 6. Licenses and certificates issued by the examiners shall be valid throughout the commonwealth, but shall not be assignable or transferable. The examiners shall forward to the board of health of each town, or to the inspector of buildings having control of the enforcement of regulations relative to plumbing and gas fitting in such town, the names and addresses of all persons in such town to whom such licenses have been granted. Licenses shall be issued for two years and may be renewed every two years on or before May first, or in case of absence, sickness or other disability of the holder, on or before such later date as the examiners may permit, upon payment of the required fee. Each holder of a master plumber's or a master gas fitter's certificate or license shall register his name and business address with said inspector of buildings if he has such control, otherwise with the board of health, in the town wherein he desires to engage in business as a master plumber or a master gas fitter. Any such license or certificate may, after notice and hearing, be suspended or revoked by the examiners upon the violation by the holder thereof of any statute, ordinance, by-law, rule or regulation relative to plumbing or gas fitting, upon failure or refusal of the holder thereof to comply with the rules and requirements of the examiners, or for other sufficient cause. In case of failure to renew a license aforesaid on or before May first in any year or such later date as the examiners may permit as

aforesaid, the person named therein may, upon payment of the said fee and, at the discretion of the examiners, a deferred renewal fee of ten dollars, increased by such additional fees as would have been payable had such license been continuously renewed, receive a deferred renewal thereof which shall expire on the ensuing first day of May; provided, that such renewed license shall not constitute its holder a licensee for any period preceding its issue.

Section 7. If, in the opinion of such inspector of buildings, if any, otherwise of the board of health, of a town, the holder of a license or certificate violates any statute, ordinance, by-law, rule or regulation relative to plumbing and gas fitting, said inspector or board of health of the town where such violation is committed shall give notice thereof to the examiners.

SECTION 8. Section 9 of said chapter 142, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Within thirty days after rules have taken effect as provided in the preceding section, the local board of health shall appoint an inspector of plumbing and gas fitting having the qualifications and duties specified in sections eleven and twelve to hold office for three years unless, after hearing, sooner removed for cause.

SECTION 9. Said chapter 142 is hereby further amended by striking out sections 11 to 14, inclusive, and inserting in place thereof the following four sections:-

Section 11. The said inspector of buildings, if any, otherwise the board of health, of each city and town, shall, within three months after it becomes subject to sections one to sixteen, inclusive, appoint from the classified civil service list one or more inspectors of plumbing and one or more inspectors of gas fitting, who shall, in the case of the inspectors of plumbing, be practical plumbers and shall have had practical experience either as master or journeymen plumbers, continuously, during five years next preceding their appointment and in the case of inspectors of gas fitting, be practical gas fitters and shall have had practical experience either as master or journeymen gas fitters, continuously, during five years next preceding their appointment; provided, that any time spent in wartime service as defined in clause Forty-third of section seven of chapter four shall be deemed a part of the continuous practical experience so required; provided, however, that any such city or town may appoint plumbing inspectors who shall also be gas fitting inspectors. Such inspector of buildings or board may remove them subject to chapter thirty-one, and shall, subject to approval of the city

council or board of selectmen, fix their compensation, which shall be paid by the city or town. Said inspectors of plumbing or inspectors of gas fitting shall inspect all plumbing or gas fitting, as the case may be, in the process of construction, alteration or repair for which permits are granted within their respective cities and towns, and shall report to their appointing power or board violations of any law, ordinance, by-law, rule or regulation relative to plumbing or gas fitting; they shall perform such other appropriate duties as may be required. The approval of plumbing or gas fitting by any inspectors other than those provided for by this chapter shall not be a compliance therewith.

Section 12. No inspector of plumbing or inspector of gas fitting shall inspect or approve any plumbing or gas fitting work done by himself, his employer, employee or one employed with him, but in a city or town subject to sections one to sixteen, inclusive, the said inspector of buildings, or the board of health, shall in the manner provided in the preceding section appoint an additional inspector of plumbing or inspector of gas fitting as therein provided, who shall inspect plumbing or gas fitting so done. Said additional inspector may act in the absence or disability of the local inspector and his services shall receive like compensation. This section shall not apply to any city or town establishing an annual salary for an inspector of plumbing or inspector of gas fitting, and in such city or town the inspector of plumbing or inspector of gas fitting shall not engage or work at the business of plumbing or gas fitting.

Section 13. In all cities and towns, the examiners, subject to the approval of the department of environmental affairs, shall make and from time to time in like manner alter, amend, and repeal rules and regulations relative to the construction, alteration, repair and inspection of plumbing in such cities and towns, which rules and regulations shall be reasonable, uniform, and based on generally accepted standards of plumbing practice; provided, however, that the application of such rules and regulations may be varied by the examiners in a particular city or town upon petition of the board of health or health department thereof. The examiners shall adopt a regulation requiring all cities and towns to use a uniform application for a permit to perform plumbing work.

The examiners, subject to the approval of the department of public safety, shall make and from time to time in like manner alter, amend, and repeal rules and regulations relative to gas fitting in buildings throughout the commonwealth, and relative to liquefied petroleum gas fitting containers and regulating equip-

ment in such buildings, which rules shall be reasonable, uniform, based on generally accepted standards of engineering practice, and designed to prevent fire, explosion, injury and death, and not inconsistent with rules and regulations relative to the distribution of natural gas which are promulgated pursuant to chapter one hundred and sixty-four or the provisions of chapter one hundred and forty-two or the rules and regulations made under the authority thereof. Any person aggrieved by a ruling interpreting the rules and regulations made under this paragraph, including any person aggrieved by any such rule made by the building commissioner of Boston, may appeal to the examiners in writing within ten days after such ruling; and, subject to the provisions of chapter thirty A relative to adjudicatory proceedings, said examiners shall hear and decide such appeal. Subject to said provisions of chapter thirty A, such decision shall be final and binding upon, and complied with by, all parties in interest.

Section 14. Sections one to sixteen, inclusive, shall apply to all persons learning the business of plumbing and gas fitting when they are sent out to do the work of a journeyman.

SECTION 10. Said chapter 142 is hereby further amended by striking out section 16, as amended by section 5 of chapter 431 of the acts of 1963, and inserting in place thereof the following section:-

Section 16. Every person engaged in the business of a master plumber or a master gas fitter or working as a journeyman plumber or a journeyman gas fitter or as an apprentice gas fitter or an apprentice plumber or as an undiluted liquefied petroleum gas installer or a limited undiluted liquefied petroleum gas installer not lawfully registered or licensed, if required by the chapter, every person engaging in or working at the business of plumbing or gas fitting in a city or town when forbidden to do so under section seven, every master plumber or master gas fitter who engages or employs any person to work as a journeyman or as an apprentice who has not been so licensed, and every person violating any provision of sections one to fifteen, inclusive, of this chapter or any ordinance, by-law, rule or regulation made thereunder, shall be punished by a fine not exceeding one hundred dollars. Any city or town subject to the preceding sections of this chapter neglecting to comply with any of its provisions shall forfeit fifty dollars to the commonwealth for each month during which such neglect continues.

SECTION 11. Said chapter 142 is hereby further amended by striking out section 21, inserted by chapter 302 of the acts of 1938, and inserting in place thereof the following section:-

Section 21. The examiners shall formulate rules relative to the construction, alteration, repair and inspection of all plumbing and gas fitting work in buildings owned and used by the commonwealth, subject to the approval of the department of public health, and all plans for plumbing and gas fitting in such buildings shall be subject to the approval of the examiners.

SECTION 12. The transfer of the gas regulatory board in the department of public utilities and the board of state examiners of plumbers shall not be construed as abolishing said board of state examiners of plumbers, nor shall the establishment of the board of state examiners of plumbers and gas fitters by section thirty-six of chapter thirteen of the General Laws, inserted by section one of this act, be construed as creating a new board, but as a transfer of said gas regulatory board from the department of public utilities to the board of state examiners of plumbers and gas fitters. Unless a contrary intent clearly appears, all powers and duties of said board, as existing immediately prior to said effective date, shall be exercised and performed by said state examiners of plumbers and gas fitters as so transferred. The phrases "gas regulatory board" and "the board of state examiners of plumbers" or any words connoting the same, when used in any statute, order, rule or regulation, shall mean the board of examiners of plumbers and gas fitters, unless a contrary intent clearly appears.

All officers and employees of the gas regulatory board in the department of public utilities and the board of state examiners of plumbers 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 board of state examiners of plumbers and gas fitters, every such transfer to be without impairment of civil service status, seniority, retirement or other rights of the officer or employee, without interruption of his 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 gas regulatory board in the department of public utilities and the board of state examiners of plumbers, 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 the board of state examiners of plumbers and gas fitters, every such transfer to be without impairment of seniority, retirement and other rights of the officer or employee,

without interruption of service within the meaning of said section nine A, 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 immediately prior to said effective date, or to prohibit any subsequent reduction in compensation or salary grade, transfer or reassignment, suspension, discharge, layoff or abolition of position not prohibited prior thereto.

All questions regarding the identification of such officers and employees and of the board of state examiners of plumbers and gas fitters to which they are so transferred shall be determined by the commissioner of administration.

SECTION 13. On the effective date of this act, the incumbent of the position of executive secretary of the board of state examiners of plumbers shall become the executive secretary of the board of state examiners of plumbers and gas fitters, without impairment of his civil service status, seniority, retirement and compensation rights, as established under chapter thirty-one or section nine A of chapter thirty, whichever is applicable.

SECTION 14. All petitions, hearings, actions at law or in equity, or other proceedings pending immediately prior to the effective date of this chapter before any court of law or any administrative tribunal, shall continue unabated and as if no transfer had been effected and the authority and power of the board of examiners of plumbers and gas fitters established hereunder shall, except as provided herein, be the same as that of the gas regulatory board and the board of state examiners of plumbers prior to the effective date of this act.

All orders, rules and regulations duly promulgated by the gas regulatory board and the board of state examiners of plumbers prior to the effective date of this act shall, except as provided herein, remain in full force and effect until superseded, revised or rescinded in accordance with law.

All contracts and obligations of the gas regulatory board and the board of state examiners of plumbers duly in effect immediately prior to the effective date of this act shall continue in full force and effect.

All books, papers, records, documents, plans and property in the custody of the gas regulatory board and the board of state examiners of plumbers immediately prior to the effective date of this act shall continue in the custody and control of the board of state examiners of plumbers and gas fitters.

SECTION 15. The members of the board of state examiners of plumbers in office on the effective date of this act, shall continue in office and shall be five of the members of the board of state examiners of plumbers and gas fitters, established by section one of this act, for the duration of the term for which they were appointed. The governor shall appoint the member master gas fitter, the member journeyman gas fitter, and the member gas fitter competent in liquefied petroleum gas systems, one for an original term of one year, one for an original term of two years, and one for an original term of three years, and as the term of office of a member expires, his successor shall be appointed by the governor to serve for a term of three years.

Approved December 23, 1977.

Chap. 844. AN ACT AUTHORIZING CERTAIN SUBSURFACE UTILITIES EASEMENTS TRAVERSING THE JOHN FITZGERALD KENNEDY PARK AND SERVING THE JOHN FITZGERALD KENNEDY SCHOOL OF GOVERNMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize easements in connection with the immediate construction of the John Fitzgerald Kennedy school of government, therefore 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 general or special law to the contrary, including specifically but without limitation the provisions of chapter two hundred and ninety-eight of the acts of nineteen hundred and seventy-six, the metropolitan district commission on behalf of the commonwealth is hereby authorized to grant to the President and Fellows of Harvard College, hereinafter called Harvard, easements for the construction, installation, replacement and permanent maintenance of utilities in certain subsurface portions of the John Fitzgerald Kennedy park established by, and more fully described as parcel 1A in section four of said chapter two hundred and ninety-eight. Such portions shall be located substantially as indicated on the plan drawn by Architectural Resources Cambridge, Inc., dated June 7, 1977, and filed with the metropolitan district commission. Such utilities shall consist of water lines, concrete-encased telephone and 15 KV electrical distribution lines, the structure to connect the existing tunnel as indicated on said plan to the Har-

vard property hereinafter mentioned, and, in said existing tunnel, of a steam line and communications, fire alarm, and automation lines and conduits. Such easements shall be appurtenant to the land recently conveyed to Harvard for purposes of the John Fitzgerald Kennedy school of government and related academic uses pursuant to, and more fully described as parcel 2A in section five of said chapter two hundred and ninety-eight and shall be for such consideration, and on such terms as the metropolitan district commission may approve.

Approved December 23, 1977.

Chap. 845. 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:

The fifth paragraph of section 38 of chapter 10 of the General Laws, as amended by section 1 of chapter 244 of the acts of 1974, is hereby further amended by inserting after the word "merchandise", in line 4, the words: - or four prizes on any one day as long as each prize does not exceed one hundred dollars in value, either in cash or merchandise.

Approved December 23, 1977.

Chap. 846. AN ACT AUTHORIZING HEALTH CARE PROVIDERS TO ESTABLISH MEDICAL MALPRACTICE SELF-INSURANCE TRUST FUNDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the establishment of formal private self-insurance trust funds to provide medical malpractice and general liability coverage for health care providers, 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:

The General Laws are hereby amended by inserting after chapter 175E, the following chapter:-

Chapter 175F.

Medical Malpractice Self-Insurance Trust Funds.

Section 1. The following words, as used in this chapter, unless the context otherwise requires or a different meaning is specifically prescribed, shall have the following meanings:

“Certified fund”, a fund holding a certificate issued pursuant to section three and not revoked pursuant to section ten;

“Commissioner”, the commissioner of insurance;

“Fund”, a health care provider self-insurance trust fund;

“Health care provider”, a licensed hospital, clinic, nursing home, health maintenance organization, foundation, educational institution engaged in the training of health care personnel; or society of such other classification of health care providers, as that term is defined in section six of chapter three hundred and sixty-two of the acts of nineteen hundred and seventy-five, for which the commissioner determines that medical malpractice insurance is not adequately available at reasonable cost;

“Health care provider self-insurance trust fund”, a trust fund established in accordance with the provisions of this chapter to provide insurance to a group of two or more participating health care providers;

“Insurance”, formal self-insurance or commercial insurance, or a combination thereof, covering risks of medical malpractice liability and general liability of any participating health care provider, and, at the option of the fund, of any affiliated institution or person of a participating health care provider, and of staff members of participating health care providers and affiliates who are full-time employees or who satisfy other reasonable criteria for coverage. A fund with a participant which is a society of individual health care providers who are natural persons shall provide only medical malpractice coverage to the members of that society. Insurance shall include all layers of coverage, on either a claims made or occurrence basis, and reinsurance by one fund of the risk of another fund;

“Participating health care provider” or “Participant”, a health care provider that is a settlor or grantor and beneficiary of a health care provider self-insurance trust fund;

“Trustee”, the trustee of a fund.

Section 2. A group of two or more participating health care providers may establish a health care provider self-insurance trust fund under this chapter prior to the issuance of a certificate in accordance with section three. Said fund shall be deemed established upon the execution of a trust instrument by the initial participants and establishment of a fund balance.

When a group of participants has established a fund, said participants shall file the trust instrument with the commissioner with such supporting documentation as he might reasonably require by regulation. Such trust instrument shall be in compliance with the provisions of this chapter.

The coverage provisions of an insurance contract issued by a fund under its trust instrument shall not become effective to provide coverage until the fund is certified in accordance with section three although the fund may require and accept payments of premiums prior to certification.

A fund shall appoint a trustee to satisfy reasonable standards of performance which shall be promulgated by the commissioner by regulation.

A fund desiring to dissolve may petition the supreme judicial court for voluntary dissolution. The court may authorize such dissolution and may, upon such authorization, distribute the petitioner's assets in a manner consistent with the fund's legal obligations.

The commissioner may petition the supreme judicial court for the involuntary dissolution of any fund if such fund has not filed for two consecutive years, an annual statement in accordance with section six, or if the commissioner is satisfied that the fund is inactive and its continued existence is not in the public interest. Upon authorizing such dissolution, the court shall distribute all assets of the fund in accordance with the fund's legal obligations.

Section 3. Any fund established under section two may be certified to provide insurance in accordance with the provisions of this chapter upon filing an application for certification with the commissioner. Such application shall be on a form provided by the commissioner and shall include such information as he shall require by regulation. The commissioner shall review each application and may, after a hearing in accordance with chapter thirty A, deny any application for the following reasons:

(a) that the application is not on the prescribed form or the information as submitted is not in compliance with regulations promulgated under the provisions of section seventeen;

(b) that the dollar reserve is not in compliance with section eight,

(c) that the trustee is found by the commissioner to be unable to satisfy the standards of performance promulgated by the commissioner pursuant to section two; or

(d) that there was fraud or wilful misrepresentation in providing required written information.

Within sixty days of the date of filing of an application under this section an application shall be deemed approved, unless the commissioner shall schedule a hearing in accordance with chapter thirty A to consider denial thereof and shall hold such hearing within thirty days of such scheduling. The decision of the commissioner shall be rendered within thirty days following such hearing, or the application so filed will be deemed approved.

Section 4. A certified fund shall be exempt from the provisions of chapters one hundred seventy-four A, one hundred seventy-five D, one hundred seventy-four B, one hundred seventy-five, one hundred seventy-five A, one hundred seventy-six, one hundred seventy-six A, one hundred seventy-six B, one hundred seventy-six C, one hundred seventy-six E, and one hundred seventy-six F, and from the provisions of any other statute relating to insurance. A certified fund shall not be considered to be an insurer and any participant shall not be considered a purchaser of insurance under the provisions of section six of chapter three hundred sixty-two of the acts of nineteen hundred and seventy-five. Any such participant or other person to whom coverage is provided by a fund shall receive any dividends to which it would be entitled and shall be subject to any assessments due from it as a "policyholder" under said section 6 if such dividends or assessments relate to any year during which that participant or other person purchased insurance from the Joint Underwriting Association under said section six.

The provisions of this chapter shall be subject to the enforcement provisions of sections three A and three B of chapter one hundred and seventy-five.

A hearing held under this chapter shall be subject to the commissioner's powers under section eight A of chapter one hundred and seventy-five.

A fund shall be subject to the provisions of section twenty of said chapter one hundred and seventy-five as they relate to insurance companies.

A fund shall be subject as an insurer to the provisions of chapter one hundred and seventy-six D.

Section 5. A fund and a trustee of such fund shall have the rights and shall be subject to the legal responsibilities and obligations applicable to a trust and trustee under the General Laws,

except to the extent such rights, obligations and responsibilities are in conflict with this chapter.

Section 6. A fund shall annually on January first file with the commissioner a statement showing its financial condition as of September thirtieth of the prior year. Such statement shall be on a form provided by the commissioner. The commissioner may require in writing, at any time, such additional information as is reasonable and necessary to determine the financial condition of a fund. A fund unreasonably neglecting to file the statement required hereunder in a timely fashion, or unreasonably neglecting to comply with any such informational request by the commissioner within thirty days following receipt of a written request for said information, shall forfeit one hundred dollars for each day which such unreasonable neglect continues. Such fine shall be imposed only after a hearing in accordance with chapter thirty A, conducted by the commissioner.

The commissioner shall have the power to examine the financial condition of a fund.

Section 7. The commissioner shall, by regulation, prescribe standards for proper accounting methods to be used by a fund. Said standards shall be consistent with customary accounting principles.

Section 8. A fund organized under this chapter shall, before it shall be certified pursuant to section three, satisfy the commissioner in its application that a claims reserve exists in accordance with this section. Such claims reserve shall be maintained at a level prescribed by an actuary or by a reasonable substitute for an actuary, which level shall exceed four hundred thousand dollars or some other reasonable minimum to be established by the commissioner by regulation. In establishing this minimum, the commissioner shall consider other legal obligations which might be required of the fund by other governmental units, in order to avoid unnecessary and duplicative or conflicting requirements.

Section 9. A trustee of a fund shall notify the commissioner of any amendment to its trust instrument or to its original application for certification under section three within thirty days of the making of such amendment.

Section 10. The commissioner may, after a hearing in accordance with chapter thirty A, revoke or suspend the certification of any fund, or, in lieu of such suspension or revocation, fine that fund up to ten thousand dollars, for intentionally doing any of the following:

- (1) violating any provision of this chapter or any regulations promulgated hereunder;
- (2) presenting false or misleading statements on any document which is filed in accordance with this chapter;
- (3) holding a claims reserve less than the minimum required to be maintained by section eight;
- (4) using improper accounting procedures not in conformity with section seven.

If the certification of a fund is suspended, that fund shall not accept any new participants, but may continue to provide insurance to its present participants. If the certification of a fund is revoked, the fund shall not accept any new participant and such fund shall cease providing any insurance at the end of the policy period during which such revocation occurs or twelve months from the date of such revocation, whichever occurs first. Prior to the total cessation of provision of insurance under this section, such fund shall be treated as if it were a certified fund.

The commissioner may, after a hearing in accordance with chapter thirty A, remove any trustee of a fund for the reasons described in clauses one to four, inclusive, or for any fact which demonstrates that the trustee did not satisfy the standards of performance established pursuant to section two.

Section 11. No fund shall exclude a health care provider from participation except as provided in this section if the health care provider has complied with all necessary and required application procedures. A fund may exclude a health care provider from participation if:

- (1) the applicant health care provider is not situated in a geographical location which is reasonably contiguous to the initial participants;
- (2) the applicant health care provider does not meet standards of risk and claims management and financial management promulgated by a fund in its trust instrument;
- (3) the applicant is not a nonprofit health care provider, if that fund's present participants are nonprofit; or
- (4) the applicant is not a member of the classification of health care providers to which the fund's present participants belong. Each type of health care provider set forth in section 1 shall be considered to be a separate classification of health care providers.

No fund shall be required to provide insurance to a new participant except beginning at the start of the next policy year after the new participant's application is accepted, and no fund shall be required to accept more than one applicant health care provider during any policy year; provided, however, that a fund at

its option may accept more than one such applicant during any policy year.

If any applicant health care provider is aggrieved by a decision to exclude him from participation in a fund, he may request arbitration by a board consisting of a member designated by the health care provider, a member chosen by the fund, and a member designated by the commissioner. Such board shall hold a hearing and render a decision on the issues presented.

Section 12. The trust instrument may provide (a) that there shall be a minimum period during which any participant must participate in the fund; (b) that the fund may provide tail coverage to any participant which joins or withdraws from the fund; (c) that all participants shall execute a participation agreement; (d) that the trustee shall be free of all personal liability for his actions in good faith on behalf of the fund; and (e) that the trustee may be either an individual or an institution such as a bank, an insurance company or any other appropriate entity.

Section 13. A fund desiring to consolidate or merge with any other fund shall comply with the procedures set forth in section seven of chapter one hundred and seventy-six, inserted by section one of chapter five hundred and forty of the acts of nineteen hundred and fifty-eight. Such merger or consolidation shall be considered to be approved by the commissioner unless, after a hearing in accordance with chapter thirty A, the commissioner disapproves said merger or consolidation in writing within sixty days after the filing of all materials.

Any such merger or consolidation shall have the effects on the rights and property of the funds which are set forth as to fraternal benefit societies in said section seven of said chapter one hundred and seventy-six, as so inserted.

Section 14. Any participant shall be considered to have insurance equivalent to commercial insurance, to the extent of the limits of coverage provided by the fund, for the purpose of any requirements of insurance or commercial insurance contained in any law or any bonds, notes, mortgages, contracts or other agreements to which that participant is a party.

Section 15. No money or other asset of any fund shall be liable to attachment, trustee process, equitable lien or other process, or to be seized, taken, appropriated or applied by any legal or equitable process or operation of law to pay any debt or liability of any legal person except as provided in this chapter or in the trust instrument governing the fund.

Section 16. A fund is hereby declared to be a charitable and benevolent institution, and all of its assets shall be exempt from

all and every state, county, district, municipal and school tax, if all of its participants qualify for exemption from federal taxes under 26 U.S.C. Section 501, or qualify for the exclusion from gross income provided under 26 U.S.C. Section 115.

Section 17. All regulations promulgated by the commissioner pursuant to this chapter shall consider the requirements of federal governmental agencies or quasi-governmental agencies so as to permit funds to satisfy such requirements.

Section 18. Whoever violates any provisions of this chapter shall be punished by a fine of not more than five hundred dollars.

Approved December 23, 1977.

Chap. 847. AN ACT CORRECTING CERTAIN REAL PROPERTY DESCRIPTIONS IN THE LAW PROVIDING FOR IMPROVEMENT BY THE METROPOLITAN DISTRICT COMMISSION OF RECREATIONAL FACILITIES AT REVERE BEACH.

Be it enacted, etc., as follows:

Chapter 841 of the acts of 1975 is hereby amended by striking out sections 2 and 3 and inserting in place thereof the following two sections:-

Section 2. The commission is hereby authorized to acquire by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or take by eminent domain, all land, public or private, and all rights in land, in the city of Revere within the area hereinafter referred to as the Revere Beach Site and bounded and described as follows:

Beginning at the southwesterly corner of the intersection of the rights-of-way of Revere Street and Revere Beach Boulevard; thence running southwesterly and southerly along the westerly right-of-way line of Revere Beach Boulevard, crossing Shawmut Street Extension, Chester Street, Beaver Street, Bath Street, Beach Street, Shirley Avenue, and West Street, a distance of five thousand three hundred and six feet, more or less, to the point of intersection with the southwesterly corner of the intersection of the rights-of-way of West Street and Revere Beach Boulevard; then turning and running westerly along the southerly right-of-way of West Street, a distance of seventy eight feet, more or less, to the point of the intersection with the easterly right-of-way of Ocean Avenue; thence turning and running in a northwesterly direction to the northerly right-of-way of West Street, a distance of fifty feet, more or less; thence continuing in a generally north direction along the easterly right of way of Ocean Avenue, cross-

ing Shirley Avenue, Beach Street, Bath Street, Beaver Street, Chester Street, and Shawmut Street Extension, a distance of five thousand three hundred and thirty seven feet, more or less, to the point of the intersection of the easterly right-of-way of Ocean Avenue and the southerly right-of-way of Revere Street; thence turning and running in a southeasterly direction along the southerly right-of-way of Revere Street, a distance of one hundred thirty feet, more or less, to the point of intersection with the westerly right-of-way of Revere Beach Boulevard, which is the point of beginning.

The commission is further authorized to acquire, in the manner hereinbefore provided, easements in, or the benefit of restrictions upon, property abutting said Site to preserve and protect the interests of the commonwealth in said Site.

Section 3. The commission is hereby authorized to sell, at a price to be determined by independent appraisers to be selected by the commissioner of administration, or to exchange for land of equal value, all or any part of the following-described real property which is owned by the commission:

Beginning at the southwesterly corner of the intersection of the rights-of-way of Revere Street and Ocean Avenue; thence running southwesterly and southerly along the westerly right-of-way of Ocean Avenue, crossing Beach Street and Shirley Avenue, a distance of four thousand six hundred feet, more or less, to the point of convergence of the westerly right of way of Ocean Avenue and the easterly right-of-way line of the Massachusetts Bay Transportation Authority (M.B.T.A.); thence continuing northerly and northeasterly along said easterly right of way line of the M.B.T.A., crossing Shirley Avenue and Beach Street, a distance of four thousand seven hundred and twenty feet, more or less, to the point of intersection with the southerly right-of-way line of Revere Street; thence turning and running easterly and southeasterly along a curve to the right, a distance of fifty-five feet, more or less, to the point of intersection with the westerly right-of-way line of Ocean Avenue, which is the point of beginning.

Approved December 23, 1977.

Chap. 848. AN ACT FURTHER REGULATING THE CRIMES OF DESERTION OR NONSUPPORT OF CERTAIN SPOUSES AND CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out sections 22 and 23 and inserting in place thereof the following two sections:-

Section 22. A parent who conceals the death of the issue of such parent, which if born alive would be illegitimate, so that it cannot be ascertained whether it was born alive or, if born alive, whether it was murdered, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year.

Section 23. A parent indicted for murder of the infant illegitimate child of such parent may also be charged in the same indictment with the crime described in the preceding section, and if acquitted of murder, such parent may be convicted of the concealment.

SECTION 2. Chapter 273 of the General Laws is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. Any spouse or parent who without just cause deserts his spouse or minor child, whether by going into another town in the commonwealth or into another state, and leaves them or any or either of them without making reasonable provision for their support, and any spouse or parent who unreasonably neglects or refuses to provide for the support and maintenance of his spouse, whether living with him or living apart from him for justifiable cause, or of his minor child, and any spouse or parent who abandons or leaves his spouse or minor child in danger of becoming a burden upon the public, and any parent of a minor child or any guardian with care and custody of a minor child, or any custodian of a minor child, who willfully fails to provide necessary and proper physical, educational or moral care and guidance, or who permits said child to grow up under conditions or circumstances damaging to the child's sound character development, or who fails to provide proper attention for said child, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than two years, or both. A child shall not be deemed to be neglected or lack proper physical care for the sole reason that he is being provided remedial treatment by spiritual means alone in accordance with the tenets and practice of a recognized church or religious

denomination by a duly accredited practitioner thereof. A judge who orders the imprisonment of a person for violation of this section may order that the sentence be served during such hours as will permit said person to continue his employment. No civil proceeding in any court shall be held to be a bar to a prosecution hereunder for desertion or nonsupport. In a prosecution hereunder for desertion or nonsupport against a husband or wife a decree or judgment of a probate court in a proceeding in which said husband or wife appeared or was personally served with process, establishing the right of his spouse to live apart, or the freedom of such spouse to convey and deal with property, or the right to the custody of the children, shall be admissible and shall be prima facie evidence of such right.

SECTION 3. Said chapter 273 is hereby further amended by striking out sections 3 to 5, inclusive, and inserting in place thereof the following three sections:-

Section 3. The court imposing a fine under section one may at any time order it paid in whole or in part to a probation officer, to be paid by him to the spouse or to the city, town, corporation, society or person actually supporting the spouse, child or children, or to the state treasurer for the use of the department of public welfare if the child has been committed to said department.

Section 4. The district court, at any time after arraignment and before an appeal from such court is perfected by entry in the superior court, and the superior court at any time after such entry and before final determination of the case, may, upon motion of the complainant or district attorney and upon notice to the defendant, enter such temporary order as may seem just, providing for the support of the spouse or children, or both, pendente lite, and said order, wherever made, shall continue in force until modified or revoked by the court before which the case is pending. If any such order is made by a district court, an appeal to the superior court shall not vacate such order. Violation of an order made by either court may be punished as for a contempt by the court before which the case is then pending.

Section 5. Before trial, with the consent of the defendant, or after entry of a plea of guilty or nolo contendere, or after conviction, if the defendant is placed on probation, with or without suspension of the execution of a sentence, the court, having regard to the circumstances and to the financial ability or earning capacity of the defendant, may make an order, which shall be subject to change from time to time as circumstances may require, directing the defendant to pay certain sums periodically,

for a term not exceeding six years, to the probation officer, and may release the defendant from custody on probation. The probation officer, subject to the direction of the court, shall pay over payments received by him to the spouse or guardian or custodian of the child, or to the city, town, corporation, society or person supporting the spouse or child, or to the state treasurer for the use of the department of public welfare when the payments are for the support of a child committed to it. If the court be satisfied by due proof under oath that at any time the defendant has violated the terms of the order for payments, it may proceed to try the defendant upon the original charge, or sentence him under the original plea or conviction, or enforce the suspended sentence, as the case may be.

SECTION 4. Said chapter 273 is hereby further amended by striking out section 7 and inserting in place thereof the following section:-

Section 7. No other or greater evidence shall be required to prove the marriage of the husband and wife, or that the alleged father is the parent of the child, than may be required to prove the same facts in a civil action. In any prosecution begun under section one, both husband and wife shall be competent witnesses to testify against each other to any relevant matters, including the fact of their marriage and the parentage of the child; provided, that neither shall be compelled to give evidence incriminating himself. Proof of the desertion of the spouse or child, or of the neglect or refusal to make reasonable provision for their support and maintenance, shall be prima facie evidence that such desertion, neglect or refusal is wilful and without just cause. In no prosecution under sections one to ten, inclusive, shall any existing statute or rule of law prohibiting the disclosure of confidential communications between husband and wife apply.

SECTION 5. Said chapter 273 is hereby further amended by striking out sections 12 to 13, inclusive, and inserting in place thereof the following three sections:-

Section 12. Proceedings to determine the father of a child born to an unmarried woman shall be begun, if in the superior court, in the county in which is situated the place where the alleged father or the mother of the illegitimate child lives, and if begun in a district court, in the court having such place within the judicial district. If the alleged father pleads guilty or nolo contendere, or is found guilty, the court shall enter a judgment adjudging him the father of the child; but such adjudication shall not be made after a plea of not guilty, against the objection of the alleged father, until the child is born or the court finds that the

mother is at least six months pregnant. At the sitting when such adjudication is made by a district court, if made after a plea of not guilty, the alleged father may appeal therefrom to the superior court as in other criminal cases. The adjudication, whether any sentence be imposed or not, shall be final and conclusive unless an appeal therefrom be taken as hereinbefore provided, or, if such adjudication be made by the superior court, unless set aside upon an appeal taken not later than three days thereafter under section twenty-eight of chapter two hundred and seventy-eight or upon exceptions. Such adjudication may be entered by the superior court notwithstanding exceptions have been alleged or an appeal has been taken. The court making the adjudication may within one year thereafter grant a new trial for any cause.

Section 12A. In any proceeding to determine the question of paternity, the court, on motion of the alleged father, shall order the mother, her child and the alleged father to submit to one or more blood grouping tests, to be made by a duly qualified physician or other duly qualified person, designated by the court, to determine whether or not the alleged father can be excluded as being the father of the child. The results of such tests shall be admissible in evidence only in cases where definite exclusion of the alleged father as such father has been established. If one of the parties refuses to comply with the order of the court relative to such tests, such fact shall be admissible in evidence in such proceeding unless the court, for good cause, otherwise orders.

Section 13. No law limiting adjournments or continuances shall apply to any proceedings under sections twelve to eighteen, inclusive. If the child has not been born at the time of the adjudication, the court shall continue the case from time to time until the child is born. At any time after adjudication, after inquiring into the respective means of the alleged father and the mother, the court having jurisdiction of the case may make an order for the payment to the mother or to a probation officer of a sum of money determined by the court for the expenses of the pregnancy and of the confinement of the mother, whether the child is born dead or alive. If the child has died, or subsequently if the child dies, the court may make an order for the payment of its funeral expenses, whether or not other relief is sought. For failure to comply with any such order the court may order the alleged father committed to jail, as for a contempt of court, for a term not exceeding two months, unless he shall sooner comply therewith.

SECTION 6. Said chapter 273 is hereby further amended by striking out sections 15 to 18, inclusive, and inserting in place thereof the following four sections:-

Section 15. Any parent of an illegitimate child, whether begotten within or without the commonwealth, who neglects or refuses to contribute reasonably to its support and maintenance, shall be guilty of a misdemeanor. If there has been any final adjudication of the paternity of the child, such adjudication shall be conclusive on all persons in proceedings under this section; otherwise, the question of paternity shall be determined in proceedings hereunder. The duty to contribute reasonably to the support of such child shall continue during its minority.

Section 16. After the adjudication and the birth of the child, in proceedings under section twelve, or after conviction, in proceedings under the preceding section, the alleged father shall be subject upon the original complaint or indictment in such proceedings to penalties and orders for payments similar to those provided by the first ten sections of this chapter; and the practice established thereby shall, so far as applicable, apply to any proceedings under sections twelve to eighteen, inclusive.

Section 17. If the court having jurisdiction of any case under sections twelve to eighteen, inclusive, or any of them, becomes satisfied that no living child will be born of which the alleged father at the time of making the complaint was the father, or that the alleged father and the mother have married each other and the child has become or will be the legitimate child of the alleged father, or that adequate provision has been made for its maintenance, or that it is for the best interests of the child, the case may be dismissed and any adjudication vacated; and if the court certifies that it is for the best interests of the child, no further prosecution shall be maintained under any of said sections.

Section 18. If money is forfeited or recovered upon a recognizance or deposit in lieu thereof given in proceedings under sections twelve to eighteen, inclusive, or any of them, the court in which such proceedings are pending may order such money paid to the probation officer and expended by him, under the direction of the court, for the support of the child.

SECTION 7. Section eleven and section nineteen of said chapter two hundred and seventy-three are hereby repealed.

Approved December 23, 1977.

Chap. 849. AN ACT AUTHORIZING THE PAYMENT OF A SUM NECESSARY TO CORRECT AN ERROR IN THE SCHOOL AID DISTRIBUTION TO THE CITY OF BROCKTON FOR THE YEAR NINETEEN HUNDRED AND SEVENTY-FOUR.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section eighteen A of chapter fifty-eight of the General Laws to the contrary, the commissioner of corporations and taxation is hereby directed to certify to the state treasurer the amounts necessary to correct the error which occurred in the general school aid formula for the city of Brockton for the calendar year ending December thirty-first, nineteen hundred and seventy-four. Said treasurer shall pay the amounts so certified to said city during the fiscal year ending June thirtieth, nineteen hundred and seventy-nine, from the amount appropriated for the distributions required by said section eighteen A.

Approved December 23, 1977.

Chap. 850. AN ACT AUTHORIZING THE DEDHAM, MILTON, NATICK, WELLESLEY REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT TO LEASE EQUIPMENT, LAND AND BUILDINGS FOR EDUCATIONAL PURPOSES FOR CERTAIN PERIODS OF TIME.

Be it enacted, etc., as follows:

The Dedham, Milton, Natick, Wellesley regional vocational technical school district is hereby authorized to lease, or lease with an option to purchase, equipment for educational purposes for periods not exceeding ten years; and to lease land and buildings or portions of buildings for educational purposes for periods not exceeding ten years. Said lease of land and buildings may contain provisions for the extension of such lease for two additional terms not in excess of five years each, exercisable at the option of the Dedham, Milton, Natick, Wellesley regional vocational technical school district committee.

Approved December 23, 1977.

Chap. 851. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF BOSTON TO CLAY CHEVROLET, INC.

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 Clay Chevrolet, Inc., a corporation duly incorporated under the laws of the state of Delaware and doing business in the commonwealth, by a quit claim deed approved as to its form by the attorney general, for such consideration as may be acceptable to said commission, a certain parcel of land under the control of said commission located on the West Roxbury parkway in the city of Boston, presently used under a lease agreement by Clay Chevrolet, Inc. Said parcel is shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, West Roxbury Parkway, Boston (West Roxbury District), Plan of Land to be Leased to Clay Chevrolet Inc., August 24, 1953, Benjamin W. Fink, Director of Park Engineering," being plan accession number 31819, a copy of which is on file with said commission, said land being more particularly bounded and described as follows:

Southerly by the northerly line of Belgrade Avenue, fifty-seven (57) feet more or less;

Westerly by land of the Commonwealth of Massachusetts, known as West Roxbury Parkway, one hundred twenty (120) feet more or less.

Northerly by the southerly side line of the location of the New York, New Haven and Hartford Railroad, fifty-seven (57) feet more or less; and

Easterly by land now or formerly of Clay Chevrolet, Inc., one hundred twenty-three (123) feet more or less; containing six thousand nine hundred twenty-five (6925) square feet more or less.

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 December 23, 1977.

Chap. 852. AN ACT RELATIVE TO PAYROLL DEDUCTIONS FOR PUBLIC SCHOOL TEACHERS.

Be it enacted, etc., as follows:

Chapter 180 of the General Laws is hereby amended by inserting after section 17H the following section:-

Section 17I. A single deduction on payroll schedules shall be made from the salary of any school teacher in an amount which such teacher may specify in writing to the city, town or district school committee by which he is employed; provided, however, that no specific deduction shall be made for the payment of con-

tributions to political campaign committees or political campaign organizations. Any such authorization may be withdrawn by such teacher by giving at least sixty days' notice in writing of such withdrawal to said school committee. The treasurer of the city, town or district shall deduct from the salary of such teacher such amount as may be certified to him on the payroll and shall transmit the sum so deducted to the state teacher association of which such teacher is a member within thirty days; provided, that the city, town or district treasurer is satisfied by such evidence as he may require that the treasurer of such state teacher association has given a bond, in form approved by the commissioner of corporations and taxation, for the faithful performance of his duties, in a sum and with such surety or sureties as are satisfactory to the city, town or district treasurer. The provisions of this section shall take effect in each city, town or regional school district which accepts the provisions hereof by vote of its school committee.

Approved December 23, 1977.

Chap. 853. AN ACT REQUIRING THE PERSONNEL ADMINISTRATOR TO NOTIFY CERTAIN EMPLOYEES OF THE TEMPORARY NATURE OF THEIR EMPLOYMENT.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by inserting after section 31B the following section:-

Section 31C. Whenever an individual is appointed to a temporary position in the classified service of the commonwealth, the appointing authority shall provide written notice to said employee that said position is of a temporary nature.

Approved December 23, 1977.

Chap. 854. 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 8 of the acts of 1976, 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-

ent 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 December 23, 1977.

Chap. 855. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONVEY CERTAIN LAND IN THE TOWN OF WRENTHAM TO THE WRENTHAM HOUSING AUTHORITY.

Be it enacted, etc., as follows:

The commissioner of mental health, acting for and on behalf of the commonwealth, is hereby authorized to sell and convey to the Wrentham Housing Authority for a nominal consideration, a certain parcel of land in the town of Wrentham located on the grounds of the Wrentham state school for the purposes of constructing housing for elderly persons, by a deed approved as to form by the attorney general and subject to approval by the commissioner of administration and said deed shall contain a provision that if such purpose is not complied with within a period of five years after the date of said conveyance, the title to the said land shall revert to the commonwealth. Said conveyance shall be subject to further conditions and restrictions as said commissioner may deem advisable. Said parcel of land being bounded and described as follows:

A certain parcel of land in Wrentham in the county of Norfolk and Commonwealth of Massachusetts, located on the easterly side of Shears Street and the southerly side of Emerald Street, described as follows:

Westerly by Shears Street, 955.98' to a cement highway bound on the southerly side of Emerald Street; Southerly by Emerald Street, 467.21' to other land of the Commonwealth; Easterly by other land of the Commonwealth, 1,621.46'; Southerly by other land of the Commonwealth, 31.06, to land now or formerly of the Massachusetts Electric Company; Westerly by said land now or formerly of the Massachusetts Electric Company, 176'; South-easterly by land now or formerly of Massachusetts Electric Com-

pany, 147.83'; Southerwesterly by various courses by land now or formerly of William A. and Marjorie A. MacKenzie, William and Mary Hughes and William and Joyce Rooney, a total distance of 703.76', to the place of beginning.

Said parcel contains 17.01 acres, more or less, according to a plan entitled "Plan of land in Wrentham, Massachusetts, Prepared for Wrentham Housing Authority", which plan is dated November 19, 1975, and prepared by Landmark Engineering of New England, Inc., Wrentham, Massachusetts.

Approved December 23, 1977.

Chap. 856. AN ACT AUTHORIZING LIENS ON WORKMEN'S COMPENSATION PAYMENTS TO THE EXTENT OF WELFARE BENEFITS PAID TO THE EMPLOYEE.

Be it enacted, etc., as follows:

SECTION 1. Section 46A of chapter 152 of the General Laws, as amended by chapter 883 of the acts of 1975, is hereby further amended by striking out the second sentence and inserting in place thereof the following two sentences:- If cash assistance, relief or support, or medical assistance is paid to or on behalf of an employee or a dependent of an employee by the department of public welfare under chapter eighteen, chapter one hundred and seventeen, chapter one hundred and eighteen, or chapter one hundred and eighteen E, with respect to a claim which is subsequently found to be compensable under this chapter, the department of public welfare 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, the department of public welfare 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, hospital, medical or dental service corporations, or the department of public welfare who paid or furnished such benefits.

SECTION 2. Said chapter 152 is hereby further amended by striking out section 47, as amended by chapter 792 of the acts of 1960, and inserting in place thereof the following section:-

Section 47. No payment shall be assignable or subject to attachment or be liable in any way for debts, except to a veteran's agent or the commissioner of veterans' services as and to the extent permitted by section five of chapter one hundred and fifteen and except as permitted to the department of public welfare under chapters eighteen, one hundred and seventeen, one hundred and eighteen, and one hundred and eighteen E.

Approved December 23, 1977.

Chap. 857. AN ACT REGULATING THE DEALING IN AND TRANSPORTATION OF EQUINE ANIMALS.

Be it enacted, etc., as follows:

Chapter 129 of the General Laws is hereby amended by adding the following four sections:-

Section 45. Every person engaging in the business of dealing in equine animals or auction of said animals and tack shall obtain a license therefor from the director, the fee for which shall be fifty dollars, and such license shall expire on October thirty-first following the date of issuance, unless sooner revoked, provided that the fee for any person licensed under the provisions of section two B of chapter one hundred and twenty-eight of the General Laws shall be five dollars. The director shall, subject to the approval of the commissioner of food and agriculture make rules and regulations governing the issuance and revocation of such licenses and the conduct of the businesses so licensed and relative to the maintenance of premises, buildings and conveyances, the health of equine animals and the method and time of checking and inspection of said animals. The purpose is to prohibit the transportation and slaughter of horses by inhumane means.

Section 46. Each vehicle used for the transportation of equine animals by any person engaged in the business of dealing with such animals, when operated on any way, shall bear a metal license plate, attached to the side of the vehicle to the left of the person operating or driving the same, such plate to be furnished by the director on the payment of a fee of five dollars. Said plate shall be valid for the term for which the license is granted, but shall be returned to the director on revocation of said license. The use of multiple deck vehicles or the so-called "possum belly" vehicle used in the transportation of equine animals is prohibited.

Section 47. A person who transports equine animals for immediate slaughter upon any public way in connection with the purchase or sale thereof, shall have in his possession a bill of sale or memorandum signed by the owner or vendor of such animals, containing the address of such owner or vendor, the date of purchase or sale, the number of animals and means of identification of each animal. Any such person transporting such equine animals shall on demand exhibit such bill of sale or memorandum to any officer qualified to serve a criminal process. No such person shall accept any such equine animal which has been transported over any such way unless accompanied by such bill of sale or memorandum. Such person accepting such animals shall endorse the bill of sale or memorandum in such manner as will signify his acceptance of such animals. Horses intended for immediate slaughter shall not be required to have a certificate as provided in section forty-four.

Section 48. Whoever violates any provisions of section forty-five to forty-seven, inclusive, or any rule or regulation made under section forty-five shall be punished for the 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 December 23, 1977.

Chap. 858. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF LAND FOR THE CHARLES RIVER NATURAL VALLEY STORAGE PROJECT AND AUTHORIZING THE WATER RESOURCES COMMISSION TO ESTABLISH CERTAIN ENCROACHMENT LINES AND FLOOD PLAIN ZONES.

Be it enacted, etc., as follows:

SECTION 1. Consent is hereby given pursuant to Article I, Section eight, clause Seventeen of the Constitution of the United States to the acquisition by the United States by purchase, condemnation or otherwise of any tract of land within the commonwealth required for use in connection with the construction, maintenance and operation of the projects authorized by Congress under the flood control acts of June twenty-second, nineteen hundred and thirty-six, June twenty-eighth, nineteen hundred and thirty-eight and December twenty-second, nineteen hundred and forty-four, the water supply act of nineteen hun-

dred and fifty-eight, the water resources development act of March seventh, nineteen hundred and seventy-four, and all other acts amendatory thereto for the benefit of navigation, conservation and recreation, and the control of destructive flood waters, with respect to the project hereinafter specified; provided, that a suitable plan of the tract of land so acquired has been or shall be filed in the office of the state secretary within one year after the acquisition thereof. The commonwealth shall retain concurrent jurisdiction with the United States in and over any such land to the extent that all civil and criminal processes lawfully issued under authority of the commonwealth may be executed thereon in the same way and manner as if this consent had not been given; and exclusive jurisdiction over any such tract or any part thereof shall revert in the commonwealth whenever it shall cease to be the property of the United States.

The project referred to herein is the Charles River Natural Valley Storage Project in the Charles River Watershed area.

SECTION 2. For the purpose of protecting the health, safety and property of persons in the event of floods, the water resources commission, hereinafter called the commission, is hereby authorized to establish and reestablish encroachment lines along the Charles river and its tributaries. The areas within such lines in the direction of the stream shall constitute flood plain zones.

The commission, in establishing such encroachment lines, shall utilize sound engineering principles and base their location on the boundaries of the area which would be inundated by a flood similar in size to one or more recorded floods which have occurred in such areas or on a size of flood computed by accepted methods applicable generally throughout the state or a region thereof. The determination of the size of the flood and the boundaries of the inundated area shall take into consideration the effects of probable future developments. The lines will be drawn on the best available base map.

The commission shall not issue any order establishing or reestablishing such lines until after it has held a public hearing thereon in each city and town in which such zones are proposed to be located, or, where several contiguous towns are involved, at a location which is suitable and convenient to the several towns to be covered by the hearing. The commission shall give notice of the proposed establishment or reestablishment of such lines and the location of such zones and of the public hearing thereon to every owner of record and to every mortgagee of record of property within such proposed lines and zones by personal service or by mail, postage prepaid, directed to his last and

usual place of abode, if known, or to his last and usual place of business, if known, and by publication for each of three successive weeks in a newspaper of general circulation in the city or town.

A certified copy of any order establishing or reestablishing such lines and flood plain zones indicating clearly the areas included within such zones, together with maps or plans when necessary, shall (1) be filed by the commission in the office of the state secretary and in the office of each city or town clerk in the cities and towns within which such flood plain zones are located, and (2) be mailed by the commission forthwith upon such filing, postage prepaid to each owner of record and mortgagee of record of property within such lines and zones as so established or reestablished, directed to his last and usual place of abode, if known, or to his last and usual place of business, if known. Such order shall take effect thirty days after such filing.

SECTION 3. Any person aggrieved by an order of the water resources commission made under authority of this act may within thirty days after the filing of said order provided in section two appeal to the superior court for the county in which any part of the land affected is located, and said court shall, after a hearing, confirm, alter, amend or revoke any such order. The service of notice of appeal shall be made by the appellant upon the chairman of said commission, or a person designated by him for the purpose.

Said court shall have jurisdiction to enforce the provisions of sections two to five, inclusive, of this act, and may restrain any violation thereof.

SECTION 4. After the water resources commission has established the encroachment lines for a particular section of the said river or its tributaries, no obstruction or encroachment shall be placed within the flood plain zone by any person or public body unless authorized by an order of conditions issued by the department of environmental quality engineering exercising its authority pursuant to the provisions of section forty of chapter one hundred and thirty-one of the General Laws. Said department in issuing or denying such orders of condition shall base decisions upon findings of the effect of such activity upon the flood-carrying and water storage capacity of the waterways and flood plains, flood heights, hazards to life and property, and the protection and preservation of the natural resources and ecosystems of the state, including but not limited to ground and surface water, animal, plant and aquatic life, nutrient exchange, and energy flow, with due consideration given to the results of similar

encroachment if constructed along the reach of the waterway and shall obtain and consider the recommendations of the said commission, which shall be notified of the time and place of a hearing relative to an application for an order of conditions.

SECTION 5. The provisions of section seventeen B of chapter fifty-eight of the General Laws relative to the reimbursement of tax losses shall apply to property taken for natural valley flood storage purposes pursuant to this act.

Approved December 23, 1977.

Chap. 859. AN ACT FURTHER DEFINING PROCURING BY FALSE REPRESENTATION SALE OR DELIVERY OF ALCOHOLIC BEVERAGES TO MINORS.

Be it enacted, etc., as follows:

Chapter 138 of the General Laws is hereby amended by striking out section 34A and inserting in place thereof the following section:-

Section 34A. Any person under eighteen years of age who purchases alcoholic beverages or alcohol, or makes arrangements with any person to purchase or in any way procure such beverages, or who willfully misrepresents his age, or in any way alters, defaces or otherwise falsifies his identification offered as proof of age, with the intention of purchasing alcoholic beverages, either for his own use or for the use of any other person shall be punished by a fine of one hundred dollars and whoever knowingly makes a false statement as to the age of a minor in order to procure a sale or delivery of such beverages or alcohol to such minor, either for the use of the minor or for the use of some other person, and whoever induces a minor to make a false statement as to his age in order to procure a sale or delivery of such beverages or alcohol to such minor, shall be punished by a fine of one hundred dollars.

The alcoholic beverages control commission shall prepare and distribute to business establishments which sell, serve, or otherwise dispense alcoholic beverages to the general public, posters to be displayed therein in a conspicuous place. Said posters shall contain a summary and explanation of this section.

Approved December 23, 1977.

Chap. 860. AN ACT AUTHORIZING CERTAIN OWNERS OF HOMES DESTROYED BY FIRE TO RESIDE IN MOBILE HOMES ON SUCH LAND FOR CERTAIN PERIODS.

Be it enacted, etc., as follows:

Section 3 of chapter 40A of the General Laws is hereby amended by adding the following paragraph:-

No zoning ordinance or by-law shall prohibit the owner and occupier of a residence which has been destroyed by fire or other natural holocaust from placing a mobile home on the site of such residence and residing in such home for a period not to exceed twelve months while the residence is being rebuilt. Any such mobile home shall be subject to the provisions of the state sanitary code.

Approved December 23, 1977.

Chap. 861. AN ACT ESTABLISHING THE CRIME OF DISTRIBUTING, SELLING OR GIVING TO ANYONE CERTAIN FOOD CONTAINING A FOREIGN SUBSTANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately protect children who are given candy by any person intending to so injure them, 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:

Chapter 270 of the General Laws is hereby amended by inserting after section 8 the following section:-

Section 8A. Whoever sells, gives, or distributes to anyone candy or other food or foodstuffs containing a foreign substance, which is intended or may reasonably be expected to cause injury to a person eating the same, shall be punished by imprisonment in the state prison for not more than five years.

Approved December 27, 1977.

Chap. 862. AN ACT PROVIDING FOR THE IMPANELLING OF GRAND JURORS FOR THE COUNTY OF NORFOLK FOR TWO SITTINGS FOR TERMS OF SIX MONTHS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 277 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 315 of the acts of 1977, and

inserting in place thereof the following sentence:- The clerk of the courts for each county, except Suffolk, Middlesex, Hampden, Norfolk, Plymouth and Worcester shall, not less than twenty-eight days before the commencement of the first sitting of the superior court for criminal business in each year, issue writs of venire facias for fifty veniremen, from whose numbers the court shall select twenty-three grand jurors who shall serve in said court until the first regular sitting in the year next after they have been impanelled and until another grand jury has been impanelled in their stead.

SECTION 2. Said chapter 277 is hereby further amended by inserting after section 2E, inserted by section 2 of said chapter 315, the following section:-

Section 2F. The clerk of the court for Norfolk county shall, not less than twenty-eight days before the first Mondays of January and July respectively, issue writs of venire facias for fifty veniremen from whom the court shall select twenty-three grand jurors to serve in said court, who shall serve for each sitting thereof for six months and until another grand jury has been impanelled in their stead.

SECTION 3. Section 3A of said chapter 277 is hereby amended by striking out the first sentence, as most recently amended by section 3 of said chapter 315, and inserting in place thereof the following sentence:- On the day when veniremen are summoned pursuant to section one, section two, section two A, section two B, section two C, section two D, section two E or section two F to attend court for the formation of a grand jury, the clerk of courts in any county, or in Suffolk county the clerk of the superior court for criminal business, shall cause the name of each person so summoned, and who appears and who has not been excused or set aside, to be written on separate ballots, substantially of uniform size, and shall cause such ballots to be placed in a box provided therefor.

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

Approved December 27, 1977.

Chap. 863. AN ACT INCREASING TERMS FOR THE TREASURER AND CLERK OF THE RAYNHAM CENTER WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 222 of the acts of 1947 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- The district shall elect

by ballot, each for a term of three years, a clerk and a treasurer of the district.

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

Approved December 27, 1977.

**Chap. 864. AN ACT RELATIVE TO THE MEMBERSHIP OF CERTAIN
BOARDS OF THE COMMONWEALTH.**

Be it enacted, etc., as follows:

SECTION 1. Section 1A of chapter 15 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 1175 of the acts of 1973, and inserting in place thereof the following paragraph:-

There shall be in the department, but not subject to its control, a board of higher education, in this section and in sections one B, one C, and one D called the board, consisting of a member of the board of trustees of the University of Massachusetts selected by majority vote of all the members of said board, a member of the board of trustees of state colleges selected by a majority vote of the members of said board having voting power, a member of the board of regional community colleges selected by majority vote of all its members, and a member of the board of trustees of the University of Lowell, selected by a majority vote of all the members of said board and a member of the board of trustees of the Southeastern Massachusetts University selected by a majority vote of all the members of said board, each of said five members to serve for a term of one year, and seven persons to be appointed by the governor, one of whom shall be a member of the governing board of a private institution of higher education in the commonwealth, and one of whom shall be a member of a labor organization affiliated with the Massachusetts State Labor Council AFL-CIO.

SECTION 2. The first paragraph of section 1E of said chapter 15, as appearing in section 1 of chapter 1009 of the acts of 1971, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- There shall be in the department a board of education, in this section and in sections one F and one G called the board, consisting of the chairman of the student advisory council, established under this section, the chancellor of the board of higher education and the director of research of the advisory council on education, ex officiis, and eleven persons to be appointed by the governor, one of whom shall be a member of a labor organization affiliated with the

State Labor Council, AFL-CIO and all others shall be residents of the commonwealth.

SECTION 3. Section 20A of said chapter 15 is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 256 of the acts of 1970, and inserting in place thereof the following paragraph:-

There shall be a board of trustees of state colleges, consisting of the chairman of the student advisory commission to the board of trustees of state colleges, the chancellor of the board of higher education who shall serve as an ex officio member of the board but shall not have the right to vote, and eleven persons to be appointed by the governor, and all others shall be residents of the commonwealth.

SECTION 4. The first paragraph of section 24 of said chapter 15, as appearing in section 1 of chapter 520 of the acts of 1974, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- 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 to be 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, and one of whom shall be a member of a labor organization.

SECTION 5. Section 27 of said chapter 15, as most recently amended by section 6 of chapter 846 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- There is hereby established in the department, but not subject to its control, a Massachusetts board of regional community colleges, hereinafter called the board, which shall consist of seventeen members, including the chancellor of the board of higher education, the commissioner of education, the president of the University of Massachusetts, a president of a state college annually elected by the presidents of the state colleges, including the Massachusetts College of Art and the Massachusetts Maritime Academy, a president of the University of Lowell or the Southeastern Massachusetts University elected by the presidents of such universities, the chairman of the student advisory commission to the board of trustees of regional community colleges, and eleven persons to be appointed by the governor, at least one of whom shall be the president of a private college, university or junior college in the commonwealth.

SECTION 6. The first paragraph of section 14 of chapter 17 of the General Laws, as appearing in section 1B of chapter 1076 of the acts of 1971, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-There shall be an advisory council on alcoholism consisting of the attorney general, the commissioner of public health, the commissioner of mental health, the commissioner of correction, the commissioner of rehabilitation, the commissioner of education, the commissioner of youth services, the commissioner of probation, the commissioner of public safety, the registrar of motor vehicles, the chairman of the alcoholic beverages control commission, the president of the Massachusetts chiefs of police association, or their designees, all of whom shall serve *ex officio*, and eight persons experienced in the field of alcoholism treatment to be appointed by the governor, of whom at least two shall be rehabilitated alcoholics.

SECTION 7. Section 15 of chapter 19 of the General Laws, as appearing in section 1 of chapter 735 of the acts of 1966, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The board of trustees for each of the institutions listed in section fourteen, except the Walter E. Fernald state school, shall consist of seven members.

SECTION 8. Chapter 23 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. There shall be a department of labor and industries, under the supervision and control of a commissioner of labor and industries, in this chapter called the commissioner, an assistant commissioner, and three associate commissioners, one of whom shall be a representative of labor and one a representative of employers of labor.

SECTION 9. The first paragraph of section 15 of said chapter 23 is hereby amended by striking out the first sentence, as most recently amended by section 30 of chapter 300 of the acts of 1972, and inserting in place thereof the following sentence:- The industrial accident board shall consist of twelve members.

SECTION 10. Section 4 of chapter 23A of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 679 of the acts of 1971, and inserting in place thereof the following sentence:- There shall be in the division of economic development a bureau of commercial and industrial development and a bureau of economic development for western Massachusetts.

SECTION 11. The first paragraph of section 6 of said chapter 23A is hereby amended by striking out the second sentence, as most recently amended by chapter 805 of the acts of 1975, and inserting in place thereof the following sentence:- There shall be advisory committees on manpower development training; regional planning; commercial and industrial development; vacation travel, which shall consist of seventeen members including the chief executive officers of the fourteen regional associations known as the Berkshire Hills Conference, Inc., Central Massachusetts Tourist Council, Inc., Essex County Tourist Council of Massachusetts, Inc., Cape Cod Chamber of Commerce, the Greater Boston Convention and Tourist Bureau, Inc., Martha's Vineyard Chamber of Commerce, Mohawk Trail Association, Nantucket Island Chamber of Commerce, Inc., Pioneer Valley Association, Inc., Plymouth Chamber of Commerce, Inc., Plymouth County Development Council, Inc., Old Sturbridge, Inc., The Middlesex County Tourist and Development Council and The Tourist Council of Bristol County, Inc.; science and technology and international trade.

SECTION 12. Section forty-two of chapter seventy-four of the General Laws is hereby repealed.

SECTION 13. Chapter 122 of the General Laws is hereby amended by striking out section 2, as appearing in section 8 of chapter 613 of the acts of 1958, and inserting in place thereof the following section:-

Section 2. There shall be a board of trustees of the Tewksbury Hospital serving in the department consisting of seven persons, three of whom shall annually in June be appointed by the governor for three years, except that in the year nineteen hundred and sixty and every third year thereafter only one such trustee shall be appointed.

Approved December 27, 1977.

Chap. 865. AN ACT FURTHER CLARIFYING THE ISSUING OF CERTIFICATES UNDER THE TEACHERS' CERTIFICATION LAW.

Be it enacted, etc., as follows:

Section 8 of chapter 847 of the acts of 1973 is hereby amended by striking out the second sentence, as amended by chapter 814 of the acts of 1974, and inserting in place thereof the following sentence:- Any person who applies to the board of education for a certificate prior to the effective date of any rules and regulations for provisional certification promulgated under the provi-

sions 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 permanent certificate by said board of education if he is eligible therefor under the provisions of paragraphs one and two of section thirty-eight G of said chapter seventy-one and the rules and regulations that are in effect at the time of his application.

Approved December 27, 1977.

Chap. 866. AN ACT PROVIDING FOR THE APPROPRIATION OF INCOME FROM THE INVESTMENT OR DEPOSIT OF PROCEEDS OF MUNICIPAL BONDS OR NOTES ISSUED FOR GAS OR ELECTRIC PURPOSES.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by inserting after section 57A the following section:-

Section 57B. Any city or town having a municipal light plant shall appropriate any income from the investment or deposit of proceeds of bonds or notes of said plant issued under or subject to the provisions of chapter forty-four solely for the purposes of said municipal lighting plant.

Approved December 27, 1977.

Chap. 867. AN ACT AUTHORIZING THE CITY OF WORCESTER TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN REFUNDS OF OVERCHARGES IN CONNECTION WITH WATER SERVICE IN SAID CITY.

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 a sum not to exceed one hundred thousand dollars for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, refunds to property owners for sums paid to it and to private contractors between September sixteenth, nineteen hundred and seventy-six, and November thirtieth, nineteen hundred and seventy-seven, inclusive, by said property owners on account of work done by said city and by contractors for the laying of water service line pipes from water mains to the said owners' property lines.

SECTION 2. No refund 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 sum to be refunded has been paid.

SECTION 3. Any person who knowingly files a certificate required by section two which is false, and who thereby receives a payment to which he is not entitled, 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 December 27, 1977.

Chap. 868. AN ACT REPEALING THE CLASS OF CONSTRUCTION REQUIREMENTS APPLICABLE TO HOSPITALS AND NURSING HOMES.

Be it enacted, etc., as follows:

SECTION 1. Section 51 of chapter 111 of the General Laws, as most recently amended by section 1 of chapter 891 of the acts of 1967, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

No original license shall be issued to establish a hospital, except a college and school infirmary, unless it complies with the construction standards of the state building code, is of at least type 1-B fireproof construction, and shall have been constructed for the purpose.

SECTION 2. Section 71 of said chapter 111, as most recently amended by section 18 of chapter 1210 of the acts of 1973, is hereby further amended by striking out the fourteenth and fifteenth paragraphs and inserting in place thereof the following two paragraphs:-

In the case of new construction, or major addition, alteration, or repair with respect to any facility subject to this section, preliminary architectural plans and specifications and final architectural plans and specifications shall be submitted to a qualified person designated by the commissioner. Written approval of the final architectural plans and specifications shall be obtained from said person prior to said new construction, or major addition, alteration, or repair.

Notwithstanding any of the foregoing provisions of this section, no original license for the establishment or maintenance of a convalescent or nursing home shall be issued by the department

unless the applicant for such license submits to the department a certificate of an inspector of the division of inspection of the department of public safety that each building to be occupied by patients of such convalescent or nursing home shall be issued by the department unless the applicant for such license submits to the department a certificate of an inspector of the division of inspection of the department of public safety that each building to be occupied by patients of such convalescent or nursing home meets the construction standards of the state building code, and is of at least type I-B fireproof construction; provided, however, that this paragraph shall not apply in the instance of change of ownership of a convalescent or nursing home whose license had not been revoked as of the time of such change of ownership; and, provided, further, that a public medical institution as defined under section two of chapter one hundred and eighteen E, which meets the construction standards as defined herein, shall not be denied a license as a nursing home under this section because it was not of new construction and designed for the purpose of operating a convalescent or nursing home at the time of application for a license to operate a nursing home.

SECTION 3. The second sentence of section 3Q of chapter 143 of the General Laws, as amended by chapter 406 of the acts of 1968, is hereby further amended by striking out, in line 1, the word "Such" and inserting in place thereof the words:- Except in the case of new construction addition, alteration, such.

SECTION 4. Said section 3Q of said chapter 143 is hereby further amended by adding the following sentence:- An automatic sprinkler system shall be provided throughout any newly-constructed home, and in the case of any existing home where the licensee proposes an addition or alteration, as defined in the state building code, an automatic sprinkler system shall be installed in the course of such addition or alteration to such extent as the department may direct in accordance with such rules and regulations.

Approved December 28, 1977.

Chap. 869. AN ACT PROVIDING FOR A PROCEDURE FOR THE CHOICE OF NAME AT MARRIAGE AND A CHANGE OF NAME.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 46 of the General Laws is hereby amended by striking out the third paragraph, as amended

by chapter 254 of the acts of 1971, and inserting in place thereof the following paragraph:-

In the record of marriages, date of record, date of marriage, place of marriage, name, residence and official station of the person by whom solemnized, names and places of birth of the parties married, the name of each after marriage pursuant to section one D, residence of each, age of each, the number of the marriage (as first or second) and if previously married, whether widowed or divorced, the occupation of each and the birth-given names of their parents.

SECTION 2. Said chapter 46 is hereby further amended by inserting after section 1C the following section:-

Section 1D. Each party to a marriage may adopt any surname, including but not limited to the present or birth-given surname of either party, may retain or resume use of a present or birth-given surname, or may adopt any hyphenated combination thereof.

SECTION 3. Chapter 210 of the General Laws is hereby amended by striking out section 12, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 12. A petition for the change of name of a person may be heard by the probate court in the county where the petitioner resides. The change of name of a person shall be granted unless such change is inconsistent with public interests.

SECTION 4. Section 13 of said chapter 210 is hereby amended by striking out the second paragraph, added by section 2 of chapter 155 of the acts of 1943, and inserting in place thereof the following paragraph:-

No decree shall be entered, however, until there has been filed in the court a copy of the birth record of the person whose name is sought to be changed and, in case such person's name has previously been changed by decree of court or at marriage pursuant to section one D of chapter forty-six, either a copy of the record of his birth amended to conform to the previous decree changing his name, a copy of such decree, or a copy of the record of marriage; provided, that the filing of any such copy may be dispensed with if the judge is satisfied that it cannot be obtained.

SECTION 5. This act shall take effect on July first, nineteen hundred and seventy-eight.

Approved December 28, 1977.

Chap. 870. AN ACT FURTHER CLARIFYING THE MODE OF ACCEPTANCE OF A STATUTE BY CERTAIN MUNICIPALITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 4 of the General Laws is hereby amended by striking out section 4, as most recently amended by chapter 253 of the acts of 1966, and inserting in place thereof the following section:-

Section 4. Wherever a statute is to take effect upon its acceptance by a city, town, municipality, or district, or is to be effective in cities, towns, municipalities or districts accepting its provisions, such acceptance shall, except as otherwise provided in such statute, be, in a city, by vote of the city council, subject to the provisions of the charter of such city, in a town, by vote of the town at a town meeting, in a municipality having a town council form of government, by vote of the town council, subject to the provisions of the charter of such municipality or, in a district, by vote of the district at a district meeting. For the purpose of this section, a municipality shall mean a town having a town council form of government.

SECTION 2. Section 10 of chapter 32B of the General Laws, as most recently amended by section 3 of chapter 763 of the acts of 1972, is hereby further amended by inserting after the word "mayor", in line 6, the words:- , in a municipality having a town council form of government, by vote of the town council, subject to the provisions of the charter of such municipality.

Approved December 28, 1977.

Chap. 871. AN ACT INCREASING THE SALARIES OF THE MEMBERS OF THE BOSTON REDEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

Chapter 652 of the acts of 1960 is hereby amended by striking out section 14A, as amended by section 1 of chapter 559 of the acts of 1974, and inserting in place thereof the following section:-

Section 14A. Each member of the Boston Redevelopment Authority shall receive as compensation seven thousand five hundred dollars a year for the performance of his duties. Such compensation shall be allocated by said Authority among its various projects in such manner and amounts as it deems proper.

Approved December 28, 1977.

Chap. 872. 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 salary adjustments for certain officers and 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 3 of chapter 234 of the acts of 1977, and inserting in place thereof the following schedule:-

GENERAL SALARY SCHEDULE.

Effective July 31, 1977.
(Weekly Rates on Total Cash Basis.)

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Increment
I	\$136.00	\$139.45	\$142.90	\$146.35	\$149.80	\$153.25	\$156.70	\$ 3.45
II	139.10	142.55	146.00	149.45	152.90	156.35	159.80	3.45
III	142.65	146.55	150.45	154.35	158.25	162.15	166.05	3.90
IV	147.20	151.10	155.00	158.90	162.80	166.70	170.60	3.90
V	150.75	155.00	159.25	163.50	167.75	172.00	176.25	4.25
VI	156.90	161.15	165.40	169.65	173.90	178.15	182.40	4.25
VII	162.25	166.90	171.55	176.20	180.85	185.50	190.15	4.65
VIII	167.30	172.35	177.40	182.45	187.50	192.55	197.60	5.05
IX	175.35	180.89	186.43	191.97	197.51	203.05	208.59	5.54
X	83.50	189.39	195.28	201.17	207.06	212.95	218.84	5.89
XI	191.55	197.96	204.37	210.78	217.19	223.60	230.01	6.41
XII	201.30	208.01	214.72	221.43	228.14	234.85	241.56	6.71
XIII	214.13	221.20	228.27	235.34	242.41	249.48	256.55	7.07
XIV	226.07	234.37	242.67	250.97	259.27	267.57	275.87	8.30
XV	239.08	248.15	257.22	266.29	275.36	284.43	293.50	9.07
XVI	252.51	262.66	272.81	282.96	293.11	303.26	313.41	10.15
XVII	268.35	278.96	289.57	300.18	310.79	321.40	332.01	10.61
XVIII	281.67	293.15	304.63	316.11	327.59	339.07	350.55	11.48
XIX	296.74	309.09	321.44	333.79	346.14	358.49	370.84	12.35
XX	313.19	325.95	338.71	351.47	364.23	376.99	389.75	12.76
XXI	328.21	341.95	355.69	369.43	383.17	396.91	410.65	13.74

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Incre- ment
XXII	\$345.02	\$359.68	\$374.34	\$389.00	\$403.66	\$418.32	\$432.98	\$14.66
XXVIII	446.95	466.02	485.09	504.16	523.23	542.30	561.37	19.07
XXIX	465.46	485.40	505.34	525.28	545.22	565.16	585.10	19.94
XXX	484.80	506.61	527.42	548.23	569.04	589.85	610.66	20.81
XXXI	504.41	526.14	547.87	569.60	591.33	613.06	634.79	21.73
XXXII	524.80	547.40	570.00	592.60	615.20	637.80	660.40	22.60
XXXIII	545.15	568.62	592.09	615.56	639.03	662.50	685.97	23.47

The above schedule shall not apply to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to part-time or intermittent employees, so-called, who because of the insufficient number of hours worked are not so represented. The salaries payable to such part-time or intermittent employees shall be determined in the same manner as other part-time employees who work a sufficient number of hours to be so represented.

SECTION 2. Said paragraph (1) of said section 46 of said chapter 30 is hereby further amended by striking out the salary schedule, as most recently amended by section 1 of this act, and inserting in place thereof the following schedule:-

GENERAL SALARY SCHEDULE.

Effective October 1, 1978.
(Weekly Rates on Total Cash Basis.)

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Incre- ment
I	\$146.10	\$149.55	\$153.00	\$156.45	\$159.90	\$163.35	\$166.80	\$ 3.45
II	149.20	152.65	156.10	159.55	163.00	166.45	169.90	3.45
III	152.75	156.65	160.55	164.45	168.35	172.25	176.15	3.90
IV	157.30	161.20	165.10	169.00	172.90	176.80	180.70	3.90
V	160.85	165.10	169.35	173.60	177.85	182.10	186.35	4.25

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Incre- ment
VI	\$167.00	\$171.25	\$175.50	\$179.75	\$184.00	\$188.25	\$192.50	\$ 4.25
VII	172.35	177.00	181.65	186.30	190.95	195.60	200.25	4.65
VIII	177.40	182.45	187.50	192.55	197.60	202.65	207.70	5.05
IX	185.45	190.99	196.53	202.07	207.61	213.15	218.69	5.54
X	193.60	199.49	205.38	211.27	217.16	223.05	228.94	5.89
XI	201.65	208.06	214.47	220.88	227.29	233.70	240.11	6.41
XII	211.40	218.11	224.82	231.53	238.24	244.95	251.66	6.71
XIII	224.23	231.30	238.37	245.44	252.51	259.58	266.65	7.07
XIV	236.17	244.47	252.77	261.07	269.37	277.67	285.97	8.30
XV	249.18	258.25	267.32	276.39	285.46	294.53	303.60	9.07
XVI	262.61	272.76	282.91	293.06	303.21	313.36	323.51	10.15
XVII	278.45	289.06	299.67	310.28	320.89	331.50	342.11	10.61
XVIII	291.77	303.25	314.73	326.21	337.69	349.17	360.65	11.48
XVIX	306.84	319.19	331.54	343.89	356.24	368.59	380.94	12.35
XX	323.29	336.05	348.81	361.57	374.33	387.09	399.85	12.76
XXI	338.31	352.05	365.79	379.53	393.27	407.01	420.75	13.74
XXII	355.12	369.78	384.44	399.10	413.76	428.42	443.08	14.66
XXIII	373.26	388.33	403.40	418.47	433.54	448.61	463.68	15.07
XXIV	390.12	406.01	421.90	437.79	453.68	469.57	485.46	15.89
XXV	406.98	423.79	440.60	457.41	474.22	491.03	507.84	16.81
XXVI	422.00	439.63	457.26	474.89	492.52	510.15	527.78	17.63
XXVII	440.14	458.33	476.52	494.71	512.90	531.09	549.28	18.19
XXVIII	457.05	476.12	495.19	514.26	533.33	552.40	571.47	19.07
XXIX	475.56	495.50	515.44	535.38	555.32	575.26	595.20	19.94
XXX	495.90	516.71	537.52	558.33	579.14	599.95	620.76	20.81
XXXI	514.51	536.24	557.97	579.70	601.43	623.16	644.89	21.73
XXXII	534.90	557.50	580.10	602.70	625.30	647.90	670.50	22.60
XXXIII	555.25	578.72	602.19	625.66	649.13	672.60	696.07	23.47

The above schedule shall not apply to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to part-time or intermittent employees, so-called, who because of the insufficient number of hours worked are not so represented. The salaries payable to such part-time or intermittent employees shall be determined in the same manner as other part-time employees who work a sufficient number of hours to be so represented.

SECTION 3. Said paragraph (1) of said section 46 of said chapter 30 is hereby further amended by striking out the salary schedule, as most recently amended by section 2 of this act, and inserting in place thereof the following schedule:-

GENERAL SALARY SCHEDULE.

Effective September 30, 1979.
(Weekly Rates on Total Cash Basis.)

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Incre- ment
I	\$157.64	\$161.09	\$164.54	\$167.99	\$171.44	\$174.89	\$178.34	\$ 3.45
II	160.74	164.19	167.64	171.09	174.54	177.99	181.44	3.45
III	164.29	168.19	172.09	175.99	179.89	183.79	187.69	3.90
IV	168.84	172.74	176.64	180.54	184.44	188.34	192.24	3.90
V	172.39	176.64	180.89	185.14	189.39	193.64	197.89	4.25
VI	178.54	182.79	187.04	191.29	195.54	199.79	204.04	4.25
VII	183.89	188.54	193.19	197.84	202.49	207.14	211.79	4.65
VIII	188.94	193.99	199.04	204.09	209.14	214.19	219.24	5.05
IX	196.99	202.53	208.07	213.61	219.15	224.69	230.23	5.54
X	205.14	211.03	216.92	222.81	228.70	234.59	240.48	5.89
XI	213.19	219.60	226.01	232.42	238.83	245.24	251.65	6.41
XII	222.94	229.65	236.36	243.07	249.78	256.49	263.20	6.71
XIII	235.77	242.84	249.91	256.98	264.05	271.12	278.19	7.07
XIV	247.71	256.01	264.31	272.61	280.91	289.21	297.51	8.30
XV	260.72	269.79	278.86	287.93	297.00	306.07	315.14	9.07
XVI	274.15	284.30	294.45	304.60	314.75	324.90	335.05	10.15
XVII	289.99	300.60	311.21	321.82	332.43	343.04	353.65	10.61
XVIII	303.31	314.79	326.27	337.75	349.23	360.71	372.19	11.48
XIX	318.38	330.73	343.08	355.43	367.78	380.13	392.48	12.35
XX	334.83	347.59	360.35	373.11	385.87	398.63	411.39	12.76
XXI	349.85	363.59	377.33	391.07	404.81	418.55	432.29	13.74
XXII	366.66	381.32	395.98	410.64	425.30	439.96	454.62	14.66
XXIII	384.80	399.87	414.94	430.01	445.08	460.15	475.22	15.07
XXIV	401.66	417.55	433.44	449.33	465.22	481.11	497.00	15.89
XXV	418.52	435.33	452.14	468.95	485.76	502.57	519.38	16.81
XXVI	433.54	451.17	468.80	486.43	504.06	521.69	539.32	17.63
XXVII	451.68	469.87	488.06	506.25	524.44	542.63	560.82	18.19
XXVIII	468.59	487.66	506.73	525.80	544.87	563.94	583.01	19.07
XXIX	487.10	507.04	526.98	546.92	566.86	586.80	606.74	19.94
XXX	507.44	528.25	549.06	569.87	590.68	611.49	632.30	20.81
XXXI	526.05	547.78	569.51	591.24	612.97	634.70	656.43	21.73

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Incre- ment
XXXII	\$546.44	\$569.04	\$591.64	\$614.24	\$636.84	\$659.44	\$682.04	\$22.60
XXXIII	566.79	590.26	613.73	637.20	660.67	684.14	707.61	23.47

The above schedule shall not apply to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to part-time or intermittent employees, so-called, who because of the insufficient number of hours worked are not so represented. The salaries payable to such part-time or intermittent employees shall be determined in the same manner as other part-time employees who work a sufficient number of hours to be so represented.

SECTION 3A. Except as hereinafter provided, 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, shall be increased over the rates payable as of July thirtieth, nineteen hundred and seventy-seven, by either (a) the amount of twelve dollars and fifty cents per week or six hundred and fifty dollars per annum, or (b) seven dollars and sixty-nine cents plus two and one-half per cent of the rate payable on said July thirtieth per week or four hundred dollars plus two and one-half per cent of the rate payable on said July thirtieth per week or four hundred dollars plus two and one-half per cent of the rate payable on said July thirtieth per annum, whichever would result in a higher amount; provided, however, that this section shall not apply to salaries fixed by statute; nor to 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; nor to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to officers and employees

of the general court, of the governor, of the executive council, of the state secretary, of the state treasurer, of the state auditor and of the attorney general whose salaries are established under the appropriate sections of chapters three, six, nine, ten, eleven and twelve of the General Laws; nor to salaries, other than salaries determined by the governing board of a public institution of higher education, payable to officers and employees whose salaries are determined by the governor or by other offices, boards or commissions with or without the approval of the governor or the governor and council, as the case may be; nor to compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services -Non-Employees".

SECTION 3B. Except as hereinafter provided, 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, shall be increased over the rates payable as of September thirtieth, nineteen hundred and seventy-eight, by the amount of ten dollars and ten cents per week or five hundred and twenty-five dollars per annum; provided, however, that this section shall not apply to salaries fixed by statute; nor to 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; nor to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to officers and employees of the general court, of the governor, of the executive council, of the state secretary, of the state treasurer, of the state auditor and of the attorney general whose salaries are established under the appropriate sections of chapters three, six, nine, ten, eleven and twelve of the General Laws; nor to salaries, other than salaries determined by the governing board of a public institution of higher education, payable to officers and employees whose salaries are determined by the governor or by other offices, boards or commissions with or without the approval of the governor or the governor and council, as the case may be; nor to compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services -Non-Employees".

SECTION 3C. Except as hereinafter provided, 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 shall be increased over the rates payable as of September twenty-ninth, nineteen hundred and seventy-nine, by the amount of eleven dollars and fifty-four cents per week or six hundred dollars per annum; provided, however, that this section shall not apply to salaries fixed by statute; nor to 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; nor to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to officers and employees of the general court, of the governor, of the executive council, of the state secretary, of the state treasurer, of the state auditor and of the attorney general whose salaries are established under the appropriate sections of chapters three, six, nine, ten, eleven and twelve of the General Laws; nor to salaries, other than salaries determined by the governing board of a public institution of higher education, payable to officers and employees whose salaries are determined by the governor or by other offices, boards or commissions with or without the approval of the governor or the governor and council, as the case may be; nor to compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services - Non-Employees".

SECTION 4. 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 "twenty thousand two hundred and fifty-six", inserted by section 9 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-one thousand one hundred and sixty-two.

SECTION 5. Said first sentence of said first paragraph of said section 22 of said chapter 6 is hereby further amended by striking out the words "twenty-one thousand one hundred and sixty-two", inserted by section 4, and inserting in place thereof the words:- twenty-one thousand six hundred and eighty-seven.

SECTION 6. Said first sentence of said first paragraph of said section 22 of said chapter 6 is hereby further amended by striking

out the words “twenty-one thousand six hundred and eighty-seven”, inserted by section 5, and inserting in place thereof the words:- twenty-two thousand two hundred and eighty-seven.

SECTION 7. Section 43 of chapter 6 of the General Laws, as most recently amended by chapter 739 of the acts of 1977, is hereby further amended by striking out the sixth sentence and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-seven thousand dollars and each of the associate commissioners shall receive a salary of thirteen thousand three hundred and thirty dollars.

SECTION 8. Said section 43 of said chapter 6 is hereby further amended by striking out the sixth sentence, as amended by section 7 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-seven thousand dollars and each of the associate commissioners shall receive a salary of thirteen thousand eight hundred and fifty-five dollars.

SECTION 9. Said section 43 of said chapter 6 is hereby further amended by striking out the sixth sentence, as amended by section 9 of this act, and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-seven thousand dollars and each of the associate commissioners shall receive a salary of fourteen thousand four hundred and fifty-five dollars.

SECTION 10. The first sentence of the third paragraph of section 48 of said chapter 6 is hereby amended by striking out the words “twenty-eight thousand three hundred and fifty”, inserted by section 15 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-nine thousand four hundred and fifty-nine,- and by striking out the words “nine thousand six hundred and forty-three”, as so inserted, and inserting in place thereof the words:-ten thousand two hundred and ninety-three.

SECTION 11. Said first sentence of said third paragraph of said section 48 of said chapter 6 is hereby further amended by striking out the words “twenty-nine thousand four hundred and fifty-nine”, inserted by section 10, and inserting in place thereof the words:- twenty-nine thousand nine hundred and eighty-four,- and by striking out the words “ten thousand two hundred and ninety-three”, as so inserted, and inserting in place thereof the words:- ten thousand eight hundred and eighteen.

SECTION 12. Said first sentence of said third paragraph of said section 48 of said chapter 6 is hereby further amended by striking out the words “twenty-nine thousand nine hundred and eighty-four”, inserted by section 11, and inserting in place thereof the

words:- thirty thousand five hundred and eighty-four,- and by striking out the words “ten thousand eight hundred and eighteen”, as so inserted, and inserting in place thereof the words:- eleven thousand four hundred and eighteen.

SECTION 13. The second sentence of the second paragraph of section 121 of said chapter 6 is hereby amended by striking out the words “fourteen thousand six hundred and seventy-six”, inserted by section 21 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- fifteen thousand four hundred and forty-three.

SECTION 14. Said second sentence of said second paragraph of said section 121 of said chapter 6 is hereby further amended by striking out the words “fifteen thousand four hundred and forty-three”, inserted by section 13, and inserting in place thereof the words:- fifteen thousand nine hundred and sixty-eight.

SECTION 15. Said second sentence of said second paragraph of said section 121 of said chapter 6 is hereby further amended by striking out the words “fifteen thousand nine hundred and sixty-eight”, inserted by section 14, and inserting in place thereof the words:- sixteen thousand five hundred and sixty-eight.

SECTION 16. The second sentence of the second paragraph of section 129 of said chapter 6 is hereby amended by striking out the words “twenty thousand two hundred and fifty-six”, inserted by section 24 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-one thousand one hundred and sixty-two.

SECTION 17. Said second sentence of said second paragraph of said section 129 of said chapter 6 is hereby further amended by striking out the words “twenty-one thousand one hundred and sixty-two”, inserted by section 16, and inserting in place thereof the words:- twenty-one thousand six hundred and eighty-seven.

SECTION 18. Said second sentence of said second paragraph of said section 129 of said chapter 6 is hereby further amended by striking out the words “twenty-one thousand six hundred and eighty-seven”, inserted by section 17, and inserting in place thereof the words:- twenty-two thousand two hundred and eighty-seven.

SECTION 19. The second paragraph of section 32 of chapter 6A of the General Laws is hereby amended by striking out the words “thirty thousand eight hundred and fifty”, inserted by section 27 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty-two thousand and twenty-one.

SECTION 20. Said second paragraph of said section 32 of said chapter 6A is hereby further amended by striking out the words

“thirty-two thousand and twenty-one”, inserted by section 19, and inserting in place thereof the words:- thirty-two thousand five hundred and forty-six.

SECTION 21. Said second paragraph of said section 32 of said chapter 6A is hereby further amended by striking out the words “thirty-two thousand five hundred and forty-six”, inserted by section 20, and inserting in place thereof the words:- thirty-three thousand one hundred and forty-six.

SECTION 22. 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 section 30 of chapter 234 of the acts of 1977, 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-three thousand nine hundred and twenty-eight 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-three thousand nine hundred and twenty-eight dollars; a division of personnel administration, in charge of a personnel administrator, who shall have the rank of 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.

SECTION 23. Said first paragraph of said section 4A of said chapter 7 is hereby further amended by striking out the first sentence, as most recently amended by section 22, 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-four thousand four hundred and fifty-three 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-four thousand four hundred and fifty-three dollars; a division of personnel administration, in charge of a personnel administrator, who shall

have the rank of 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.

SECTION 24. Said first paragraph of said section 4A of said chapter 7 is hereby further amended by striking out the first sentence, as most recently amended by section 23, 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-five thousand and fifty-three 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-five thousand and fifty-three dollars; a division of personnel administration, in charge of a personnel administrator, who shall have the rank of 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.

SECTION 25. The fourth sentence of the second paragraph of section 4I of said chapter 7 is hereby amended by striking out the words "sixteen thousand six hundred and sixteen", inserted by section 33 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- seventeen thousand four hundred and thirty-one,- and by striking out the words "fifteen thousand four hundred and seventy-three", as so inserted, and inserting in place thereof the words:- sixteen thousand two hundred and sixty.

SECTION 26. Said fourth sentence of said second paragraph of said section 4I of said chapter 7 is hereby further amended by striking out the words "seventeen thousand four hundred and thirty-one", inserted by section 25, and inserting in place thereof the words:- seventeen thousand nine hundred and fifty-six,- and by striking out the words "sixteen thousand two hundred and sixty", as so inserted, and inserting in place thereof the words:- sixteen thousand seven hundred and eighty-five.

SECTION 27. Said fourth sentence of said second paragraph of said section 4I of said chapter 7 is hereby further amended by striking out the words "seventeen thousand nine hundred and

fifty-six”, inserted by section 26, and inserting in place thereof the words:- eighteen thousand five hundred and fifty-six,- and by striking out the words “sixteen thousand seven hundred and eighty-five”, as so inserted, and inserting in place thereof the words:- seventeen thousand three hundred and eighty-five.

SECTION 28. Section 8 of chapter 13 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 36 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- Said director shall receive such salary, not exceeding fourteen thousand nine hundred and seventy dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 29. Said section 8 of said chapter 13 is hereby further amended by striking out the second sentence, as most recently amended by section 28, and inserting in place thereof the following sentence:- Said director shall receive such salary, not exceeding fifteen thousand four hundred and ninety-five dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 30. Said section 8 of said chapter 13 is hereby further amended by striking out the second sentence, as most recently amended by section 29, and inserting in place thereof the following sentence:- Said director shall receive such salary, not exceeding sixteen thousand and ninety-five dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 31. The second sentence of section 41 of said chapter 13 is hereby amended by striking out the words “eight thousand six hundred and eleven”, inserted by section 39 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- nine thousand two hundred and sixty-one,- and by striking out the words “seven thousand seven hundred and sixty-three”, as so inserted, and inserting in place thereof the words:- eight thousand four hundred and thirteen.

SECTION 32. Said second sentence of said section 41 of said chapter 13 is hereby further amended by striking out the words “nine thousand two hundred and sixty-one”, inserted by section 31, and inserting in place thereof the words:- nine thousand seven hundred and eighty-six,- and by striking out the words “eight thousand four hundred and thirteen”, as so inserted, and inserting in place thereof the words:- eight thousand nine hundred and thirty-eight.

SECTION 33. Said second sentence of said section 41 of said chapter 13 is hereby further amended by striking out the words “nine thousand seven hundred and eighty-six”, inserted by section 32, and inserting in place thereof the words:- ten thousand three hundred and eighty-six,- and by striking out the words “eight thousand nine hundred and thirty-eight”, as so inserted, and inserting in place thereof the words:- nine thousand five hundred and thirty-eight.

SECTION 34. Said section 41 of said chapter 13 is hereby further amended by striking out the third sentence, as most recently amended by section 42 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The secretary of the board shall receive a salary of eight thousand four hundred and thirteen dollars.

SECTION 35. Said section 41 of said chapter 13 is hereby further amended by striking out the third sentence, as most recently amended by section 34, and inserting in place thereof the following sentence:- The secretary of the board shall receive a salary of eight thousand nine hundred and thirty-eight dollars.

SECTION 36. Said section 41 of said chapter 13 is hereby further amended by striking out the third sentence, as most recently amended by section 35, and inserting in place thereof the following sentence:- The secretary of the board shall receive a salary of nine thousand five hundred and thirty-eight dollars.

SECTION 37. The first sentence of section 44 of said chapter 13 is hereby amended by striking out the words “ten thousand three hundred and ten”, inserted by section 45 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- ten thousand nine hundred and sixty-eight,- and by striking out the words “nine thousand four hundred and sixty-one”, as so inserted, and inserting in place thereof the words:- ten thousand one hundred and eleven.

SECTION 38. Said first sentence of said section 44 of said chapter 13 is hereby further amended by striking out the words “ten thousand nine hundred and sixty-eight”, inserted by section 37, and inserting in place thereof the words:- eleven thousand four hundred and ninety-three,- and by striking out the words “ten thousand one hundred and eleven”, as so inserted, and inserting in place thereof the words:- ten thousand six hundred and thirty-six.

SECTION 39. Said first sentence of said section 44 of said chapter 13 is hereby further amended by striking out the words “eleven thousand four hundred and ninety-three”, inserted by section 38, and inserting in place thereof the words:- twelve

thousand and ninety-three,- and by striking out the words “ten thousand six hundred and thirty-six”, as so inserted, and inserting in place thereof the words:- eleven thousand two hundred and thirty-six.

SECTION 40. 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-nine thousand three hundred and fifty-two”, inserted by section 39 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty thousand four hundred and eighty-six,- and by striking out the words “twenty-two thousand nine hundred and twenty-four”, as so inserted, and inserting in place thereof the words:- twenty-three thousand eight hundred and ninety-seven.

SECTION 41. Said second sentence of said third paragraph of said section 2 of said chapter 14 is hereby further amended by striking out the words “thirty thousand four hundred and eighty-six”, inserted by section 40, and inserting in place thereof the words:- thirty-one thousand and eleven,- and by striking out the words “twenty-three thousand eight hundred and ninety-seven”, as so inserted, and inserting in place thereof the words:- twenty-four thousand four hundred and twenty-two.

SECTION 42. Said second sentence of said third paragraph of said section 2 of said chapter 14 is hereby further amended by striking out the words “thirty-one thousand and eleven”, inserted by section 41, and inserting in place thereof the words:- thirty-one thousand six hundred and eleven,- and by striking out the words “twenty-four thousand four hundred and twenty-two”, as so inserted, and inserting in place thereof the words:- twenty-five thousand and twenty-two.

SECTION 43. Section 1C of chapter 15 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 51 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- He shall receive such salary, not exceeding forty thousand four hundred and fifty-nine dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

SECTION 44. Said section 1C of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 43, and inserting in place thereof the following sentence:- He shall receive such salary, not exceeding forty thousand nine hundred and eighty-four dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

SECTION 45. Said section 1C of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 44, and inserting in place thereof the following sentence:- He shall receive such salary, not exceeding forty-one thousand five hundred and eighty-four dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

SECTION 46. The first paragraph of section 1F of said chapter 15 is hereby amended by striking out the third sentence, as most recently amended by section 54 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- He shall receive such salary, not exceeding forty thousand four hundred and fifty-nine dollars, as the board may approve.

SECTION 47. Said first paragraph of said section 1F of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 46, and inserting in place thereof the following sentence:- He shall receive such salary, not exceeding forty thousand nine hundred and eighty-four dollars, as the board may approve.

SECTION 48. Said first paragraph of said section 1F of said chapter 15 is hereby further amended by striking out the third sentence, as most recently amended by section 47, and inserting in place thereof the following sentence:- He shall receive such salary, not exceeding forty-one thousand five hundred and eighty-four dollars, as the board may approve.

SECTION 49. The seventh sentence of section 1 of chapter 16 of the General Laws is hereby amended by striking out the words "thirty-two thousand five hundred and thirty-eight", inserted by section 57 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty-three thousand seven hundred and fifty-one,- and by striking out the words "twenty-five thousand seven hundred and fourteen", as so inserted, and inserting in place thereof the words:- twenty-six thousand seven hundred and fifty-seven.

SECTION 50. Said seventh sentence of said section 1 of said chapter 16 is hereby further amended by striking out the words "thirty-three thousand seven hundred and fifty-one", inserted by section 49, and inserting in place thereof the words:- thirty-four thousand two hundred and seventy-six,- and by striking out the words "twenty-six thousand seven hundred and fifty-seven", as so inserted, and inserting in place thereof the words:- twenty-seven thousand two hundred and eighty-two.

SECTION 51. Said seventh sentence of said section 1 of said chapter 16 is hereby further amended by striking out the words

“thirty-four thousand two hundred and seventy-six”, inserted by section 50, and inserting in place thereof the words:- thirty-four thousand eight hundred and seventy-six,- and by striking out the words “twenty-seven thousand two hundred and eighty-two”, as so inserted, and inserting in place thereof the words:- twenty-seven thousand eight hundred and eighty-two.

SECTION 52. The third sentence of section 9 of said chapter 16 is hereby amended by striking out the words “twenty-four thousand nine hundred and eighty-six”, inserted by section 60 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-six thousand and eleven.

SECTION 53. Said third sentence of said section 9 of said chapter 16 is hereby further amended by striking out the words “twenty-six thousand and eleven”, inserted by section 52, and inserting in place thereof the words:- twenty-six thousand five hundred and thirty-six.

SECTION 54. Said third sentence of said section 9 of said chapter 16 is hereby further amended by striking out the words “twenty-six thousand five hundred and thirty-six”, inserted by section 53, and inserting in place thereof the words:- twenty-seven thousand one hundred and thirty-six.

SECTION 55. The third sentence of section 12 of said chapter 16 is hereby amended by striking out the words “twenty-three thousand seven hundred and forty-four”, inserted by section 63 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-four thousand seven hundred and thirty-eight.

SECTION 56. Said third sentence of said section 12 of said chapter 16 is hereby further amended by striking out the words “twenty-four thousand seven hundred and thirty-eight”, inserted by section 55, and inserting in place thereof the words:- twenty-five thousand two hundred and sixty-three.

SECTION 57. Said third sentence of said section 12 of said chapter 16 is hereby further amended by striking out the words “twenty-five thousand two hundred and sixty-three”, inserted by section 56, and inserting in place thereof the words:- twenty-five thousand eight hundred and sixty-three.

SECTION 58. 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-five thousand six hundred and fifty-nine”, inserted by section 66 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty-six thousand nine hundred and fifty.

SECTION 59. Said third sentence of said first paragraph of said section 2 of said chapter 17 is hereby further amended by striking

out the words “thirty-six thousand nine hundred and fifty”, inserted by section 58, and inserting in place thereof the words:-thirty-seven thousand four hundred and seventy-five.

SECTION 60. Said third sentence of said first paragraph of said section 2 of said chapter 17 is hereby further amended by striking out the words “thirty-seven thousand four hundred and seventy-five”, inserted by section 59, and inserting in place thereof the words:- thirty-eight thousand and seventy-five.

SECTION 61. Section 3 of chapter 18 of the General Laws is hereby amended by striking out the fifth sentence, as most recently amended by section 69 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding thirty-six thousand seven hundred and one dollars, as the governor may determine, and shall devote full time during business hours to the duties of the office.

SECTION 62. Said section 3 of said chapter 18 is hereby further amended by striking out the fifth sentence, as most recently amended by section 61, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding thirty-seven thousand two hundred and twenty-six dollars, as the governor may determine, and shall devote full time during business hours to the duties of the office.

SECTION 63. Said section 3 of said chapter 18 is hereby further amended by striking out the fifth sentence, as most recently amended by section 62, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding thirty-seven thousand eight hundred and twenty-six dollars, as the governor may determine, and shall devote full time during business hours to the duties of the office.

SECTION 64. The fourth sentence of the first paragraph of section 4 of said chapter 18 is hereby amended by striking out the words “thirty-one thousand two hundred and ninety-three”, inserted by section 72 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty-two thousand four hundred and seventy-five.

SECTION 65. Said fourth sentence of said first paragraph of said section 4 of said chapter 18 is hereby further amended by striking out the words “thirty-two thousand four hundred and seventy-five”, inserted by section 64, and inserting in place thereof the words:- thirty-three thousand.

SECTION 66. Said fourth sentence of said first paragraph of said section 4 of said chapter 18, is hereby further amended by striking out the words “thirty-three thousand”, inserted by sec-

tion 65, and inserting in place thereof the words:- thirty-three thousand six hundred.

SECTION 67. The fifth sentence of said first paragraph of said section 4 of said chapter 18 is hereby amended by striking out the words “twenty-five thousand seven hundred and fourteen”, inserted by section 72A of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-six thousand seven hundred and fifty-seven.

SECTION 68. Said fifth sentence of said first paragraph of said section 4 of said chapter 18 is hereby further amended by striking out the words “twenty-six thousand seven hundred and fifty-seven”, inserted by section 67, and inserting in place thereof the words:- twenty-seven thousand two hundred and eighty-two.

SECTION 69. Said fifth sentence of said first paragraph of said section 4 of said chapter 18 is hereby further amended by striking out the words “twenty-seven thousand two hundred and eighty-two”, inserted by section 68, and inserting in place thereof the words:- twenty-seven thousand eight hundred and eighty-two.

SECTION 70. The fourth sentence of section 1 of chapter 18A of the General Laws is hereby amended by striking out the words “twenty-nine thousand four hundred and fifty-five”, inserted by section 75 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty thousand five hundred and ninety-one.

SECTION 71. Said fourth sentence of said section 1 of said chapter 18A is hereby further amended by striking out the words “thirty-thousand five hundred and ninety-one”, inserted by section 70, and inserting in place thereof the words:- thirty-one thousand one hundred and sixteen.

SECTION 72. Said fourth sentence of said section 1 of said chapter 18A is hereby further amended by striking out the words “thirty-one thousand one hundred and sixteen”, inserted by section 71, and inserting in place thereof the words:- thirty-one thousand seven hundred and sixteen.

SECTION 73. The sixth paragraph of section 2 of chapter 19 of the General Laws is hereby amended by striking out the words “forty-five thousand seven hundred and twenty-six”, inserted by section 78 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- forty-seven thousand two hundred and sixty-nine.

SECTION 74. Said sixth paragraph of said section 2 of said chapter 19 is hereby further amended by striking out the words “forty-seven thousand two hundred and sixty-nine”, inserted by

section 73, and inserting in place thereof the words:- forty-seven thousand seven hundred and ninety-four.

SECTION 75. Said sixth paragraph of said section 2 of said chapter 19 is hereby further amended by striking out the words “forty-seven thousand seven hundred and ninety-four”, inserted by section 74, and inserting in place thereof the words:- forty-eight thousand three hundred and ninety-four.

SECTION 76. The second sentence of section 2 of chapter 20 of the General Laws is hereby amended by striking out the words “twenty thousand six hundred and thirty”, inserted by section 81 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-one thousand five hundred and forty-six.

SECTION 77. Said second sentence of said section 2 of said chapter 20 is hereby further amended by striking out the words “twenty-one thousand five hundred and forty-six”, inserted by section 76, and inserting in place thereof the words:- twenty-two thousand and seventy-one.

SECTION 78. Said second sentence of said section 2 of said chapter 20 is hereby further amended by striking out the words “twenty-two thousand and seventy-one”, inserted by section 77, and inserting in place thereof the words:-twenty-two thousand six hundred and seventy-one.

SECTION 79. Section 5 of said chapter 20 is hereby amended by striking out the words “sixteen thousand eight hundred and sixty-nine”, inserted by section 84 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- seventeen thousand six hundred and ninety-one.

SECTION 80. Said section 5 of said chapter 20 is hereby further amended by striking out the words “seventeen thousand six hundred and ninety-one”, inserted by section 79, and inserting in place thereof the words:- eighteen thousand two hundred and sixteen.

SECTION 81. Said section 5 of said chapter 20 is hereby further amended by striking out the words “eighteen thousand two hundred and sixteen”, inserted by section 80, and inserting in place thereof the words:- eighteen thousand eight hundred and sixteen.

SECTION 82. Section 3A of chapter 21 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 87 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding twenty-six thousand seven hundred and fifty-one dollars as the board of environmental management may determine.

SECTION 83. Said section 3A of said chapter 21 is hereby further amended by striking out the second sentence, as most recently amended by section 82, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding twenty-seven thousand two hundred and eighty-two dollars as the board of environmental management may determine.

SECTION 84. Said section 3A of said chapter 21 is hereby further amended by striking out the second sentence, as most recently amended by section 83, and inserting in place thereof the following sentence:- The commissioner shall receive such salary, not exceeding twenty-seven thousand eight hundred and eighty-two dollars as the board of environmental management may determine.

SECTION 84A. Section 7 of chapter 21A of the General Laws is hereby amended by striking out the sixth sentence, as appearing in section 1 of chapter 806 of the acts of 1974, and inserting in place thereof the following sentence:- Each commissioner shall perform such functions as may be assigned to him by the secretary and shall devote his full time during business hours to the duties of his position.

SECTION 84B. Said section 7 of said chapter 21A is hereby further amended by adding the following sentence:- The commissioner of environmental quality engineering shall receive a salary of twenty-seven thousand and three hundred dollars; the commissioner of fisheries, wildlife and recreational vehicles shall receive a salary of twenty-five thousand and three hundred dollars; and, the other commissioners shall receive such salary as may be determined by law.

SECTION 84C. Said section 7 of said chapter 21A is hereby further amended by striking out the tenth sentence, added by section 84B, and inserting in place thereof the following sentence:-The commissioner of environmental quality engineering shall receive a salary of twenty-seven thousand five hundred and fifty dollars; the commissioner of fisheries, wildlife and recreational vehicles shall receive a salary of twenty-five thousand five hundred and fifty dollars; and, the other commissioners shall receive such salary as may be determined by law.

SECTION 84D. Said section 7 of said chapter 21A is hereby further amended by striking out the tenth sentence, as amended by section 84C, and inserting in place thereof the following sentence:- The commissioner of environmental quality engineering shall receive a salary of twenty-seven thousand eight hundred and fifty dollars; the commissioner of fisheries, wildlife and

recreational vehicles shall receive a salary of twenty-five thousand eight hundred and fifty dollars; and, the other commissioners shall receive such salary as may be determined by law.

SECTION 84E. Said section 7 of said chapter 21A is hereby further amended by striking out the tenth sentence, as most recently amended by section 84D, and inserting in place thereof the following sentence:- The commissioner of environmental quality engineering shall receive a salary of twenty-eight thousand nine hundred and forty-six dollars; the commissioner of fisheries, wildlife and recreational vehicles shall receive a salary of twenty-six thousand eight hundred and ninety-six dollars; and, the other commissioners shall receive such salary as may be determined by law.

SECTION 84F. Said section 7 of said chapter 21A is hereby further amended by striking out the tenth sentence, as most recently amended by section 84E, and inserting in place thereof the following sentence:- The commissioner of environmental quality engineering shall receive a salary of twenty-nine thousand four hundred seventy-one dollars; the commissioner of fisheries, wildlife and recreational vehicles shall receive a salary of twenty-seven thousand four hundred and twenty-one dollars; and, the other commissioners shall receive such salary as may be determined by law.

SECTION 84G. Said section 7 of said chapter 21A is hereby further amended by striking out the tenth sentence, as most recently amended by section 84F, and inserting in place thereof the following sentence:- The commissioner of environmental quality engineering shall receive a salary of thirty thousand and seventy-one dollars; the commissioner of fisheries, wildlife and recreational vehicles shall receive a salary of twenty-eight thousand and twenty-one dollars; and, the other commissioners shall receive such salary as may be determined by law.

SECTION 85. The second sentence of section 2 of chapter 22 of the General Laws is hereby amended by striking out the words "twenty-four thousand nine hundred and eighty-six", inserted by section 90 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-six thousand and eleven.

SECTION 86. Said second sentence of said section 2 of said chapter 22 is hereby further amended by striking out the words "twenty-six thousand and eleven", inserted by section 85, and inserting in place thereof the words:- twenty-six thousand five hundred and thirty-six.

SECTION 87. Said second sentence of said section 2 of said chapter 22 is hereby further amended by striking out the words

“twenty-six thousand five hundred and thirty-six”, inserted by section 86, and inserting in place thereof the words:- twenty-seven thousand one hundred and thirty-six.

SECTION 87A. Section 4A of chapter 22 of the General Laws, as appearing in section 4 of chapter 802 of the acts of 1972, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- The commissioner shall appoint a chief of inspections, who shall not be subject to the provisions of chapter thirty-one, who may be removed for cause, and who shall receive a salary of twenty-five thousand eight hundred and fifty-four dollars.

SECTION 87B. Said section 4A of said chapter 22 is hereby further amended by striking out the second sentence, as amended by section 87A, and inserting in place thereof the following sentence:- The commissioner shall appoint a chief of inspections, who shall not be subject to the provisions of chapter thirty-one, who may be removed for cause, and who shall receive a salary of twenty-six thousand three hundred and seventy-nine dollars.

SECTION 87C. Said section 4A of said chapter 22 is hereby further amended by striking out the second sentence, as most recently amended by section 87B, and inserting in place thereof the following sentence:- The commissioner shall appoint a chief of inspections, who shall not be subject to the provisions of chapter thirty-one, who may be removed for cause, and who shall receive a salary of twenty-six thousand nine hundred and seventy-nine dollars.

SECTION 88. Section 2 of chapter 23 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 93 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-seven thousand nine hundred and sixty-one dollars, the associate commissioner who is appointed to serve as chairman of the board of conciliation and arbitration shall receive a salary of twenty-three thousand and forty-two dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of seventeen thousand six hundred dollars, and the other associate commissioner shall receive a salary of fourteen thousand six hundred and ninety-eight dollars.

SECTION 89. Said section 2 of said chapter 23 is hereby further amended by striking out the second sentence, as most recently amended by section 88, and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-eight thousand four hundred and eighty-six dollars, the associate

commissioner who is appointed to serve as chairman of the board of conciliation and arbitration shall receive a salary of twenty-three thousand five hundred and sixty-seven dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of eighteen thousand one hundred and twenty-five dollars, and the other associate commissioner shall receive a salary of fifteen thousand two hundred and twenty-three dollars.

SECTION 90. Said section 2 of said chapter 23 of the General Laws is hereby further amended by striking out the second sentence, as most recently amended by section 89, and inserting in place thereof the following sentence:- The commissioner shall receive a salary of twenty-nine thousand and eighty-six dollars, the associate commissioner who is appointed to serve as chairman of the board of conciliation and arbitration shall receive a salary of twenty-four thousand one hundred and sixty-seven dollars while he is serving as such chairman, the assistant commissioner shall receive a salary of eighteen thousand seven hundred and twenty-five dollars and the other associate commissioner shall receive a salary of fifteen thousand eight hundred and twenty-three dollars.

SECTION 91. Paragraph (b) of section 9I of said chapter 23 is hereby amended by striking out the words "thirty-two thousand six hundred and fifty", inserted by section 96 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty-three thousand eight hundred and sixty-six.

SECTION 92. Said paragraph (b) of said section 9I of said chapter 23 is hereby further amended by striking out the words "thirty-three thousand eight hundred and sixty-six", inserted by section 91, and inserting in place thereof the words:- thirty-four thousand three hundred and ninety-one.

SECTION 93. Said paragraph (b) of said section 9I of said chapter 23 is hereby further amended by striking out the words "thirty-four thousand three hundred and ninety-one", inserted by section 92, and inserting in place thereof the words:- thirty-four thousand nine hundred and ninety-one.

SECTION 94. The first sentence of section 9P of said chapter 23 is hereby amended by striking out the words "twenty-three thousand eight hundred and fifty", inserted by section 99 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-four thousand eight hundred and forty-six,- and by striking out the words "twenty-one thousand eight hundred and fifty", as so inserted, and inserting in place thereof the words:- twenty-two thousand seven hundred and ninety-six.

SECTION 95. Said first sentence of said section 9P of said chapter 23 is hereby further amended by striking out the words “twenty-four thousand eight hundred and forty-six”, inserted by section 94, and inserting in place thereof the words:- twenty-five thousand three hundred and seventy-one,- and by striking out the words “twenty-two thousand seven hundred and ninety-six”, as so inserted, and inserting in place thereof the words:- twenty-three thousand three hundred and twenty-one.

SECTION 96. Said first sentence of said section 9P of said chapter 23 is hereby further amended by striking out the words “twenty-five thousand three hundred and seventy-one”, inserted by section 95, and inserting in place thereof the words:- twenty-five thousand nine hundred and seventy-one,- and by striking out the words “twenty-three thousand three hundred and twenty-one”, as so inserted, and inserting in place thereof the words:-twenty-three thousand nine hundred and twenty-one.

SECTION 97. The second sentence of the first paragraph of section 15 of said chapter 23 is hereby amended by striking out the words “twenty-seven thousand four hundred”, inserted by section 102 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-eight thousand four hundred and eighty-five,- and by striking out the words “twenty-five thousand two hundred and seventy-six”, as so inserted, and inserting in place thereof the words:- twenty-six thousand three hundred and eight.

SECTION 98. Said second sentence of said first paragraph of said section 15 of said chapter 23 is hereby further amended by striking out the words “twenty-eight thousand four hundred and eighty-five”, inserted by section 97, and inserting in place thereof the words:- twenty-nine thousand and ten,- and by striking out the words “twenty-six thousand three hundred and eight”, as so inserted, and inserting in place thereof the words:- twenty-six thousand eight hundred and thirty-three.

SECTION 99. Said second sentence of said first paragraph of said section 15 of said chapter 23 is hereby further amended by striking out the words “twenty-nine thousand and ten”, inserted by section 98, and inserting in place thereof the words:- twenty-nine thousand six hundred and ten,- and by striking out the words “twenty-six thousand eight hundred and thirty-three”, as so inserted, and inserting in place thereof the words:- twenty-seven thousand four hundred and thirty-three.

SECTION 100. 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-eight thousand five hundred and three”, inserted by section 105 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-nine thousand six hundred and sixteen.

SECTION 101. Said fourth sentence of said first paragraph of said section 1 of said chapter 23A is hereby further amended by striking out the words “twenty-nine thousand six hundred and sixteen”, inserted by section 100, and inserting in place thereof the words:- thirty thousand one hundred and forty-one.

SECTION 102. Said fourth sentence of said first paragraph of said section 1 of said chapter 23A is hereby further amended by striking out the words:- “thirty thousand one hundred and forty-one”, inserted by section 101, and inserting in place thereof the words:- thirty thousand seven hundred and forty-one.

SECTION 103. Section 2 of chapter 25 of the General Laws is hereby amended by striking out the sixth sentence, as most recently amended by section 108 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The chairman shall receive a salary of thirty-two thousand and twenty-one dollars and each of the other commissioners shall receive a salary of twenty-six thousand eight hundred and ninety-six dollars.

SECTION 104. Said section 2 of said chapter 25 is hereby further amended by striking out the sixth sentence, as most recently amended by section 103, and inserting in place thereof the following sentence:- The chairman shall receive a salary of thirty-two thousand five hundred and forty-six dollars and each of the other commissioners shall receive a salary of twenty-seven thousand four hundred and twenty-one dollars.

SECTION 105. Said section 2 of said chapter 25 is hereby further amended by striking out the sixth sentence, as most recently amended by section 104, and inserting in place thereof the following sentence:- The chairman shall receive a salary of thirty-three thousand one hundred and forty-six dollars and each of the other commissioners shall receive a salary of twenty-eight thousand and twenty-one dollars.

SECTION 106. The second sentence of section 2 of chapter 26 of the General Laws is hereby amended by striking out the words “twenty-four thousand nine hundred and eighty-six”, inserted by section 111 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-six thousand and eleven.

SECTION 107. Said second sentence of said section 2 of said chapter 26 is hereby further amended by striking out the words “twenty-six thousand and eleven”, inserted by section 106, and

inserting in place thereof the words:- twenty-six thousand five hundred and thirty-six.

SECTION 108. Said second sentence of said section 2 of said chapter 26 is hereby further amended by striking out the words “twenty-six thousand five hundred and thirty-six”, inserted by section 107, and inserting in place thereof the words:- twenty-seven thousand one hundred and thirty-six.

SECTION 109. The second sentence of section 6 of said chapter 26 is hereby amended by striking out the words “twenty-six thousand and seventy-eight”, inserted by section 114 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-seven thousand one hundred and thirty.

SECTION 110. Said second sentence of said section 6 of said chapter 26 is hereby further amended by striking out the words “twenty-seven thousand one hundred and thirty”, inserted by section 109, and inserting in place thereof the words:- twenty-seven thousand six hundred and fifty-five.

SECTION 111. Said second sentence of said section 6 of said chapter 26 is hereby further amended by striking out the words “twenty-seven thousand six hundred and fifty-five”, inserted by section 110, and inserting in place thereof the words:- twenty-eight thousand two hundred and fifty-five.

SECTION 112. The third sentence of section 1 of chapter 27 of the General Laws is hereby amended by striking out the words “thirty-five thousand four hundred and seventeen”, inserted by section 117 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty-six thousand seven hundred and two.

SECTION 113. Said third sentence of said section 1 of said chapter 27 is hereby further amended by striking out the words “thirty-six thousand seven hundred and two”, inserted by section 112, and inserting in place thereof the words:- thirty-seven thousand two hundred and twenty-seven.

SECTION 114. Said third sentence of said section 1 of said chapter 27 is hereby further amended by striking out the words “thirty-seven thousand two hundred and twenty-seven”, inserted by section 113, and inserting in place thereof the words:- thirty-seven thousand eight hundred and twenty-seven.

SECTION 115. The first sentence of the first paragraph of section 2 of said chapter 27 is hereby amended by striking out the words “twenty-two thousand two hundred and forty-seven”, inserted by section 120 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-three thousand two hundred and three.

SECTION 116. Said first sentence of said first paragraph of said section 2 of said chapter 27 is hereby further amended by striking out the words “twenty-three thousand two hundred and three”, inserted by section 115, and inserting in place thereof the words:-twenty-three thousand seven hundred and twenty-eight.

SECTION 117. Said first sentence of said first paragraph of said section 2 of said chapter 27 is hereby further amended by striking out the words “twenty-three thousand seven hundred and twenty-eight”, inserted by section 116, and inserting in place thereof the words:- twenty-four thousand three hundred and twenty-eight.

SECTION 118. Section 2 of chapter 28 of the General Laws is hereby amended by striking out the words “twenty-nine thousand three hundred and fifty-two”, inserted by section 126 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty thousand four hundred and eighty-six,- and by striking out the words “ten thousand and sixty-seven”, as so inserted, and inserting in place thereof the words:- ten thousand seven hundred and nineteen.

SECTION 119. Said section 2 of said chapter 28 is hereby further amended by striking out the words “thirty thousand four hundred and eighty-six”, inserted by section 118, and inserting in place thereof the words:- thirty-one thousand and eleven,- and by striking out the words “ten thousand seven hundred and nineteen”, as so inserted, and inserting in place thereof the words:-eleven thousand two hundred and forty-four.

SECTION 120. Said section 2 of said chapter 28 is hereby further amended by striking out the words “thirty-one thousand and eleven”, inserted by section 119, and inserting in place thereof the words:- thirty-one thousand six hundred and eleven,- and by striking out the words “eleven thousand two hundred and forty-four”, as so inserted, and inserting in place thereof the words:-eleven thousand eight hundred and forty-four.

SECTION 121. The fourth paragraph of section 3 of chapter 55 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 126C of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The director shall devote full time to his duties during normal business hours and shall receive an annual salary of twenty-three thousand eight hundred and twenty-one dollars.

SECTION 122. Said fourth paragraph of said section 3 of said chapter 55 is hereby further amended by striking out the first sentence, as most recently amended by section 121, and inserting in place thereof the following sentence:- The director shall

devote full time to his duties during normal business hours and shall receive an annual salary of twenty-four thousand three hundred and forty-six dollars.

SECTION 123. Said fourth paragraph of said section 3 of said chapter 55 is hereby further amended by striking out the first sentence, as most recently amended by section 122, and inserting in place thereof the following sentence:- The director shall devote full time to his duties during normal business hours and shall receive an annual salary of twenty-four thousand nine hundred and forty-six dollars.

SECTION 124. 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-seven thousand four hundred", inserted by section 129 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- twenty-eight thousand four hundred and eighty-five,- and by striking out the words "twenty-five thousand two hundred and seventy-six", as so inserted, and inserting in place thereof the words:- twenty-six thousand three hundred and eight.

SECTION 125. Said fourth sentence of said first paragraph of said section 1 of said chapter 58A is hereby further amended by striking out the words "twenty-eight thousand four hundred and eighty-five", inserted by section 124, and inserting in place thereof the words:- twenty-nine thousand and ten,- and by striking out the words "twenty-six thousand three hundred and eight", as so inserted, and inserting in place thereof the words:-twenty-six thousand eight hundred and thirty-three.

SECTION 126. Said fourth sentence of said first paragraph of said section 1 of said chapter 58A is hereby further amended by striking out the words "twenty-nine thousand and ten", inserted by section 125, and inserting in place thereof the words:- twenty-nine thousand six hundred and ten,- and by striking out the words "twenty-six thousand eight hundred and thirty-three", as so inserted, and inserting in place thereof the words:- twenty-seven thousand four hundred and thirty-three.

SECTION 127. Section 14 of chapter 185 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 132 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The judge and associate judges of the land court shall each receive a salary of thirty-eight thousand three hundred and seventy-nine 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 128. Said section 14 of said chapter 185 is hereby further amended by striking out the first sentence, as most recently amended by section 127, and inserting in place thereof the following sentence:- The judge and associate judges of the land court shall each receive a salary of thirty-eight thousand nine hundred and four 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 129. Said section 14 of said chapter 185 is hereby further amended by striking out the first sentence, as most recently amended by section 128, and inserting in place thereof the following sentence:- The judge and associate judges of the land court shall each receive a salary of thirty-nine thousand five hundred and four 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 130. Section 3A of chapter 211 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 135 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- Said executive secretary shall be a member of the Massachusetts bar and shall receive from the commonwealth a salary to be fixed by the chief justice of said court, not exceeding seventy-five and seventy-six hundredths of the salary of an associate justice thereof.

SECTION 131. Said section 3A of said chapter 211 is hereby further amended by striking out the second sentence, as most recently amended by section 130, and inserting in place thereof the following sentence:- Said executive secretary shall be a member of the Massachusetts bar and shall receive from the commonwealth a salary to be fixed by the chief justice of said court, not exceeding seventy-six and three hundredths of the salary of an associate justice thereof.

SECTION 132. Said section 3A of said chapter 211 is hereby further amended by striking out the second sentence, as most recently amended by section 131, and inserting in place thereof the following sentence:- Said executive secretary shall be a member of the Massachusetts bar and shall receive from the commonwealth a salary to be fixed by the chief justice of said court, not exceeding seventy-six and thirty-six hundredths of the salary of an associate justice thereof.

SECTION 133. Section 22 of said chapter 211 is hereby amended by striking out the first sentence, as most recently amended by

section 138 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of forty-four thousand five hundred and sixty-three dollars and each associate justice, a salary of forty-three thousand and seventy-nine 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 134. Said section 22 of said chapter 211 is hereby further amended by striking out the first sentence, as most recently amended by section 133, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of forty-five thousand and eighty-eight dollars and each associate justice, a salary of forty-three thousand six hundred and four 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 135. Said section 22 of said chapter 211 is hereby further amended by striking out the first sentence, as most recently amended by section 134, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of forty-five thousand six hundred and eighty-eight dollars and each associate justice, a salary of forty-four thousand two hundred and four; 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 136. Section 2 of chapter 211A of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 141 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of forty-one thousand four hundred and seventy-two dollars and each associate justice, a salary of thirty-nine thousand nine hundred and eighty-seven 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 137. Said section 2 of said chapter 211A is hereby further amended by striking out the first sentence, as most recently amended by section 136, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of forty-one thousand nine hundred and ninety-seven dollars and

each associate justice, a salary of forty thousand five hundred and twelve 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 138. Said section 2 of said chapter 211A is hereby further amended by striking out the first sentence, as most recently amended by section 137, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of forty-two thousand five hundred and ninety-seven dollars and each associate justice, a salary of forty-one thousand one hundred and twelve 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 139. The second paragraph of section 6 of said chapter 211A of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 144 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- Said clerk shall fix such salaries, in the case of the first assistant clerk at an amount of eighty-five and sixty-nine hundredths per cent of his total combined salary, and in the case of the second and third assistant clerks at an amount of seventy-six and four hundredths per cent of his combined salary.

SECTION 140. Said second paragraph of said section 6 of said chapter 211A is hereby further amended by striking out the third sentence, as most recently amended by section 139, and inserting in place thereof the following sentence:- Said clerk shall fix such salaries, in the case of the first assistant clerk at an amount of eighty-five and ninety hundredths per cent of his total combined salary, and in the case of the second and third assistant clerks at an amount of seventy-six and forty hundredths per cent of his combined salary.

SECTION 141. Said second paragraph of said section 6 of said chapter 211A is hereby further amended by striking out the third sentence, as most recently amended by section 140, and inserting in place thereof the following sentence:- Said clerk shall fix such salaries, in the case of the first assistant clerk at an amount of eighty-six and thirteen hundredths per cent of his total combined salary, and in the case of the second and third assistant clerks at an amount of seventy-six and seventy-nine hundredths per cent of his combined salary.

SECTION 142. The first sentence of section 14E of chapter 212 of the General Laws is hereby amended by striking out the words “one hundred and twenty-five”, inserted by section 147 of said chapter 234 of the acts of 1977, and inserting in place thereof the words:- one hundred and twenty-six.

SECTION 143. Said first sentence of said section 14E of said chapter 212 is hereby further amended by striking out the words “one hundred and twenty-six”, inserted by section 142, and inserting in place thereof the words:- one hundred and twenty-seven.

SECTION 144. Said first sentence of said section 14E of said chapter 212 is hereby further amended by striking out the words “one hundred and twenty-seven”, inserted by section 143, and inserting in place thereof the words:- one hundred and thirty.

SECTION 145. Section 27 of said chapter 212 is hereby amended by striking out the first sentence, as most recently amended by section 150 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of thirty-nine thousand nine hundred and eighty-seven dollars and each associate justice, a salary of thirty-eight thousand three hundred and seventy-nine 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 146. Said section 27 of said chapter 212 is hereby further amended by striking out the first sentence, as most recently amended by section 145, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of forty thousand five hundred and twelve dollars and each associate justice, a salary of thirty-eight thousand nine hundred and four 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 147. Said section 27 of said chapter 212 is hereby further amended by striking out the first sentence, as most recently amended by section 146, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of forty-one thousand one hundred and twelve dollars and each associate justice, a salary of thirty-nine thousand five hundred and four dollars; and the chief justice and each associate justice shall annually receive from the commonwealth, upon the cer-

tificate of the chief justice, the amount of the expenses incurred by them in the discharge of their duties.

SECTION 148. Chapter 217 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 153 of chapter 234 of the acts of 1977, 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	\$33,803
Middlesex	33,803
Norfolk	33,803
Essex	33,803
Hampden	33,803
Worcester	33,803
Bristol	33,803
Plymouth	33,803
Barnstable	33,803
Berkshire	33,803
Franklin	33,803
Hampshire	33,803
Nantucket	33,803
Dukes	12,898

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-five thousand and thirty-nine dollars for his combined services as chief judge and judge of probate. SECTION 149. Said chapter 217 is hereby further amended by striking out section 34, as most recently amended by section 148, 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	\$34,328

COUNTY	SALARIES
Middlesex	\$34,328
Norfolk	34,328
Essex	34,328
Hampden	34,328
Worcester	34,328
Bristol	34,328
Plymouth	34,328
Barnstable	34,328
Berkshire	34,328
Franklin	34,328
Hampshire	34,328
Nantucket	34,328
Dukes	13,423

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-five thousand five hundred and sixty-four dollars for his combined services as chief judge and judge of probate.

SECTION 150. Said chapter 217 is hereby further amended by striking out section 34, as most recently amended by section 149, and inserting in place thereof the following section:-

Section 34. Each judge of probate, including the circuit judge of probate for Hampshire county, but excepting the judge of probate designated under section two A to have and perform the duties described in section eight, shall be paid by the commonwealth a salary of thirty-four thousand three hundred and twenty-eight dollars.

The judge designated under section two A shall receive a salary of thirty-five thousand five hundred and sixty-four dollars.

SECTION 151. Said chapter 217 is hereby further amended by striking out section 34, as most recently amended by section 150, and inserting in place thereof the following section:-

Section 34. Each judge of probate, including the circuit judge of Hampshire county, but excepting the judge of probate designated under section two A to have and perform the duties described in section eight, shall be paid by the commonwealth a salary of thirty-four thousand nine hundred and twenty-eight dollars.

The judge designated under section two A shall receive a salary of thirty-six thousand one hundred and sixty-four dollars.

SECTION 152. Said chapter 217 is hereby further amended by striking out section 35A, as most recently amended by section 156

of chapter 234 of the acts of 1977, and inserting in place thereof the following section:-

Section 35A. The salaries of the registers of probate, except the registers of probate in Dukes and Nantucket counties, shall be seventy-five and ninety-four hundredths per cent of the judges' salaries in their respective counties. The salaries of the registers of probate in the counties of Dukes County and Nantucket shall be ten thousand seven hundred and seventy-seven dollars.

SECTION 153. Said chapter 217 is hereby further amended by striking out section 35A, as most recently amended by section 152, and inserting in place thereof the following section:-

Section 35A. The salaries of the registers of probate, except the registers of probate in Dukes and Nantucket counties, shall be seventy-six and thirty-one hundredths per cent of the judges' salaries in their respective counties. The salaries of the registers of probate in the counties of Dukes County and Nantucket shall be eleven thousand three hundred and two dollars.

SECTION 154. Said chapter 217 is hereby further amended by striking out section 35A, as most recently amended by section 153, and inserting in place thereof the following section:-

Section 35A. The salaries of the registers of probate, except the registers of probate in Dukes and Nantucket counties, shall be seventy-six and seventy-one hundredths per cent of the judges' salaries in their respective counties. The salaries of the registers of probate in the counties of Dukes County and Nantucket shall be eleven thousand nine hundred and two dollars.

SECTION 155. Said chapter 217 is hereby further amended by striking out section 35B, as most recently amended by section 159 of chapter 234 of the acts of 1977, and inserting in place thereof the following section:-

Section 35B. The salary of a first assistant register of probate shall be seventy-six and twenty-four hundredths per cent of the salary of the register in his county.

The salary of a second assistant register of probate shall be seventy-one and forty-eight hundredths per cent of the salary of the register in his county.

The salary of a third assistant register of probate shall be sixty-six and seventy-four hundredths per cent of the salary of the register in his county.

The salary of a fourth assistant register shall be sixty-two per cent of the salary of the register in his county.

The salary of a fifth or sixth assistant register of probate shall be fifty-seven and twenty-three hundredths per cent of the salary of the register in his county.

SECTION 156. Said chapter 217 is hereby further amended by striking out section 35B, as most recently amended by section 155, and inserting in place thereof the following section:-

Section 35B. The salary of a first assistant register of probate shall be seventy-six and seventy-two hundredths per cent of the salary of the register in his county.

The salary of a second assistant register of probate shall be seventy-two and four hundredths per cent of the salary of the register in his county.

The salary of a third assistant register of probate shall be sixty-seven and forty-one hundredths per cent of the salary of the register in his county.

The salary of a fourth assistant register shall be sixty-two and seventy-six hundredths per cent of the salary of the register in his county.

The salary of a fifth or sixth assistant register of probate shall be fifty-eight and nine hundredths per cent of the salary of the register in his county.

SECTION 157. Said chapter 217 is hereby further amended by striking out section 35B, as most recently amended by section 156, and inserting in place thereof the following section:-

Section 35B. The salary of a first assistant register of probate shall be seventy-seven and twenty-four hundredths per cent of the salary of the register in his county.

The salary of a second assistant register of probate shall be seventy-two and sixty-eight hundredths per cent of the salary of the register in his county.

The salary of a third assistant register of probate shall be sixty-eight and thirteen hundredths per cent of the salary of the register in his county.

The salary of a fourth assistant register shall be sixty-three and sixty hundredths per cent of the salary of the register in his county.

The salary of a fifth or sixth assistant register of probate shall be fifty-nine and two hundredths per cent of the salary of the register in his county.

SECTION 158. 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 162 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- He shall receive a salary of thirty-three thousand eight hundred and three dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 159. Said second paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the second sentence, as most recently amended by section 158, and inserting in place thereof the following sentence:- He shall receive a salary of thirty-four thousand three hundred and twenty-eight dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 160. Said second paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the second sentence, as most recently amended by section 159, and inserting in place thereof the following sentence:- He shall receive a salary of thirty-four thousand nine hundred and twenty-eight dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 161. 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 165 of chapter 234 of the acts of 1977, and inserting in place thereof the following sentence:- A special justice of the district court or of the Boston juvenile court who does not serve full time in accordance with the provisions of section six A or section fifty-eight B shall be paid by the county sixty-six dollars for each day's services, or at the rate by the day of the salary of the justice of the court where he is assigned, whichever is greater.

SECTION 162. Said fourth paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the first sentence, as most recently amended by section 161, and inserting in place thereof the following sentence:- A special justice of the district court or of the Boston juvenile court who does not serve full time in accordance with the provisions of section six A or section fifty-eight B shall be paid by the county sixty-eight dollars for each day's services, or at the rate by the day of the salary of the justice of the court where he is assigned, whichever is greater.

SECTION 163. Said fourth paragraph of said section 6 of said chapter 218 is hereby further amended by striking out the first sentence, as most recently amended by section 162, and inserting in place thereof the following sentence:- A special justice of the district court or of the Boston juvenile court who does not serve full time in accordance with the provisions of section six A or section fifty-eight B shall be paid by the county seventy dollars for each day's services, or at the rate by the day of the salary of the justice of the court where he is assigned, whichever is greater.

SECTION 164. Said chapter 218 is hereby further amended by striking out section 75, as most recently amended by section 168

of chapter 234 of the acts of 1977, 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-three thousand eight hundred and three dollars and the salary of each of the associate justices shall be thirty-two thousand one hundred and ninety-three dollars.

SECTION 165. Said chapter 218 is hereby further amended by striking out said section 75, as most recently amended by section 164, 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-four thousand three hundred and twenty-eight dollars and the salary of each of the associate justices shall be thirty-two thousand seven hundred and eighteen dollars.

SECTION 166. Said chapter 218 is hereby further amended by striking out said section 75, as most recently amended by section 165, 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-four thousand nine hundred and twenty-eight dollars and the salary of each of the associate justices shall be thirty-three thousand three hundred and eighteen dollars.

SECTION 167. Said chapter 218 is hereby further amended by striking out section 75A, as most recently amended by section 171 of chapter 234 of the acts of 1977, 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-four thousand six hundred and ninety-seven dollars.

SECTION 168. Said chapter 218 is hereby further amended by striking out said section 75A, as most recently amended by section 167, 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-five thousand two hundred and twenty-two dollars.

SECTION 169. Said chapter 218 is hereby further amended by striking out said section 75A, as most recently amended by section 168, 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-five thousand eight hundred and twenty-two dollars.

SECTION 170. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 174 of chapter 234 of the acts of 1977, and inserting in place thereof the following section:-

Section 76. The salary of the justice of the Boston juvenile court shall be thirty-three thousand eight hundred and three dollars.

SECTION 171. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 170, and inserting in place thereof the following section:-

Section 76. The salary of the justice of the Boston juvenile court shall be thirty-four thousand three hundred and twenty-eight dollars.

SECTION 172. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 171, and inserting in place thereof the following section:-

Section 76. The salary of the justice of the Boston juvenile court shall be thirty-four thousand nine hundred and twenty-eight dollars.

SECTION 173. Said chapter 218 is hereby further amended by striking out section 76A, as most recently amended by section 177 of chapter 234 of the acts of 1977, 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-two thousand one hundred and ninety-three dollars.

SECTION 174. Said chapter 218 is hereby further amended by striking out said section 76A, as most recently amended by section 173, 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-two thousand seven hundred and eighteen dollars.

SECTION 175. Said chapter 218 is hereby further amended by striking out said section 76A, as most recently amended by section 174, 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-three thousand three hundred and eighteen dollars.

SECTION 176. The first paragraph of section 77A of said chapter 218, as most recently amended by section 181 of chapter 234 of the acts of 1977, is hereby further amended by striking out the words “thirty-one thousand and eighteen”, and inserting in place thereof the words:- thirty-two thousand one hundred and ninety-three.

SECTION 177. Said first paragraph of said section 77A of said chapter 218 is hereby further amended by striking out the words “thirty-two thousand one hundred and ninety-three”, inserted by section 176, and inserting in place thereof the words:- thirty-two thousand seven hundred and eighteen.

SECTION 178. Said first paragraph of said section 77A of said chapter 218 is hereby further amended by striking out the words “thirty-two thousand seven hundred and eighteen”, inserted by section 177, and inserting in place thereof the words:- thirty-three thousand three hundred and eighteen.

SECTION 179. Section 77B of said chapter 218 is hereby amended by striking out the second paragraph, as most recently amended by section 184 of chapter 234 of the acts of 1977, 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-six dollars per day, whichever is greater.

SECTION 180. Said section 77B of said chapter 218 is hereby further amended by striking out the second paragraph, as most recently amended by section 179, 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-eight dollars per day, whichever is greater.

SECTION 181. Said section 77B of said chapter 218 is hereby further amended by striking out the second paragraph, as most recently amended by section 180, 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 seventy dollars per day, whichever is greater.

SECTION 182. Section 78 of said chapter 218 is hereby amended by striking out the first paragraph, as most recently amended by section 187 of chapter 234 of the acts of 1977, and inserting in place thereof the following paragraph:-

The salary of the justice of the following district court
district court of Chicopee,
shall be thirteen thousand seven hundred and sixty-five dollars;
the salary of the justice of each of the following district courts
district court of western Worcester,
district court of eastern Hampshire,
shall be twelve thousand one hundred and fifty-six dollars; the
salary of the justice of the following district court
district court of eastern Franklin,
shall be ten thousand six hundred and seventy-two 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 eleven thousand five hundred and thirty-eight.

SECTION 183. Said section 78 of said chapter 218 is hereby further amended by striking out the first paragraph, as most recently amended by section 182, and inserting in place thereof the following paragraph:-

The salary of the justice of the following district court
district court of Chicopee,
shall be fourteen thousand two hundred and ninety dollars; the
salary of the justice of each of the following district courts
district court of western Worcester,
district court of eastern Hampshire,
shall be twelve thousand six hundred and eighty-one dollars; the
salary of the justice of the following district court
district court of eastern Franklin,
shall be eleven thousand and ninety-seven 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 twelve thousand and sixty-three dollars.

SECTION 184. Said section 78 of said chapter 218 is hereby further amended by striking out the first paragraph, as most recently amended by section 183, and inserting in place thereof the following paragraph:-

The salary of the justice of the following district court
district court of Chicopee,

shall be fourteen thousand eight hundred and ninety dollars; the salary of the justice of each of the following district courts

district court of western Worcester,

district court of eastern Hampshire,

shall be thirteen thousand two hundred and eighty-one dollars; the salary of the justice of the following district court

district court of eastern Franklin,

shall be eleven thousand seven hundred and ninety-seven 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 twelve thousand six hundred and sixty-three dollars.

SECTION 185. Section 93 of chapter 221 of the General Laws is hereby amended by striking out the words "seventy-five and fifty-one hundredths per cent", inserted by section 190 of chapter 234 of the acts of 1977, and inserting in place thereof the words:- seventy-five and seventy-six hundredths per cent.

SECTION 186. Said section 93 of said chapter 221 is hereby further amended by striking out the words "seventy-five and seventy-six hundredths per cent", inserted by section 185, and inserting in place thereof the words:- seventy-six and three hundredths per cent.

SECTION 187. Said section 93 of said chapter 221 is hereby further amended by striking out the words "seventy-six and three hundredths per cent", inserted by section 186, and inserting in place thereof the words:- seventy-six and thirty-six hundredths per cent.

SECTION 188. Section 94 of said chapter 221 is hereby amended by striking out the four paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY, as most recently amended by section 193 of chapter 234 of the acts of 1977, and inserting in place thereof the following four paragraphs:-

Clerk.- A sum equivalent to seventy-five and seventy-six hundredths per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

Assistant Clerk.- A sum equivalent to seventy and ninety hundredths 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 and ninety hundredths 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-one and twenty-two hundredths 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.

SECTION 189. Said section 94 of said chapter 221 is hereby further amended by striking out the four paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY, as most recently amended by section 188, and inserting in place thereof the following four paragraphs:-

Clerk.- A sum equivalent to seventy-six and three hundredths per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

Assistant Clerk.- A sum equivalent to seventy-one and twenty-three hundredths 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-one and twenty-three hundredths 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-one and sixty-seven hundredths 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.

SECTION 190. Said section 94 of said chapter 221 is hereby further amended by striking out the four paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY, as most recently amended by section 189, and inserting in place thereof the following four paragraphs:

Clerk.- A sum equivalent to seventy-six and thirty-six hundredths per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

Assistant Clerk.- A sum equivalent to seventy-one and sixty-two hundredths 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-one and sixty-two hundredths 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-two and nineteen hundredths 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.

SECTION 191. Said section 94 of said chapter 221 is hereby further 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, as most recently amended by section 1 of chapter 423 of the acts of 1977, and inserting in place thereof the following two subdivisions:-

**Superior Court for Criminal Business
in the County of Suffolk**

Clerk.- The sum of twenty-nine thousand and ninety-nine dollars.

First Assistant Clerk (so designated by the clerk).- The sum of twenty-three thousand five hundred and thirty-three dollars.

Second Assistant Clerk (so designated by the clerk).- The sum of twenty-two thousand one hundred and forty-one dollars.

All other Assistant Clerks.- The sum of twenty thousand seven hundred and fifty dollars.

**Superior Court for Civil Business
in the County of Suffolk**

Clerk.- The sum of twenty-nine thousand and ninety-nine dollars.

First Assistant Clerk (so designated by the justices of said court).- The sum of twenty-three thousand five hundred and thirty-three dollars.

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).- The sum of twenty-three thousand five hundred and thirty-three dollars, of which the sum of

two thousand five hundred dollars shall be paid by the commonwealth.

All Other Assistant Clerks.- The sum of twenty thousand seven hundred and fifty dollars.

In all other counties, the salaries of the clerks of courts shall be as follows:-

Middlesex.

Clerk.- The sum of twenty-nine thousand and ninety-nine dollars.

First Assistant Clerk.- The sum of twenty-three thousand five hundred and thirty-three dollars.

Second Assistant Clerk.- The sum of twenty-two thousand one hundred and forty-one dollars.

All Other Assistant Clerks.- The sum of twenty thousand seven hundred and fifty dollars.

Essex, Worcester and Norfolk.

Clerk.- The sum of twenty-seven thousand two hundred and fifty-seven dollars.

First Assistant Clerk.- The sum of twenty-two thousand and fifty-nine dollars.

Second Assistant Clerk.- The sum of twenty thousand seven hundred and sixty-one dollars.

All Other Assistant Clerks.- The sum of nineteen thousand four hundred and sixty-one dollars.

Hampden and Bristol.

Clerk.- The sum of twenty-five thousand four hundred and six dollars.

First Assistant Clerk.- The sum of twenty thousand five hundred and seventy-nine dollars.

Second Assistant Clerk.- The sum of nineteen thousand three hundred and seventy-three dollars.

All Other Assistant Clerks.- The sum of eighteen thousand one hundred and sixty-five dollars.

Plymouth.

Clerk.- The sum of twenty-four thousand nine hundred and eighty dollars.

First Assistant Clerk.- The sum of twenty thousand two hundred and thirty-eight dollars.

Second Assistant Clerk.- The sum of nineteen thousand and fifty-three dollars.

All Other Assistant Clerks.- The sum of seventeen thousand eight hundred and sixty-seven dollars.

Berkshire and Hampshire.

Clerk.- The sum of twenty-two thousand two hundred and twenty-five dollars.

First Assistant Clerk.- The sum of eighteen thousand and thirty-four dollars.

Second Assistant Clerk.- The sum of sixteen thousand nine hundred and eighty-seven dollars.

All Other Assistant Clerks.- The sum of fifteen thousand nine hundred and thirty-nine dollars.

Barnstable and Franklin.

Clerk.- The sum of nineteen thousand eight hundred and thirty-one dollars.

First Assistant Clerk.- The sum of sixteen thousand one hundred and nineteen dollars.

Second Assistant Clerk.- *The sum of fifteen thousand one hundred and ninety-one dollars.*

All Other Assistant Clerks.- The sum of fourteen thousand two hundred and sixty-three dollars and ninety cents.

Dukes and Nantucket.

Clerk.- The sum of ten thousand two hundred and fifty-one dollars.

SECTION 192. Said section 94 of said chapter 221 is hereby further 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, as most recently amended by section 191, and inserting in place thereof the following two subdivisions:-

Superior Court for Criminal Business in the County of Suffolk

Clerk.- The sum of twenty-nine thousand six hundred and twenty-four dollars.

First Assistant Clerk (so designated by the clerk).- The sum of twenty-four thousand and fifty-eight dollars.

Second Assistant Clerk (so designated by the clerk).- The sum of twenty-two thousand six hundred and sixty-six dollars.

All Other Assistant Clerks.- The sum of twenty-one thousand two hundred and seventy-five dollars.

Superior Court for Civil Business in the County of Suffolk

Clerk.- The sum of twenty-nine thousand six hundred and twenty-four dollars.

First Assistant Clerk (so designated by the justices of said court).- The sum of twenty-four thousand and fifty-eight dollars.

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).- The sum of twenty-four thousand and fifty-eight dollars, of which the sum of two thousand five hundred dollars shall be paid by the commonwealth.

All Other Assistant Clerks.- The sum of twenty-one thousand two hundred and seventy-five dollars.

In all other counties, the salaries of the clerks of courts shall be as follows:-

Middlesex.

Clerk.- The sum of twenty-nine thousand six hundred and twenty-four dollars.

First Assistant Clerk.- The sum of twenty-four thousand and fifty-eight dollars.

Second Assistant Clerk.- The sum of twenty-two thousand six hundred and sixty-six dollars.

All Other Assistant Clerks.- The sum of twenty-one thousand two hundred and seventy-five dollars.

Essex, Worcester and Norfolk.

Clerk.- The sum of twenty-seven thousand seven hundred and eighty-two dollars.

First Assistant Clerk.- The sum of twenty-two thousand five hundred and eighty-four dollars.

Second Assistant Clerk.- The sum of twenty-one thousand two hundred and eighty-six dollars.

All Other Assistant Clerks.- The sum of nineteen thousand nine hundred and eighty-six dollars.

Hampden and Bristol.

Clerk.- The sum of twenty-five thousand nine hundred and thirty-one dollars.

First Assistant Clerk.- The sum of twenty-one thousand one hundred and four dollars.

Second Assistant Clerk.- The sum of nineteen thousand eight hundred and ninety-eight dollars.

All Other Assistant Clerks.- The sum of eighteen thousand six hundred and ninety dollars.

Plymouth.

Clerk.- The sum of twenty-five thousand five hundred and five dollars.

First Assistant Clerk.- The sum of twenty thousand seven hundred and sixty-three dollars.

Second Assistant Clerk.- The sum of nineteen thousand five hundred and seventy-eight dollars.

All Other Assistant Clerks.- The sum of eighteen thousand three hundred and ninety-two dollars.

Berkshire and Hampshire.

Clerk.- The sum of twenty-two thousand seven hundred and fifty dollars.

First Assistant Clerk.- The sum of eighteen thousand five hundred and fifty-nine dollars.

Second Assistant Clerk.- The sum of seventeen thousand five hundred and twelve dollars.

All Other Assistant Clerks.- The sum of sixteen thousand four hundred and sixty-four dollars.

Barnstable and Franklin.

Clerk.- The sum of twenty thousand three hundred and fifty-six dollars.

First Assistant Clerk.- The sum of sixteen thousand six hundred and forty-four dollars.

Second Assistant Clerk.- The sum of fifteen thousand seven hundred and sixteen dollars.

All Other Assistant Clerks.- The sum of fourteen thousand seven hundred and eighty-eight dollars.

Dukes and Nantucket.

Clerk.- The sum of ten thousand seven hundred and seventy-six dollars.

SECTION 193. Said section 94 of said chapter 221 is hereby further 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, as most recently amended by section 192, and inserting in place thereof the following two subdivisions:-

Superior Court for Criminal Business in the County of Suffolk

Clerk.- The sum of thirty thousand two hundred and twenty-four dollars.

First Assistant Clerk (so designated by the clerk).- The sum of twenty-four thousand six hundred and fifty-eight dollars.

Second Assistant Clerk (so designated by the clerk).- The sum of twenty-three thousand two hundred and sixty-six dollars.

All Other Assistant Clerks.- The sum of twenty-one thousand eight hundred and seventy-five dollars.

**Superior Court for Civil Business
in the County of Suffolk**

Clerk.- The sum of thirty thousand two hundred and twenty-four dollars.

First Assistant Clerk (so designated by the justices of said court).- The sum of twenty-six thousand six hundred and fifty-eight dollars.

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).- The sum of twenty-four thousand six hundred and fifty-eight dollars, of which the sum of two thousand five hundred dollars shall be paid by the commonwealth.

All Other Assistant Clerks.- The sum of twenty-one thousand eight hundred and seventy-five dollars.

In all other counties, the salaries of the clerks of court shall be as follows:

Middlesex.

Clerk.- The sum of thirty thousand two hundred and twenty-four dollars.

First Assistant Clerk.- The sum of twenty-four thousand six hundred and fifty-eight dollars.

Second Assistant Clerk.- The sum of twenty-three thousand two hundred and sixty-six dollars.

All Other Assistant Clerks.- The sum of twenty-one thousand eight hundred and seventy-five dollars.

Essex, Worcester and Norfolk.

Clerk.- The sum of twenty-eight thousand three hundred and eighty-two dollars.

First Assistant Clerk.- The sum of twenty-three thousand one hundred and eighty-four dollars.

Second Assistant Clerk.- The sum of twenty-one thousand eight hundred and eighty-six dollars.

All Other Assistant Clerks.- The sum of twenty thousand five hundred and eighty-six dollars.

Hampden and Bristol.

Clerk.- The sum of twenty-six thousand five hundred and thirty-one dollars.

First Assistant Clerk.- The sum of twenty-one thousand seven hundred and four dollars.

Second Assistant Clerk.- The sum of twenty thousand four hundred and ninety-eight dollars.

All Other Assistant Clerks.- The sum of nineteen thousand two hundred and ninety dollars.

Plymouth.

Clerk.- The sum of twenty-six thousand one hundred and five dollars.

First Assistant Clerk.- The sum of twenty-one thousand three hundred and sixty-three dollars.

Second Assistant Clerk.- The sum of twenty thousand one hundred and seventy-eight dollars.

All Other Assistant Clerks.- The sum of eighteen thousand nine hundred and ninety-two dollars.

Berkshire and Hampshire.

Clerk.- The sum of twenty-three thousand three hundred and fifty dollars.

First Assistant Clerk.- The sum of nineteen thousand one hundred and fifty-nine dollars.

Second Assistant Clerk.- The sum of eighteen thousand one hundred and twelve dollars.

All Other Assistant Clerks.- The sum of seventeen thousand and sixty-four dollars.

Barnstable and Franklin.

Clerk.- The sum of twenty thousand nine hundred and fifty-six dollars.

First Assistant Clerk.- The sum of seventeen thousand two hundred and forty-four dollars.

Second Assistant Clerk.- The sum of sixteen thousand three hundred and sixteen dollars.

All Other Assistant Clerks. - The sum of fifteen thousand three hundred and eighty-eight dollars.

Dukes and Nantucket.

Clerk.- The sum of eleven thousand three hundred and seventy-six dollars.

SECTION 194. Section 99B of chapter 276 of the General Laws is hereby amended by striking out subdivision (2), as most recently amended by section 194 of chapter 234 of the acts of 1977, 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, PROBATION OFFICERS.

Effective August 1, 1977.

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Incre- ment
1.	\$13,954.40	\$14,506.00	\$15,957.60	\$15,609.20	\$16,160.80	\$16,712.40	\$17,264.00	\$551.60
2.	14,646.60	15,243.60	15,840.60	16,437.60	17,034.60	17,631.60	18,228.60	597.00
3.	15,430.80	16,073.00	16,715.20	17,357.40	17,999.60	18,641.80	19,284.00	642.20
4.	16,285.80	16,949.40	17,613.00	18,276.60	18,940.20	19,603.80	20,267.40	663.60
5.	17,066.80	17,781.00	18,495.20	19,209.40	19,923.60	20,637.80	21,352.00	714.20
6.	17,940.80	18,703.00	19,465.20	20,227.40	20,989.60	21,751.80	22,514.00	762.20
7.	18,883.80	19,667.40	20,451.00	21,234.60	22,018.20	22,801.80	23,585.40	783.60
8.	19,760.80	20,587.00	21,413.20	22,239.40	23,065.60	23,891.80	24,718.00	826.20
9.	20,638.60	21,512.60	22,386.60	23,260.60	24,134.60	25,008.60	25,882.60	874.00
10.	21,418.40	22,335.20	23,252.00	24,168.80	25,085.60	26,002.40	26,919.20	916.80
11.	22,362.60	23,308.60	24,254.60	25,200.60	26,146.60	27,092.60	28,038.60	946.00

The above schedule shall not apply to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws.

SECTION 195. Said section 99B of said chapter 276 is hereby further amended by striking out subdivision (2), as most recently amended by section 194, 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, PROBATION OFFICERS.

Effective August 1, 1977.

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment
1.	\$14,479.40	\$15,031.00	\$15,582.60	\$16,134.20	\$16,185.80	\$17,237.40	\$17,789.00	\$551.60
2.	15,171.60	15,786.60	16,365.60	16,962.60	17,559.60	18,156.60	18,743.60	597.00
3.	15,955.80	16,598.00	17,240.20	17,882.40	18,524.60	19,166.80	19,809.00	642.20
4.	16,810.80	17,474.40	18,138.00	18,801.60	19,465.20	20,128.80	20,792.40	663.60
5.	17,591.80	18,306.00	19,020.20	19,734.40	20,448.60	21,162.80	21,877.00	714.20
6.	18,465.80	19,228.00	19,990.20	20,752.40	21,514.60	22,276.80	23,039.00	762.20
7.	19,408.80	20,192.40	20,976.00	21,759.60	22,543.20	23,326.80	24,110.40	783.60
8.	20,285.80	21,112.00	21,938.20	22,764.40	23,590.60	24,416.80	25,243.00	826.20
9.	21,163.60	22,037.60	22,911.60	23,785.60	24,659.60	25,533.60	26,407.60	874.00
10.	21,943.40	22,860.20	23,777.00	24,693.80	25,610.60	26,527.40	27,444.20	916.80
11.	22,887.60	23,833.60	24,779.60	25,725.60	26,671.60	27,617.60	28,563.60	946.00

The above schedule shall not apply to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws.

SECTION 196. Said section 99B of said chapter 276 is hereby further amended by striking out subdivision (2), as most recently amended by section 195, 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, PROBATION OFFICERS.

Effective August 1, 1977.

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment
1.	\$15,079.40	\$15,631.00	\$16,182.60	\$16,734.20	\$17,285.80	\$17,837.40	\$18,389.00	\$551.60
2.	15,771.60	16,368.60	16,965.60	17,562.60	18,159.60	18,756.60	19,353.60	597.00
3.	16,555.80	17,198.00	17,840.20	18,482.40	19,124.60	19,766.80	20,409.00	642.20
4.	17,410.80	18,074.40	18,738.00	19,401.60	20,065.20	20,728.80	21,392.40	663.60
5.	18,191.80	18,906.00	19,620.20	20,334.40	21,048.60	21,762.80	22,477.00	714.20
6.	19,065.80	19,828.00	20,590.20	21,352.40	22,114.60	22,876.80	23,639.00	762.20
7.	20,008.80	20,792.40	21,576.00	22,359.60	23,143.20	23,926.80	24,710.40	783.60
8.	20,885.80	21,712.00	22,538.20	23,364.40	24,190.60	25,016.80	25,843.00	826.20
9.	21,763.60	22,637.60	23,511.60	24,385.60	25,259.60	26,133.60	27,007.60	874.00
10.	22,543.40	23,460.20	24,377.00	25,293.80	26,210.60	27,127.40	28,044.20	916.80
11.	23,487.60	24,433.60	25,379.60	26,325.60	27,271.60	28,217.60	29,163.60	946.00

The above schedule shall not apply to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws.

SECTION 197. 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-seven thousand and thirty-nine”, inserted by section 196C of chapter 234 of the acts of 1977, and inserting in place thereof the words:- thirty-seven thousand eight hundred and twenty-two,- and by striking out the words “twenty-one thousand and twenty-one”, as so inserted, and inserting in place thereof the words:- twenty-one thousand five hundred and eighteen.

SECTION 198. Said second sentence of said fourth paragraph of said section 3 of said chapter 354 is hereby further amended by striking out the words “thirty-seven thousand eight hundred and twenty-two”, inserted by section 197, and inserting in place thereof the words:- thirty-eight thousand and eighty-four,- and by striking out the words “twenty-one thousand five hundred and eighteen”, as so inserted, and inserting in place thereof the words:- twenty-one thousand seven hundred and eighty.

SECTION 199. Said second sentence of said fourth paragraph of said section 3 of said chapter 354 is hereby further amended by striking out the words “thirty-eight thousand and eighty-four”, inserted by section 198, and inserting in place thereof the words:-thirty-eight thousand three hundred and eighty-four,- and by striking out the words “twenty-one thousand seven hundred and eighty”, as so inserted, and inserting in place thereof the words:-twenty-two thousand and eighty.

SECTION 200. The last paragraph of section 4 of chapter 598 of the acts of 1958 is hereby amended by striking out the words “nine thousand five hundred and seventy-eight”, inserted by section 196F of chapter 234 of the acts of 1977, and inserting in place thereof the words:- ten thousand three hundred and sixty,-and by striking out the words “two thousand seven hundred and thirteen”, as so inserted, and inserting in place thereof the words:- three thousand two hundred and nine.

SECTION 201. Said last paragraph of said section 4 of said chapter 598 is hereby further amended by striking out the words “ten thousand three hundred and sixty”, inserted by section 200, and inserting in place thereof the words:- ten thousand six hundred and twenty-three,- and by striking out the words “three thousand two hundred and nine”, as so inserted, and inserting in place thereof the words:- three thousand four hundred and seventy-two.

SECTION 202. Said last paragraph of said section 4 of said chapter 598 is hereby further amended by striking out the words “ten thousand six hundred and twenty-three”,- inserted by sec-

tion 201, and inserting in place thereof the words:- ten thousand nine hundred and twenty-three,- and by striking out the words “three thousand four hundred and seventy-two”, as so inserted, and inserting in place thereof the words:- three thousand seven hundred and seventy-two.

SECTION 203. 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 204. Sections one, three A, four, seven, ten, thirteen, sixteen, nineteen, twenty-two, twenty-five, twenty-eight, thirty-one, thirty-four, thirty-seven, forty, forty-three, forty-six, forty-nine, fifty-two, fifty-five, fifty-eight, sixty-one, sixty-four, sixty-seven, seventy, seventy-three, seventy-six, seventy-nine, eighty-two, eighty-four E, eighty-five, eighty-seven A, eighty-eight, ninety-one, ninety-four, ninety-seven, one hundred, one hundred and three, one hundred and six, one hundred and nine, one hundred and twelve, one hundred and fifteen, one hundred and eighteen, one hundred and twenty-one, one hundred and twenty-four, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-three, one hundred and thirty-six, one hundred and thirty-nine, one hundred and forty-two, one hundred and forty-five, one hundred and forty-eight, one hundred and fifty-two, one hundred and fifty-five, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-four, one hundred and sixty-seven, one hundred and seventy, one hundred and seventy-three, one hundred and seventy-six, one hundred and seventy-nine, one hundred and eighty-two, one hundred and eighty-five, one hundred and eighty-eight, one hundred and ninety-one, one hundred and ninety-four, one hundred and ninety-seven and two hundred of this act shall take effect as of July thirty-first, nineteen hundred and seventy-seven.

Sections two, three B, five, eight, eleven, fourteen, seventeen, twenty, twenty-three, twenty-six, twenty-nine, thirty-two, thirty-five, thirty-eight, forty-one, forty-four, forty-seven, fifty,

fifty-three, fifty-six, fifty-nine, sixty-two, sixty-five, sixty-eight, seventy-one, seventy-four, seventy-seven, eighty, eighty-three, eighty-four F, eighty-six, eighty-seven B, eighty-nine, ninety-two, ninety-five, ninety-eight, one hundred and one, one hundred and four, one hundred and seven, one hundred and ten, one hundred and thirteen, one hundred and sixteen, one hundred and nineteen, one hundred and twenty-two, one hundred and twenty-five, one hundred and twenty-eight, one hundred and thirty-one, one hundred and thirty-four, one hundred and thirty-seven, one hundred and forty, one hundred and forty-three, one hundred and forty-six, one hundred and forty-nine, one hundred and fifty-three, one hundred and fifty-six, one hundred and fifty-nine, one hundred and sixty-two, one hundred and sixty-five, one hundred and sixty-eight, one hundred and seventy-one, one hundred and seventy-four, one hundred and seventy-seven, one hundred and eighty, one hundred and eighty-three, one hundred and eighty-six, one hundred and eighty-nine, one hundred and ninety-two, one hundred and ninety-five, one hundred and ninety-eight and two hundred and one of this act shall take effect as of October first, nineteen hundred and seventy-eight.

Sections three, three C, six, nine, twelve, fifteen, eighteen, twenty-one, twenty-four, twenty-seven, thirty, thirty-three, thirty-six, thirty-nine, forty-two, forty-five, forty-eight, fifty-one, fifty-four, fifty-seven, sixty, sixty-three, sixty-six, sixty-nine, seventy-two, seventy-five, seventy-eight, eighty-one, eighty-four, eighty-four G, eighty-seven, eighty-seven C, ninety, ninety-three, ninety-six, ninety-nine, one hundred and two, one hundred and five, one hundred and eight, one hundred and eleven, one hundred and fourteen, one hundred and seventeen, one hundred and twenty, one hundred and twenty-three, one hundred and twenty-six, one hundred and twenty-nine, one hundred and thirty-two, one hundred and thirty-five, one hundred and thirty-eight, one hundred and forty-one, one hundred and forty-four, one hundred and forty-seven, one hundred and fifty-one, one hundred and fifty-four, one hundred and fifty-seven, one hundred and sixty, one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-nine, one hundred and seventy-two, one hundred and seventy-five, one hundred and seventy-eight, one hundred and eighty-one, one hundred and eighty-four, one hundred and eighty-seven, one hundred and ninety, one hundred and ninety-three, one hundred and ninety-six, one hundred and ninety-nine and two hundred and

two of this act shall take effect as of September thirtieth, nineteen hundred and seventy-nine.

Sections eighty-four A and eighty-four B of this act shall take effect as of July first, nineteen hundred and seventy-six. Section eighty-four C of this act shall take effect as of January first, nineteen hundred and seventy-seven. Section eighty-four D of this act shall take effect as of April first, nineteen hundred and seventy-seven. Section one hundred and fifty of this act shall take effect as of July first, nineteen hundred and seventy-nine.

Approved December 29, 1977.

Chap. 873. AN ACT PROVIDING FOR THE RETENTION OF A TICKET AGENT AT THE COMMUTER RAILROAD STATION LOCATED IN THE TOWN OF SHARON, OPERATED BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts Bay Transportation Authority shall keep open and maintain its commuter railroad station in the town of Sharon Monday through Friday each week for the use of passengers for not less than the number of hours such station was open as of July first, nineteen hundred and seventy-seven.

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

Approved December 29, 1977.

Chap. 874. AN ACT DETERMINING WHETHER MUNICIPAL LIGHTING PLANTS SHALL BE MANAGED BY APPOINTED OR ELECTED OFFICIALS.

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

Be it enacted, etc., as follows:

In any city or town having a municipal gas or electric plant established under either chapter one hundred and sixty-four of the General Laws or under a special act, in which the responsibility for maintaining and operating said plant lies with appointed officials and not those duly elected by the voters of said city or town, the following question shall be placed upon the official ballot to be used in such a city at the biennial state election

to be held in the year nineteen hundred and seventy-eight upon a majority vote of the city council with the approval of the mayor, or by a two thirds vote of the city council; and shall be placed on the official ballot to be used in such a town at its next annual town meeting by majority vote of a special town meeting called for the purpose; or in either a city or town upon the filing of a petition signed by not less than two per cent of the registered voters filed with the city or town clerk, as the case may be, at least sixty days before said election or annual town meeting:-

Shall the municipal light board of this city (or town) be elected by the voters of said city (or town)?

YES	
NO	

If a majority of the votes cast in answer to said question is in the affirmative, such city or town shall have authorized the election of a municipal light board in accordance with the provisions of section fifty-five of said chapter one hundred and sixty-four at the next regular city or town election. Upon the election and qualification of the members of said board all the powers and duties of said appointed officials shall terminate.

Approved December 29, 1977.

Chap. 875. AN ACT FURTHER REGULATING THE STATE SCHOOL BUILDING ASSISTANCE PROGRAM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to assure that eligible school building projects in the cities, towns, counties and regional school districts of the commonwealth shall be encouraged to invest bond revenues in order to defray the costs of school construction and help to alleviate the burden on local taxpayers, therefore 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 third paragraph of section 8 of chapter 645 of the acts of 1948, as appearing in section 3 of chapter 302 of the acts of 1976, is hereby amended by striking out the last sentence.

Approved December 29, 1977.

Chap. 876. AN ACT DIRECTING THE TRANSFER OF CERTAIN LAND IN THE TOWN OF STERLING FROM SAID TOWN TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of section forty-four A of chapter thirty of the General Laws and of section one of chapter six hundred and ninety-three of the acts of nineteen hundred And fifty-five, the town of Sterling is hereby authorized and directed to transfer to the department of public works certain parcels of land being used by said town for sanitary landfill purposes.

Said parcels of land are shown on a plan on file in the department of public works, office of the chief engineer, and are bounded and described as follows:-

A parcel of land owned by the town of Sterling (sanitary landfill) adjoining the easterly location line of the Consolidated Rail Corporation and being more fully described as follows:-

PARCEL 1-9

Beginning at a point on said easterly location line, thence following said location line northerly, about three hundred forty (340) feet more or less; thence southeasterly by other land of said Consolidated Rail Corporation, one hundred forty-three (143) feet more or less to a point on the proposed southeasterly location line of Interstate Route 190, so-called; thence following said location line southerly, three hundred forty-six (346) feet more or less; thence northwesterly by other land of said consolidated Rail Corporation, seventy-five (75) feet more or less to the point of beginning, containing about ninety one hundredths (0.90) acres.

PARCEL 1-10

A parcel of land owned by the Town of Sterling adjoining the westerly location line of the Consolidated Rail Corporation and the easterly location line of the 1934 State Highway alteration of Route 12 and being more fully described as follows:

Beginning at the point of intersection of said westerly location line of Consolidated Rail Corporation and the proposed southeasterly location line at Interstate 190, thence following said proposed southeasterly location line of Interstate 190 by six (6) courses respectively; south 60° 46' 02" west, 575 feet more or less, thence south 35° 14' 56" west, 269.27 feet; thence south 71° 49' 10" east, 183.13 feet; thence south 18° 47' 50" west, 480.11 feet; thence north 70° 23' 10" west, 299.00 feet; thence south 28° 34' 11" west, 12 feet more or less to land of Town of Sterling (Sanitary Land Fill); thence by said land of Town of Sterling by three (3) courses respectively; westerly 142 feet more or less;

thence southerly 344 feet more or less; thence easterly 75 feet more or less to the proposed southeasterly location line of Interstate 190, thence following said location south $28^{\circ} 34' 11''$ west, 293 feet more or less; thence by other land of Town of Sterling (Parcel 4-3) westerly, 82.50 feet to the easterly location line of the 1934 State Highway alteration of Route 12; thence following said alteration line northerly by five (5) courses respectively; 1323 feet more or less, 43.07 feet, 100.01 feet, 35.54 feet and 104 feet more or less; thence easterly by land of owner unknown 12 feet more or less; thence northerly by said land of owner unknown in three (3) courses of 60 feet more or less, 57 feet more or less and 57 feet more or less respectively; thence by land now or formerly of Richard T. Higgins, Matteo F. Trotto and John Kazanjian northerly in four (4) courses of 65 feet more or less, 132 feet more or less, 53 feet more or less and 176 feet more or less to the proposed northwesterly location line of Interstate 190; thence following said location line by other land of said Town of Sterling south $7^{\circ} 15' 15''$ east, 245 feet more or less to land now or formerly of Richard T. Higgins, Matteo F. Trotto and John Kazanjian; thence by land of said Higgins, Trotto and Kazanjian, southerly 48 feet more or less and 125 feet more or less; thence easterly 116.00 feet to land now or formerly of American Telephone and Telegraph Company; thence by said land of American Telephone and Telegraph Company, easterly in four (4) courses respectively; 101 feet more or less, 249.88 feet, 184.86 feet, and 36.89 feet to the westerly location line of the Consolidated Rail Corporation; thence by said location line southerly by a curve to the left, 163 feet more or less to the point of beginning, containing about 18.90 acres.

PARCEL 4-3

A parcel of land owned by the Town of Sterling adjoining the easterly location line of the 1934 State Highway Alteration of Route 12 and being more fully described as follows:

Beginning at the southwesterly corner of said parcel of land on the easterly location line of said alteration; thence following said easterly alteration line northerly 1733 feet more or less; thence by other land of said Town of Sterling (Parcel 1-10) easterly 82.50 feet; thence following the proposed easterly location line of 1934 State Highway Alteration of Route 12 southerly, 1733 feet more or less to land now or formerly of Albert P. Manzi; thence by land of said Manzi westerly, 82.50 feet to the point of beginning, containing about 3.28 acres.

PARCEL 4-7-T

A parcel of land owned by the Town of Sterling being 526 feet distant from the northerly location line of proposed Connector Road "A" and being more fully described as follows:

Beginning at the southeasterly corner of said parcel of land and land now or formerly of Benedict Gargulinski and Edward Gargulinski; thence by land of said Gargulinski northwesterly 70 feet more or less; thence northerly, easterly and southerly by other land of said Town of Sterling in seven (7) courses respectively, north $3^{\circ} 55' 46''$ west 239 feet more or less; thence by a curve to the left of 37.00 feet radius, 58 feet more or less; thence north $3^{\circ} 55' 46''$ west, 50.00 feet; thence north $77^{\circ} 26' 51''$ east, 105 feet more or less; thence south $12^{\circ} 40' 46''$ east, 50.00 feet; thence by a curve to the left of 37.00 feet radius, 58 feet more or less; thence south $3^{\circ} 55' 46''$ east, 300 feet more or less to the point of beginning, containing about 0.49 acres.

PARCEL 4-TS-28

A parcel of land owned by the Town of Sterling, adjoining the westerly location line of proposed Service Road "B-12", bounded easterly by said location line about 239 feet; southerly by land of Benedict Gargulinski and Edward Gargulinski about 38 feet; westerly by land of said Town of Sterling in six (6) courses respectively about 29 feet, about 57 feet, about 58 feet, about 61 feet, about 37 feet and about 34 feet; northeasterly by said location line about 58 feet, containing about 0.17 acres.

PARCEL 4-TS-29

A parcel of land owned by the Town of Sterling adjoining the easterly location line of proposed Service Road "B-12", bounded westerly by said location line about 300 feet; north-westerly by said location line about 58 feet; easterly by other land of said Town of Sterling in seven (7) courses respectively; about 47 feet, about 53 feet, about 47 feet, about 67 feet, about 57 feet, about 57 feet and about 92 feet; southerly by land of Benedict Gargulinski and Edward Gargulinski about 56 feet, containing 0.30 acres.

Including herein the right in the department of public works to construct slopes of excavation or embankment appurtenant to said improvements.

The department is authorized and directed to pay to the town of Sterling the fair market value of Parcel 1-9 in accordance with the provisions of chapter seventy-nine of the General Laws, and to pay an amount not to exceed the pro rata value of the cost paid by the town of Sterling to the Penn Central Railroad for parcels 1-10, 4-3, 4-7-T, 4-TS-28 and 4-TS-29 from whom the town of

Sterling was sold approximately fifty-eight acres of land in the immediate vicinity of the department's proposed construction of interstate highway route 190.

For the purposes of this act the department of public works is hereby granted authority to divert to highway use, the above described lands or portions thereof presently in public use by the town of Sterling and being used by it for sanitary landfill purposes.

Approved December 29, 1977.

Chap. 877. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN PARCELS IN THE CITY OF REVERE TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO LEASE AIR RIGHTS OVER CERTAIN PARCELS IN THE CITY OF REVERE TO THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to convey to the Massachusetts Bay Transportation Authority, hereinafter called the Authority, for such consideration and upon such terms as the commission may determine, and as agreed upon by the Authority, two parcels of land located in the Revere beach area of the city of Revere, adjacent to the Wonderland station in said city. Said parcels being further identified as parcels A and B on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission - Engineering Division - Plan of land in Revere to be conveyed to the Massachusetts Bay Transportation Authority . . . April 6, 1977, Francis T. Bergin, Chief Engineer, being plan accession number 63040, which is bounded and described as follows:

Parcel A beginning at a stone bound set in the northwesterly line of Ocean Avenue by land now or formerly of the Commonwealth of Massachusetts Metropolitan District Commission thence turning and running S 14° 27'06" W for a distance of forty-one and 23/100 (41.23) feet to a point; thence turning and running N 75° 32'54" N for a distance of two hundred and twenty five and 00/100 (225.00) feet to a point; thence turning and running N 14° 27'06" E, twenty five and 00/100 (25.00) feet to a point; thence turning and running S 75° 32'54" E fifty and 00/100 (50.00) feet to a point; thence turning and running N 14° 27'06" E seventy five and 00/100 (75.00) feet to a point; thence

turning and running S 42°45'19" E forty two and 36/100 (42.36) feet to a point; thence S 64°50'55" E nineteen and 15/100 (19.15) feet to a point; thence S 77°52'46" E sixteen and 29/100 (16.29) feet to a point; thence N 77°08'02" E twelve and 81/100 (12.81) feet to a point; thence N 56°15'58" E twenty six and 88/100 (26.88) feet to a point; thence S 75°35'34" E seventy six and 61/100 (76.61) feet to a point; thence turning and running S 16°01'06" W fifty eight and 93/100 (58.93) feet to a stone bound first mentioned, the point of beginning.

Parcel B beginning at a point south fifty and 02/100 feet (50.02) from a stone bound set in the northwesterly sideline of Ocean Avenue, thence following a line S 16°01'06" W one hundred forty and 10/100 (140.10) feet to a point; the turning and running N 75°35'34" W eighty two and 35/100 (82.35) feet to a point; thence turning and running N 14°27'06" E one hundred forty and 00/100 (140) feet to a point; thence turning and running S 75°37'23" E eighty six and 18/100 (86.18) feet to the point of beginning; being shown on aforesaid plan and comprising land supposed to be owned by the following owners:

<u>Parcel</u>	<u>Owner</u>	<u>Area to be conveyed in square feet</u>
A	Commonwealth of Massachusetts M.D.C.	17,068
B	Commonwealth of Massachusetts M.D.C.	11,799

SECTION 2. Upon conveyance by the commission to the Authority of the two parcels of land described in section one, the Authority is hereby authorized and directed to lease to the city of Revere, subject to such terms and conditions, if any, that said Authority may impose, such air rights and space over said parcels, including rights for support, access, utilities, and light and air, as the Authority may determine are not needed by said Authority for the construction and maintenance of a pedestrian connector and vehicular access, over said parcels, for a term of years not exceeding ninety-nine years.

In addition, said Authority is hereby authorized and directed to lease to said city of Revere, subject to such terms and conditions, if any, that said Authority may impose, such air rights and space, including rights for support, access utilities, and light and

air, as the Authority may determine are not needed by said Authority for the construction and maintenance or a pedestrian connector and/or vehicular access, for a term of years not exceeding ninety nine years, over a certain parcel of land presently owned by said Authority, adjacent to the Wonderland station in the Revere Beach area of the City of Revere. Said parcel of land is that shown on a plan entitled "Commonwealth of Massachusetts Metropolitan District Commission Parks Division Ocean Avenue, Revere Plan of taking Redevelopment Area Beach Street to Revere Street - dated April 30, 1972, revised August 3, 1962 - signed by Benjamin W. Fink, Director of Engineering", and bounded and described as follows:

Beginning at the point of intersection of the southerly line of Chester Avenue and the easterly right of way line of the Authority, thence running in a generally north, northeasterly direction along said easterly right of way of the Authority a distance of seven hundred eighty five and forty four hundredths feet, more or less, to the point of intersection of said easterly right of way line and the westerly line of land now or formerly owned by the Authority; thence turning and running in a generally south, southeasterly direction a distance of one hundred ninety nine feet, more or less; thence turning and running in a generally east, southeasterly direction a distance of two hundred thirty seven feet, more or less, to the point of intersection of the southerly line of land now or formerly owned by the Commission and the westerly line of Ocean Avenue; thence turning and running in a generally south, southwesterly direction a distance of fifty and two hundredths feet, more or less; thence turning and running in a generally west, northwesterly direction along the line of land now or formerly owned by the Commission for a distance or eighty six and eighteen hundredths feet, more or less; thence turning and running in a generally south, southwesterly direction along the line of land now or formerly of the Commission for a distance of one hundred and forty feet, more or less; thence turning and running in a generally easterly direction along the line of land now or formerly of the Commission for distance or eighty two and thirty five hundredths feet, more or less, to the point of intersection of the westerly line of Ocean Avenue and the southerly line of land now or formerly of the Commission; thence turning and running in a generally south, southwesterly direction along said westerly line of Ocean Avenue a distance of two hundred nine and ninety eight hundredths feet, more or less, to the point of intersection of said westerly line of Ocean Avenue and the northerly line of land now or formerly of the Commis-

sion; thence turning and running in a generally west, northwesterly direction a distance of seventy six and sixty one hundredths feet, more or less, along said northerly line of land now or formerly of the Commission; thence turning and running in a generally southwesterly direction a distance of twenty six and eighty eight hundredths feet, more or less; thence continuing in a generally west, southwesterly direction a distance of twelve and eighty one hundredths feet, more or less; thence continuing in a generally westerly direction a distance of sixteen and twenty nine hundredths feet, more or less; thence continuing in a generally west, northwesterly direction a distance of nineteen and fifteen hundredths feet, more or less; thence continuing in a generally northwesterly direction a distance of forty two and thirty six hundredths feet, more or less; thence turning and running in a generally south, southwesterly direction a distance of fifty feet, more or less; thence turning and running in a generally westerly direction a distance of fifty feet, more or less; thence turning and running in a generally south, southwesterly direction a distance of fifty feet, more or less, to the southerly line of Chester Avenue; thence turning and running in a generally westerly direction along said southerly line of Chester Avenue for a distance of eighty two and thirty five hundredths feet, more or less, to the point of intersection of said southerly line of Chester Avenue and the easterly right of way line of the Authority, which is the point of beginning.

The leasehold estate created by such lease or leases may be subleased in whole or in part, assigned, pledged, or mortgaged, and any pledge or mortgage may be foreclosed by appropriate action. The construction or occupancy of any building or other thing erected or affixed under any lease under this act shall be subject to the building, fire, garage, health, and zoning ordinances, by-laws, rules, and regulations of the city of Revere. The construction or occupancy of any building or other thing erected or affixed under any lease under this act shall occur only after an affirmative finding by the Revere Beach Design Review Board established pursuant to section four of chapter eight hundred and forty-one of the acts of nineteen hundred and seventy-five, that any proposed design is suited to the characteristics of the Revere beach site and is adequately integrated with the surrounding area. Any building or other thing erected or affixed under any such lease shall be taxed to the lessee thereof or his assigns in the same manner and to the same extent as if such lessee or his assigns were the owners of the land in fee; provided

that no part of the value of the land shall be included in any such assessment. Any such leasehold estate may be sold or taken by the collector of taxes of said city for the nonpayment of any taxes assessed as aforesaid in the manner provided by law for the sale or taking of real estate for nonpayment of local taxes. Said collector shall have for the collection of taxes assessed under this act all remedies provided by the General Laws for the collection of taxes by collectors of cities and towns. No billboards shall be erected under the provisions of this act. The premises authorized to be leased under the provisions of this act shall be leased by said Authority to the city for a nominal rental. The provisions of paragraph (c) of section five of chapter one hundred and sixty-one A of the General Laws shall not apply to any lease made under the provisions of this act.

Approved December 29, 1977.

Chap. 878. AN ACT REGULATING THE WITHDRAWAL OF CERTAIN PROVIDERS OF LONG TERM CARE SERVICES FROM THE MASSACHUSETTS MEDICAL CARE AND ASSISTANCE PROGRAM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prohibit forthwith convalescent or nursing homes from transferring or discharging patients solely on grounds of medical care and assistance status, therefore 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 4 of chapter 118E of the General Laws, as appearing in section 1 of chapter 800 of the acts of 1969, is hereby amended by inserting after the third paragraph the following four paragraphs:-

Such rules and regulations shall include provisions requiring providers of long term care services intending to withdraw from the medical care and assistance program established by this chapter to provide for the continuing care or appropriate relocation of the medical assistance recipients residing in their facilities.

The department may require any long term care provider expressing his intention to withdraw from said program whose facility is able to meet the standards for participation in said program to enter into a standard provider contract with the department under which the provider continues to provide services only

to those patients residing in his facility at the time the provider announces his intention to withdraw who are eligible for medical assistance or who become eligible for medical assistance during the term of the contract. Such rules and regulations shall also provide that any such provider who has withdrawn from said program may not participate in said program for a period of time, not exceeding five years, specified in said regulations.

Such rules and regulations shall also provide that any long term care provider whose facility is unable to meet the standards for participation in said program shall continue to provide care to the medical assistance recipients residing in his facility until the provider has arranged for the complete relocation of all the medical assistance recipients residing in his facility in accordance with such rules and regulations and with the regulations of the department of public health.

Any provider who violates the provisions of this section by failing to provide care to a medical assistance recipient residing in his facility shall be subject to a fine of one thousand dollars for each violation.

SECTION 2. The provisions of this act shall take effect only with respect to contracts between the department of public welfare and long term care providers executed on or after the effective date of this act.

Approved December 30, 1977.

Chap. 879. AN ACT MAKING CHANGES IN THE LAW RELATIVE TO RECOUNTS OF ELECTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain clarifications in the election laws to expedite the procedures for the bi-ennial state election, therefore 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 54 of the General Laws is hereby amended by striking out section 135, as most recently amended by chapter 62 of the acts of 1974, and inserting in place thereof the following section:-

Section 135. A petition for a recount may be filed with the city or town clerk on or before five o'clock post meridian on the sixth day following a primary or preliminary election, or on or before five o'clock post meridian on the tenth day following an election,

in a ward of a city or in a town, if ten or more voters of such ward or town, except a town having more than twenty-five hundred voters and voting by precincts and except Boston, and in such a town voting by precincts ten or more voters of each precinct in which a recount is petitioned for and in Boston fifty or more voters of a ward, shall sign in person as registered, or substantially as registered, and shall state the address where he is currently living with the street and number, if any, and his address on January the first preceding. In the case of any petition for a recount hereunder, the registrars need not certify a greater number of names than is required hereby for the holding of the recount, increased by one fifth thereof.

Such petition shall be on a form furnished by the state secretary, shall be accompanied by a written request for a recount signed by the candidate on whose behalf the recount is being conducted, shall be sworn to by one of the subscribers before a notary public, and shall contain a statement that they have reason to believe and do believe that the records, or copies of records, made by the election officers of such ward or town, or of such precinct in a town having more than twenty-five hundred voters and voting by precincts, are erroneous, specifying wherein they deem such records or copies thereof to be in error, or that challenged votes were cast by persons not entitled to vote therein, and that they believe a recount of the ballots cast in such ward, precinct or town will affect the nomination or election of one or more candidates voted for at such primary, preliminary election or election, specifying the office or will affect the decision of a question voted upon at such election, specifying the question. The city or town clerk shall forthwith transmit to the registrars of voters such petition and statement, and the envelopes or containers containing all records of the election, including the sealed envelopes containing the ballots cast, the original tally sheets, the envelopes containing the spoiled and unused ballots, the voting lists used at the election, the certificates issued to voters omitted from the voting list, the precinct clerk's election record, the absentee ballot envelopes and applications for such absentee ballots as were cast at the election, the lists of voters who were sent absentee ballots with the notation as to whether such ballots were cast or rejected or whether such voter voted in person, and the sealed envelopes containing the ballots rejected as defective. In the case of a recount of the votes for an office any candidate for such office shall, upon his request, be permitted to obtain and examine the record books and the clerk of the precinct's book, so called, where used, and may require that a count be made of the

number of persons checked as having voted on the voting lists used at each precinct, and that an examination be made of the figures on each ballot box register.

The registrars shall first examine the petition and statement and attach thereto a certificate of the number of names of subscribers which are names of registered voters in such ward, precinct or town and shall then, without unnecessary delay, but not before the last hour for filing petitions for recounts as aforesaid, open the envelopes or containers, except envelopes containing absentee ballots rejected as defective, recount the ballots cast and determine the questions raised, and shall examine all ballots cast by or for challenged voters and reject any such ballot cast by or for a person found not to have been entitled to vote. They shall examine the sealed inner ballot envelopes rejected as defective as to the reasons for rejection and shall determine whether each such ballot should have been rejected or accepted. The registrars' determinations shall be subject to protest as said envelopes are examined at the recount. Said envelopes shall remain sealed irrespective of the decision of the registrars unless ordered opened by a court. The registrars shall endorse on the back of every cast ballot subsequently rejected and on the back of every inner ballot envelope of absentee ballots originally rejected as defective the reason for such rejection or subsequent acceptance and said statement shall be signed by a majority of said registrars. A member of the board of registrars shall endorse over his signature on the back of each protested ballot the block number of which it is a part and the office for which the vote is protested, together with the name of the candidate for whom the vote is counted.

The registrars at the recount shall determine how protested votes are to be counted and the registrars shall assign tally clerks to count the votes.

In cases of recounts at elections where voting machines have been used the city or town clerk shall transmit to the registrars the records of the election officers, the envelopes or containers containing the total sheets showing the votes recorded by the voting machines, cast by challenged voters and cast by absent voting ballots, respectively, and containing the ballots cast by challenged voters and the absent voting ballots cast, and all other material specified in section one hundred and thirty-five A.

State-wide recounts in cases of offices to be filled or questions to be voted upon at the state election by all the voters of the commonwealth may be requested as provided in the foregoing provisions of this section so far as applicable, except that any petition

therefor shall be on a form approved and furnished by the state secretary, shall be signed in the aggregate by at least one thousand voters, and shall be submitted on or before five o'clock post meridian of the tenth day following such election to the registrars of voters of the city or town in which the signers appear to be voters, who shall forthwith certify thereon the number of signatures which are names of registered voters in said city or town, and except that said petitions for recount shall be filed with the state secretary on or before five o'clock post meridian of the fifteenth day following such election. The state secretary shall hold such petitions for recount until after the official tabulation of votes by the governor and council and if it then appears that the difference in the number of votes cast for the two leading candidates for the office, or in the number of affirmative and negative votes on a question, for which recount is desired is more than one half of one per cent of the total number of votes cast for such office or on such question, the petitions for recount shall be void. If such difference in the votes so cast appears to be one half of one per cent or less of the total votes cast for such office or on such question, he shall forthwith order the clerk of each city and town of the commonwealth to transmit forthwith, and said clerk shall so transmit, the envelopes or containers containing the ballots, sealed except in the case of those containing ballots which have already been recounted in respect to said office or question under authority of this section, to the registrars of the city or town who shall, without unnecessary delay, open the envelopes or containers, recount the ballots cast for said office or on such question and determine the questions raised. The registrars shall examine the sealed inner ballot envelopes originally rejected as defective, determine whether each such ballot should have been rejected or accepted, endorse the reasons for such findings, but in no case shall the registrars open the envelopes. The registrars determinations shall be subject to protest as said envelopes are examined at the recount. If a state-wide recount is petitioned for, all ballots cast at a state election shall be held, except as otherwise provided herein, by the city and town clerks until the expiration of sixty days after said election.

The board of registrars of voters in any city or town shall set the date of any recount for an office or question which appeared on a state primary or state election ballot, except for state-wide offices to be filled or on such questions to be voted on at the state election by all the voters of the commonwealth, for a date not more than six days after receipt of the recount petition for a primary, and not more than ten days after receipt of such peti-

tion for an election. The registrars shall forthwith, upon setting the date of any such recount, notify the state secretary in writing of the office to be recounted, the time and place of the recount and the number of observers to which each candidate is entitled. The registrars shall, within twenty-four hours after receipt of the recount petition, give not less than three days written notice to each candidate for the office for which a recount was petitioned under authority of this section, or to such person as shall be designated by the petitioners for a recount of ballots cast upon questions submitted to the voters, of the time and place of making the recount, and each such candidate or person representing petitioners as aforesaid shall be allowed to be present and to witness such recount at each table where a recount of the ballots affecting such candidate is being held, accompanied by one or more counsel, if he so desires. Each such candidate or person may also be represented by agents, appointed by him or his counsel in writing, sufficient in number to provide one such agent for each officer counting or checking such ballots; provided, that no such candidate or person may have more than one such agent, other than his counsel, witnessing the work of any one officer at any one time. Each such candidate, person, counsel and agent shall have the right to watch and inspect the ballots, tally sheets and all other papers used in the recount, and to watch every individual act performed in connection therewith. In the case of a recount of ballots cast for offices which are filled by all the voters of the commonwealth, such notice may be given to the duly organized state political committees. In the case of a recount of the ballots cast upon a question submitted to all the voters as aforesaid, one representative from any committee organized to favor or to oppose the question so submitted shall be permitted to be present and witness the recount.

All recounts shall be upon the questions designated in the statements or petitions filed, and no other count shall be made, or allowed to be made, or other information taken, or allowed to be taken, from the ballots on such recount, except that in the case of a recount of the ballots cast for an office, the votes cast for all of the candidates for such office, including blanks cast, shall be recounted and all spoiled and unused ballots shall also be counted and determination shall be made without opening the envelopes whether each sealed absentee ballot envelope rejected as defective should have been rejected or accepted, and the results recorded on the blank forms provided therefor, together with the absentee ballot envelopes and applications for such ab-

sent voting ballots. Nothing contained in this section shall be construed to prevent the immediate commencement of the work of actually recounting the ballots at the recount.

If, after a petition for a recount of the votes for an office in any ward, town, or precinct of a town has been filed, a candidate who requested the recount files a written request with the city or town clerk that the recount petitioned for be discontinued, the city or town clerk shall immediately suspend the recount and give written notice to each candidate for the office that, unless written notice of a candidate's objection is received within seventy-two hours after such notice is sent, the recount shall be discontinued. If no such notice of objection is received, the recount shall be discontinued.

If, after a petition for state-wide recount for an office has been filed, the leading candidate, together with every other candidate whose votes therefor are not exceeded in number by the votes of the leading candidate by more than one half of one per cent of the total number of votes cast for such office, shall file a written request with the state secretary that the recount petitioned for be discontinued, the state secretary shall immediately order such recount discontinued whereupon such proceedings shall terminate.

The registrars shall, when the recount is complete, enclose all the ballots in their proper envelopes or containers, seal each envelope or container with a seal provided therefor, and certify upon each envelope or container that it has been opened and again sealed in conformity to law; and shall likewise make and sign a statement of their determination of the questions raised. The registrars shall also enclose all protested ballots in a separate envelope, seal the envelope with a seal provided therefor and certify upon the envelope that it contains all ballots that have been protested. When ballots are summoned to court, only such ballots as have been duly recorded as protested at a recount shall be required to be produced except by express order of the court. The envelopes or containers, with such statement, shall be returned to the city or town clerk, who shall alter and amend, in accordance with such determination, such records as have been found to be erroneous; and the records so amended shall stand as the true records of the election. Copies of such amended records of votes cast at a state election shall be made and transmitted as required by law in the case of copies of original records; provided, that such copies of amended records shall in case of a state-wide recount be transmitted by the city or town clerk to the state secretary within four days of the completion of such recount. If, in case of a recount of votes for town officers, it shall appear that

a person was elected other than the person declared to have been elected, the registrars of voters shall forthwith make and sign a certificate of such fact, stating therein the number of votes cast, as determined by the recount, for each candidate for the office the election to which is disputed, and shall file the same with the town clerk. The town clerk shall record the certificate and shall, within twenty-four hours after such filing, cause a copy of such certificate, attested by him, to be delivered to or left at the residence of the person so declared to have been elected, and to the person who by such certificate appears to be elected.

Registrars of voters may employ such clerical assistance as they deem necessary to enable them to carry out this section and in the investigation of challenged votes may summon witnesses and administer oaths.

SECTION 2. Section 135A of said chapter 54, as most recently amended by section 21 of chapter 600 of the acts of 1975, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- For recounts of any election in an election district where voting machines are used all records of the election shall be transmitted to the registrars of voters for the recount, including the voting lists used at the election, the certificates issued to voters omitted from the voting list, the original tally sheets, the precinct clerk's election record, the sealed envelopes containing challenged ballots and absentee ballots cast, the absentee ballot envelopes and applications for such absentee ballots as were cast at the election, the lists of voters who were sent absentee ballots with the notation as to whether such ballots were cast or rejected or whether such voter voted in person and the sealed envelopes containing ballots rejected as defective.

The recount shall consist of the checking with the records and voting lists of the total sheets containing the results of the votes counted, including those cast by voting machines, by ballots of challenged voters and by absent voting ballots, the rejection or counting of ballots cast by challenged voters and the counting of absent voting ballots cast, and the examination of sealed absentee ballot envelopes rejected as defective as to reasons for rejection and a determination as to whether each such envelope should have been rejected or accepted. The registrars' determinations shall be subject to protest as said envelopes are examined at the recount. Said envelopes shall remain sealed irrespective of the decision of the registrars at the recount unless ordered opened by a court. The recount shall also include the determination of the questions raised by the petition for recount, the retabulation of

the results, and the certification of the corrected results to the city or town clerk.

SECTION 3. The third paragraph of section 37 of chapter 53 of the General Laws, as most recently amended by section 2 of chapter 310 of the acts of 1976, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Said officers shall, at any time after the primary, upon receiving a written request therefor signed by any person, furnish a copy of said list to such person upon the payment of a reasonable fee or shall allow such person to examine and copy such list without charge under such supervision as the clerk may reasonably require.

SECTION 4. Said chapter 53 is hereby amended by striking out section 40A, as amended by section 6 of chapter 546 of the acts of 1977, and inserting in place thereof the following section:-

Section 40A. Petitions for recounts of the ballots cast at a primary of a political party may be signed only by registered voters enrolled in such political party on or before the last day to register to vote for the primary.

SECTION 5. The fourth paragraph of section 48 of said chapter 53, as appearing in section 7 of said chapter 546, is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences:- Said registrars of voters shall issue such certificate to any person seeking the nomination of a political party, who is a newly registered voter of that city or town enrolled in that political party and who has not been an enrolled member of another political party during the year preceding the last day for filing nomination papers with the state secretary. No such certificate shall be issued to any person who is a candidate for nomination for any such office, if such person has been an enrolled member of another political party during the year prior to the last day for filing nomination papers with the state secretary as provided by this section.

SECTION 6. Section 108 of chapter 54 of the General Laws, as most recently amended by section 3 of chapter 310 of the acts of 1976, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- At any time after the election, upon written request of any person, the city or town clerk shall, within a reasonable time, open the envelope in which the voting lists have been enclosed, as provided in section one hundred and seven, and make a copy of the lists as checked.

SECTION 7. This act shall take effect on January first, nineteen hundred and seventy-eight.

Approved December 30, 1977.

Chap. 880. AN ACT INCREASING THE AUTHORITY OF CITIES AND TOWNS TO INDEMNIFY POLICEMEN AND FIREMEN AGAINST WHOM DAMAGES ARE RECOVERED AS A RESULT OF THEIR OPERATION OF MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the indemnification of police officers and fire fighters for certain acts done prior to such indemnification, therefore 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 100 of chapter 41 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph:-

Notwithstanding the provisions of section one hundred A or section one hundred D or any contrary provisions of any other general or special law, a city or town shall indemnify a police officer or fire fighter, to the extent and in the manner herein provided and subject to the same limitations, for expenses or damages incurred by him in the defence or settlement of a claim against him for acts done by him while operating a motor vehicle as such police officer or fire fighter.

SECTION 2. The provisions of section one hundred of chapter forty-one of the General Laws, as amended by section one of this act, shall apply to indemnification petitions pending prior to the effective date of this act or filed thereafter, regardless of the time when expenses or damages under said section one hundred, as so amended, were incurred by a fire fighter or police officer.

Approved December 30, 1977.

Chap. 881. AN ACT DIRECTING THE COMMISSIONER OF FISHERIES, WILDLIFE AND RECREATIONAL VEHICLES TO CONVEY CERTAIN LAND IN GEORGETOWN TO JOANNE C. STANLEY AND TO CONVEY OTHER LAND TO WILLIAM E. HANDREN IN EXCHANGE FOR CERTAIN LAND.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the commissioner of fisheries, wildlife and recreational vehicles is hereby authorized and directed to convey to Joanne C. Stanley, in the name and on behalf of the commonwealth, by a quit claim deed approved as to form by the attorney general the following described portion of a lot of land shown as part of parcel 1 on a plan of land entitled, "Plan of Land in Georgetown Property of Robert Stanley et al, Essex Survey Inc." and bounded and described as follows:-

Beginning at a point on the easterly side of Pillsbury Street, in the town of Georgetown, which is located at the southwesterly corner of the granted premises, thence

N 08° ,14' 05" W by Pillsbury Street, one hundred seventy (170) feet to a point, thence

N 64° ,41' 33" E by land now or formerly of the Commonwealth of Massachusetts, Division of Fisheries and Wildlife, four hundred forty-seven and thirty-seven hundredths (447.37) feet to a point, thence

S 07° ,26' 30" E by land now or formerly of Ford, one hundred fifty-five (155) feet to a point, thence

S 63° ,39' 14" W by land now or formerly of Clement, fifty-six and fifty-six hundredths (56.56) feet to a point, thence

S 62° ,55' 16" W by land now or formerly of Clement, three hundred twenty-four and sixty-five hundredths (324.65) feet to a point, thence

S 61° ,25' 00" W by land now or formerly of Clement, sixty-eight and seventy-nine hundredths (68.79) feet to the point of beginning.

Containing a total of sixty-eight thousand six hundred eighty (68,680) square feet (1.58 acres) more or less.

SECTION 2. Said commissioner of fisheries, wildlife and recreational vehicles is hereby authorized and directed to convey to William E. Handren, Jr. of Georgetown or his successor by a quit claim deed approved as to form by the attorney general land described below as parcel 1 in exchange for the conveyance to the commonwealth of parcel 2 described below. Said parcel 2 shall

be managed and controlled by the department of fisheries, wildlife and recreational vehicles.

Parcel 1. Beginning at an iron rod on the easterly side of Pillsbury Street in said Georgetown, said point being the South Easterly corner of land of William E. Handren and the North-westerly corner of land of the Commonwealth of Massachusetts, Division of Fisheries and Wildlife; thence

N 62°47' 05" E, 185.00 feet to a point, said point being the point of beginning of the parcel to be conveyed into William E. Handren and described as follows:-

N 76°16' 05" E, 73.39 feet to a point; thence

N 62°47' 05" E, 53.00 feet to a point; thence

N 27°12' 55" E, 17.11 feet to a point; thence

S 62°47' 05" W, 124.36 feet to the point of beginning. Said described parcel containing 1,517 square feet, more or less.

Parcel 2. Land shown as lots 6A, 6B and 6D on a plan recorded in the southern district registry of deeds for Essex county, Plan Book 144, Plan No. 99.

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

Approved December 30, 1977.

Chap. 882. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PAY, A SUM OF MONEY TO DURGIN INDUSTRIES, INC.

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 Durgin Industries, Inc. of said town the sum of nine hundred and eighty-four dollars, as compensation for work done for said town at said town's dog pound and accepted and approved by the dog pound building committee of 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 said bill has been submitted were ordered by an official or an employee of said town and were delivered to 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 goods, 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 December 30, 1977.

Chap. 883. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PAY, A CERTAIN SUM OF MONEY TO THAYER FENCE, INC.

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 Thayer Fence, Inc. of said town the sum of nine hundred and thirty dollars, as compensation for work done for said town at said town's dog pound and accepted and approved by the dog pound building committee of 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 said bill has been submitted were ordered by an official or an employee of said town and were delivered to 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 goods, 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 December 30, 1977.

Chap. 884. AN ACT FURTHER REGULATING THE REQUIREMENTS FOR REGISTRATION OF NURSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate the registration of nurses, therefore 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 74 of chapter 112 of the General Laws is hereby amended by striking out the fifth sentence, as most recently amended by section 33 of chapter 684 of the acts of 1972, and inserting in place thereof the following four sentences:- Every person registered hereunder who continues to hold himself out as a registered nurse shall, on or before his birthday in each even-numbered year, renew his registration for the ensuing two-year period by payment of six dollars to the board, and thereupon the board shall issue a certificate showing that the holder thereof is entitled to practice as a registered nurse for the period covered by said payment; provided, that if a birthday of any person who shall be registered hereunder shall occur within three months after such original registration, such person need not renew his registration until the birthday in the even-numbered year next following the birthday aforesaid; and provided, further, that beginning January first, nineteen hundred and eighty-two, every person seeking renewal or registration hereunder shall provide evidence of such continuing education as the board shall require by regulation unless the board accepts the training and experience of any such person in lieu of said continuing education requirement. The board shall promulgate rules and regulations not later than January first, nineteen hundred and eighty as to the type and amount of continuing education required for such nurse as a qualification for licensing or relicensing; criteria for approved programs, which shall not exclude programs offered by health care facilities licensed by the department of public health or educational institutions chartered by the commonwealth; procedure for the approval of programs; mechanism for the verification of compliance by each person seeking renewal or registration and provision for inactive status. The board shall have the authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of the continuing education requirements; provided, however, that no such rule or regulation shall take effect before the thirtieth day following the date when a copy of the rule or regulation is filed with the joint legislative committee on health care of the general court. Said regulations shall provide, however, that the maximum number of hours required shall not exceed five hours in the registration period beginning January first, nineteen hundred and eighty-two and ending December thirty-first, nineteen hundred and eighty-three, ten hours in the registration period beginning January first, nineteen hundred and eighty-four and ending December

thirty-first, nineteen hundred and eighty-five, and fifteen hours in the registration periods thereafter.

SECTION 2. Section 74A of said chapter 112 is hereby amended by striking out the fifth sentence, as most recently amended by section 36 of said chapter 684, and inserting in place thereof the following four sentences:- Every person licensed hereunder who continues to hold himself out as a licensed practical nurse shall, on or before his birthday in each odd-numbered year, renew his license for the ensuing two-year period by payment of six dollars to the board, and thereupon the board shall issue a certificate showing that the holder is entitled to practice as a licensed practical nurse for the period covered by said payment; provided, that if a birthday of any person who shall be licensed hereunder shall occur within three months after such original licensing, such person need not renew his license until the birthday in the odd-numbered year next following the birthday aforesaid; and provided, further, that beginning January first, nineteen hundred and eighty-three, every person seeking renewal or licensing hereunder shall provide evidence of such continuing education as the board shall require by regulation, unless the board accepts the training and experience of any such person in lieu of said continuing education requirements. The board shall promulgate rules and regulations not later than January first, nineteen hundred and eighty, as to the type and amount of continuing education required for such nurse as a qualification for licensing or relicensing; criteria for approved programs, which shall not exclude programs offered by health care facilities licensed by the department of public health or educational institutions chartered by the commonwealth; procedure for the approval of programs; mechanism for the verification of compliance by each person seeking renewal or registration; and provision for inactive status. The board shall have the authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of the continuing education requirements; provided, however, that no such rule or regulation shall take effect before the thirtieth day following the date when a copy of the rule or regulation is filed with the joint legislative committee on health care of the general court. Said regulations shall provide however, that the maximum number of hours required shall not exceed five hours in the registration period beginning January first, nineteen hundred and eighty-three and ending December thirty-first, nineteen hundred and eighty-four, ten hours in the registration period beginning January first, nineteen hundred and eighty-five and ending December thirty-first,

nineteen hundred and eighty-six, and fifteen hours in the registration periods thereafter.

SECTION 3. Said chapter 112 is hereby further amended by inserting after section 74B the following section:-

Section 74C. The governor shall appoint an advisory council on continuing education, consisting of seventeen members, three representatives of the public, five licensed practical nurses, three registered nurses with a baccalaureate degree or higher, three registered nurses with an associate degree, and three registered nurses with a diploma in nursing. Of the original appointments to the council, six members shall be appointed for a term of one year, six members shall be appointed for a term of two years, and five members shall be appointed for a term of three years. As the term of office of a member expires, his successor shall be appointed for a term of two years. Said council shall assist the board in evaluating the effects of procedures and requirements for continuing education and periodically recommend revisions to the board. No member shall be appointed for more than two successive terms.

SECTION 4. The advisory council on continuing education established by section seventy-four C of chapter one hundred twelve of the General Laws, inserted by section three of this act, shall study procedures and requirements for continuing education for nurses and submit recommendations to the board of registration in nursing and to the joint legislative committee on health care by January first, nineteen hundred and seventy-nine.

Approved December 30, 1977.

Chap. 885. AN ACT AUTHORIZING THE DIVISION OF WATER POLLUTION CONTROL TO MAKE CERTAIN GRANTS FOR MODIFICATION OF PROJECTS FOR TREATMENT WORKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to eliminate operational deficiencies existing within secondary water treatment works in certain cities and towns, 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:

Notwithstanding the provisions of section thirty-three of chapter twenty-one of the General Laws, the division of water pollution control is authorized and directed to make available

ninety per cent grants, not exceeding five hundred thousand dollars for each project, for modification projects to eliminate operational deficiencies that have been identified by an engineering study as existing within secondary treatment works in the towns of Adams, East Hampton, Deerfield and Billerica and in the cities of Pittsfield and Northampton.

Approved December 30, 1977.

Chap. 886. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO ISSUE CERTAIN REFUNDING BONDS FOR ELECTRIC PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-one of chapter one hundred and sixty-four A of the General Laws, the city of Chicopee may issue refunding bonds, and temporary notes in anticipation thereof, under said chapter one hundred and sixty-four A at any time or times for the purpose of paying or providing for payment at maturity or redemption of its share of the twenty-six million one hundred thousand dollars Massachusetts Municipal Electric Systems Revenue Bonds Consolidated Series of 1975 (Millstone No. 3) dated as of January first, nineteen hundred and seventy-five issued by said city on behalf of itself and certain other cities and towns of the commonwealth.

Such refunding bonds may mature at a time or times not exceeding forty years from their dates of issue.

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

Approved December 30, 1977.

Chap. 887. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES BY CERTAIN RESTAURANTS IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations imposed by sections eleven A and seventeen of chapter one hundred and thirty-eight of the General Laws, the selectmen of the town of Arlington shall cause to be placed on the official ballot used in the town of Arlington by the registered voters of the town of Arlington at the annual town meeting to be held in the year nineteen hundred and seventy-eight the following question:

Shall five licenses be granted by this town for the sale therein of all alcoholic beverages by restaurants and function rooms having a seating capacity of not less than ninety-nine persons?

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If a majority of the votes cast in said town in answer to said question is in the affirmative, said town shall be taken to have authorized the sale in said town of all alcoholic beverages to be drunk on the premises of restaurants and function rooms having a seating capacity of not less than ninety-nine persons. Said five licenses shall be subject, however, to all the other provisions of said chapter one hundred and thirty-eight.

SECTION 2. The board of selectmen of the town of Arlington is hereby authorized to and shall include a summary of the aforesaid question to be printed on the ballot along with the question as stated in section one and to print said summary.

SECTION 3. Upon receipt of a petition signed by the registered voters of said town equal in number to at least five per cent of the number of registered voters therein at the last preceding town election, requesting the inserting on the ballot at a biennial state election of the following question, the state secretary shall cause to be placed on the ballot at the next succeeding biennial state election held not less than sixty days subsequent to the filing of such petition, the following question:

Shall five licenses be granted by this town for the sale therein of all alcoholic beverages by restaurants and function rooms having a seating capacity of not less than ninety-nine persons?

If a majority of the votes cast in said town in answer to said question is in the affirmative, said town shall be taken to have authorized the sale in said town of all alcoholic beverages to be drunk on the premises of restaurants and function rooms having a seating capacity of not less than ninety-nine persons until another petition authorized by section three of this act is filed and voted upon.

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

Approved December 30, 1977.

Chap. 888. AN ACT REQUIRING CITY AND TOWN TREASURERS TO PAY ASSESSMENTS TO THE STATE TREASURER ON A SEMI-ANNUAL BASIS.

Be it enacted, etc., as follows:

Section 20 of chapter 59 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 1 of

chapter 432 of the acts of 1946, and inserting in place thereof the following paragraph:-

The state treasurer, not later than November first in each year, shall send his warrants by mail to the assessors of the several cities and towns for the payment of charges and assessments under general or special law, including the metropolitan district assessments, which may be due and payable to the commonwealth as specifically provided by law or as certified to him by the proper board, department or commission, requiring them severally to issue their warrant or warrants requiring the treasurers of their several cities and towns to pay to the state treasurer not later than November twentieth in such year one half of all sums assessed upon them, the remaining one half shall be paid to the state treasurer not later than the following May twentieth, except that when a state tax is to be Assessed it shall be assessed and paid in accordance with the law imposing such tax.

Approved December 30, 1977.

Chap. 889. AN ACT EXTENDING CERTAIN TAX BENEFITS TO SPOUSES OF CERTAIN FEMALES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by striking out section 8A, as most recently amended by chapter 727 of the acts of 1977, and inserting in place thereof the following section:-

Section 8A. The state treasurer shall annually reimburse each city and town for the amount of taxes lost by such city or town through an abatement to a paraplegic veteran or the surviving spouse of such paraplegic veteran, authorized by the commissioner of corporations and taxation and granted under the provisions of section eight.

SECTION 2. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Seventeenth, as most recently amended by section 1 of chapter 696 of the acts of 1973, and inserting in place thereof the following clause:-

Seventeenth, Real estate, to the value of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of a surviving spouse or of any minor whose parent is deceased, occupied by such spouse, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than ten years;

provided, that the whole estate, real and personal, of such spouse, person or minor does not exceed in value the sum of twenty thousand dollars, exclusive of property otherwise exempt under clauses Twelfth, Twentieth and Twenty-first and exclusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse, person or minor to evade taxation. A spouse, person or minor aggrieved by any such judgment may appeal to the county commissioners or to the appellate tax board within the time and in such manner allowed by section sixty-four or sixty-five, as the case may be. Where the whole estate, real and personal, of such spouse, person or minor exceeds in value the sum of eight thousand dollars, exclusive of property otherwise exempt as aforesaid and exclusive of the value of the mortgage interest as aforesaid, this exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected. Any exemption under this clause, to the value of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due may be apportioned among the persons whose title to the real estate was acquired under the provisions of section three of chapter one hundred and ninety and who qualify for an exemption under this clause.

SECTION 3. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-second, as most recently amended by section 2 of said chapter 696, and inserting in place thereof the following clause:-

Twenty-second, Real estate of the following classes of persons who are legal residents of the commonwealth and who are veterans, as defined in clause Forty-third of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemptions under this clause, hereinafter referred to in this clause as soldiers and sailors, provided such real estate is occupied in whole or in part as his domicile by such person, and provided, further that if the spouse of the soldier or sailor is also a soldier or sailor each shall receive the amount of exemption provided in this clause to the same extent as if unmarried, to the amount of two

thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to a soldier or sailor or to the spouse, surviving spouse, father or mother of a soldier or sailor to evade taxation.

(a) Soldiers and sailors who, as a result of disabilities contracted while in such wartime service and in the line of duty, have a disability rating of ten per cent or more as determined by the Veterans Administration or by any branch of the armed forces. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been allowed, unless the disability rating determined by the Veterans Administration or any branch of the armed forces is reduced to less than ten per cent.

(b) Soldiers and sailors who served in the military or naval service of the United States in the Spanish War, in the Philippine Insurrection or in the Chinese Relief Expedition and were discharged or released in any manner other than dishonorably therefrom.

(c) Soldiers and sailors who have been awarded the decoration of the Purple Heart. No evidence of disability shall be required under this paragraph. After the assessors have allowed an exemption under this paragraph, no further evidence of the receiving of the Purple Heart shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

(d) Spouses of soldiers and sailors entitled to exemption under this clause and the surviving spouse of soldiers or sailors described in this clause and in clauses Twenty-second A, Twenty-second B, Twenty-second C and Twenty-second E who at the time of their death were entitled to exemption or who lost their lives while serving in said war or in said Insurrection or said Relief Expedition, so long as they remain unmarried.

(e) Fathers and mothers of soldiers or sailors who lost their lives in such wartime service, provided that only two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of the real estate of any such father or mother held jointly by them shall be exempted; provided, further, that the words "father and mother" as appearing in this paragraph, shall be construed to include natural fathers and mothers, and

fathers and mothers by adoption and persons who stood in loco parentis to such soldiers and sailors.

(f) Surviving spouses of soldiers or sailors who served in the armed forces of the United States between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or who were awarded the World War I Victory Medal; provided such spouses have remained unmarried and have resided in the commonwealth for five consecutive years next prior to the date of filing for exemption under this section; and provided, further, that the whole estate, real and personal, of such spouse does not exceed in value the sum of twenty thousand dollars, exclusive of the value of the mortgage interest held by persons other than such spouse in such mortgaged real estate as may be included in such whole estate. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this paragraph will be required in any subsequent year in the city or town in which the exemption has been so allowed, except that the assessors may require an annual statement that such spouse has remained unmarried.

SECTION 4. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-second D, as most recently amended by section 8 of chapter 1110 of the acts of 1971, and inserting in place thereof the following clause:-

Twenty-second D, Real estate to the amount of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due of the surviving spouses of soldiers or sailors who lost their lives in combat as members of the armed forces of the United States in military action at the islands of Quemoy and Matsu in the Pacific Ocean; provided, such surviving spouse has remained unmarried and has been domiciled in the commonwealth for five consecutive years next prior to the date for filing for exemption under this clause; and provided, further that said real estate is occupied by such surviving spouse as a domicile. No real estate shall be so exempt which has been conveyed to such surviving spouse to evade taxation. The amount of the exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected for this exemption.

SECTION 5. Said section 5 of said chapter 59 is hereby further amended by striking out clauses Forty-second and Forty-third and inserting in place thereof the following two clauses:-

Forty-second, Real estate of the surviving spouse, until remarried, of a police officer or firefighter killed in the line of duty as such police officer or firefighter to the amount of eight thousand dollars or the sum of seven hundred dollars, whichever would result in an abatement of the greater amount of actual taxes due; provided that such real estate is owned, and occupied by such surviving spouse as a domicile, and provided, further, that no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse to evade taxation.

Forty-third, Real estate of the surviving minor children, including adopted children, of a police officer or firefighter killed in the line of duty as such police officer or firefighter to the amount of eight thousand dollars or the sum of seven hundred dollars, whichever would result in an abatement of the greater amount of actual taxes due; provided that such real estate is owned and occupied by such children as their domicile, and provided, further, that no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such children to evade taxation.

Approved December 30, 1977.

Chap. 890. AN ACT CREATING ADVISORY COUNCILS TO COUNTY RETIREMENT BOARDS AND PROVIDING FOR UNIFORM ELECTION PROCEDURES FOR COUNTY RETIREMENT BOARDS AND REFORMING CERTAIN RETIREMENT BOARD PROCEDURES.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (3) of section 20 of chapter 32 of the General Laws is hereby amended by striking out paragraphs (b) to (e), inclusive, and inserting in place thereof the following four paragraphs:-

(b) Each such county system shall be managed by a retirement board which shall have the general powers and duties set forth in subdivision (5). Said board shall consist of three members as follows: the county treasurer, who shall be a member *ex officio* and serve as chairman, one member hereinafter referred to as the elected member, and one member of the county retirement board advisory council who shall be elected at a meeting of said council at a public meeting called specifically for such election pursuant to paragraph (g).

No person except the county treasurer shall be eligible to serve as a member of the county retirement board for more than two

full consecutive terms. The election of the elected member shall be run in accordance with the provisions of paragraph (h).

The elected member shall be an active or retired member of the county retirement system. Each member of the board shall continue to serve in office until the expiration of his term, and the qualification of his successor. Upon the expiration of the term of office of any elected or appointed member, or in the event of a vacancy in either of said offices, his successor shall be elected as aforesaid for a term of three years, or for the unexpired portion thereof, as the case may be.

(c) The members of the board of any such county system shall serve without compensation, but they shall be reimbursed for any expense or loss of salary or wages which they may incur through service on such board from the expense fund of the system. Nothing in this paragraph shall prevent any county treasurer from being compensated for services rendered in the active administration of the system, in his capacity as county treasurer but not as a member of the board, provided, that such compensation shall not exceed fifteen hundred dollars per annum.

(d) The retirement board chairman shall employ such clerical and other assistants as may be required to transact the business of the county retirement system. All such clerical and other assistants, whether permanent or temporary employees, shall be removed from office only upon the two thirds vote of the county retirement board. The county retirement board shall classify and approve its employees in accordance with the general personnel guidelines and pay scales adopted for county personnel. All permanent employees employed pursuant to this paragraph shall be members of the county retirement system, but shall not be eligible to be a member or candidate for election to the county retirement board.

(e) Any such county retirement board may employ an attorney from time to time as required, but such attorney shall not be a member in service of the system or a member of the retirement board.

SECTION 2. Said subdivision (3) of said section 20 of said chapter 32 is hereby further amended by adding the following two paragraphs:-

(g) There shall be a county retirement board advisory council, in this subdivision called the council, consisting of all the treasurers, elected or appointed, of each town, unit or district belonging to the county retirement system and the county treasurer. A chairman shall be elected from among the members. The council

shall meet at the call of the chairman, but in no event less than twice in each year. The council shall supervise and certify the procedures involved in the election of the elected member of the county retirement board, as provided in paragraphs (b) and (h). Upon certification by the county retirement board and the council, the actuary of the division of insurance shall be furnished with an estimate of the expenses and costs of administration of the system for the ensuing year. The actuary shall, on or before December fifteenth in each year, specify by written notice to the council and the board the amounts so required to be paid from the pension fund, the annuity reserve fund, the military service fund, and the administration fund, as provided in subdivision (7) of section twenty-two. The actuary shall also advise and determine the amounts to be allocated to each governmental unit for the aforementioned amounts.

The county retirement board advisory council, at a meeting called specifically for that purpose, shall elect one of its members as a member of the county retirement board at the expiration of the current appointed member's term, as provided in paragraph (b).

(h) The election of the elected member shall be supervised by the county retirement board advisory council, which shall serve as the election board. The council shall make available nomination papers to any member in service so requesting and shall require that such nomination papers be signed by the candidate, and returned to the office of the county retirement board for safekeeping until the election board shall meet. The county treasurer or his agent shall give a duplicate receipt for such nomination papers to each candidate. Completed nomination papers shall contain the signatures and addresses of at least five active or retired members of said retirement system. The election board shall determine whether each candidate has filed nomination papers containing the signatures and addresses of at least five active or retired members of said system. If, after investigation, the election board determines that a candidate has filed nomination papers containing less than five signatures as required, the election board shall declare said nomination papers invalid and shall notify said candidate of such determination. If, after investigation, the election board determines that only one candidate has filed the requisite number of signatures, the election board shall declare said candidate to be the elected member of the county retirement board. If, after investigation, the election board determines that more than one candidate has obtained the requisite number of valid signatures, the election

board shall notify said candidates of such determination and shall immediately prepare election ballots, and set the date for the election, which shall be held within forty days.

The election board shall mail ballots to all members of the retirement system, whether active or retired. The election board shall instruct each member to place an appropriate marking on the face of the printed ballot next to the name of one candidate, insert said ballot into a ballot envelope and said ballot envelope into the prestamped envelope, seal said prestamped envelope and mail said envelope to the election board in care of the county retirement board, within twenty days after they were mailed. Any envelope postmarked later than twenty days after such mailing shall not be used to determine the elected member. The election board shall notify each candidate of the time and location of the tabulation of the ballots and shall permit all such candidates to be present at said tabulation. At the specified time for tabulation, the election board shall assemble all envelopes and inspect said envelopes. Any envelope which has been opened prior to said date, or which has not been signed on the rear by the appropriate addressee shall be invalidated and shall not be used to determine the elected member. The election board shall assemble all properly signed, unopened envelopes and shall open each envelope and separate the enclosed ballot from said envelope. The election board shall assemble all ballots and shall tabulate the vote for each candidate. Any ballot which contains a marking for more than the number of vacancies shall be declared invalid.

The election board shall notify each candidate in writing of the results of said election. All envelopes and ballots received by the election board, including those determined to be invalid, shall be preserved by the election board for two years. The costs incurred by the election board in administering the election shall be paid from the county retirement system administration fund.

SECTION 3. The term of the elected member of the county retirement boards elected pursuant to subdivision (3) of section twenty of chapter thirty-two of the General Laws, as amended by section one of this act, shall expire on December thirty-first, nineteen hundred and eighty, and the elected member after that date shall serve a term of three years. The term of the member first elected by the county retirement board advisory council shall expire on December thirty-first, nineteen hundred and eighty-one, and after that each such member shall serve a term of three years.

Approved December 30, 1977.

Chap. 891. AN ACT DESIGNATING THE BRIDGE ON STATE HIGHWAY ROUTE 2 OVER RELOCATED NASHUA STREET IN THE CITY OF LEOMINSTER AS THE DOCTOR ROBERT H. GOLDMAN MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway route 2 over the relocated Nashua street in the city of Leominster shall be designated and known as the Doctor Robert H. Goldman Memorial bridge, in memory of Dr. Robert H. Goldman who was prominent in local, civic and international medical affairs, and who gave much of himself for the good of public health in said city. Suitable markers bearing said designation shall be attached thereto by the department of public works in compliance with the standards of said department and as authorized by the federal highway administration.

Approved December 30, 1977.

Chap. 892. AN ACT INCREASING THE MEMBERSHIP AND INCREASING THE TERMS OF THE BOARD OF APPEALS IN THE TOWN OF MONTEREY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fourteen of chapter forty A of the General Laws or section one of chapter six hundred and twenty-nine of the acts of nineteen hundred and seventy-five, or any other provision of law to the contrary, the town of Monterey shall at its annual town meeting in the year nineteen hundred and seventy-eight increase the elected membership of the board of appeals in said town to five members by electing by ballot two additional members, one of whom shall hold office until the expiration of five years and one until the expiration of four years, and at every annual town meeting commencing in the year nineteen hundred and seventy-nine one such member shall be elected for a term of five years.

The provisions of this act shall not be construed as limiting the term of any member of the board of appeals holding office on the effective date of this act.

SECTION 2. There shall be two alternate members of the board of appeals of the town of Monterey who shall be appointed by the board of selectmen for terms of five years.

Approved December 30, 1977.

Chap. 893. AN ACT AUTHORIZING THE ADVANCEMENT OF FUNDS BY THE DEPARTMENT OF PUBLIC WORKS UNDER AGREEMENTS WITH RAILROAD CORPORATIONS, TRANSIT AUTHORITIES OR OTHER PUBLIC AUTHORITIES OR MUNICIPALITIES WHICH PROVIDE FOR RELOCATION OR OTHER WORK ON PROPERTY OF SUCH CORPORATIONS, AUTHORITIES OR MUNICIPALITIES.

Be it enacted, etc., as follows:

Chapter 81 of the General Laws is hereby amended by striking out section 7I, inserted by chapter 587 of the acts of 1962, and inserting in place thereof the following section:-

Section 7I. The department of public works is hereby authorized to enter into agreements with railroad corporations, transit authorities or other public authorities or municipalities for the purpose of performing any work which may be necessary in connection with the construction of highways, roads, bridges and other public works undertaken by said department whenever such construction or work entails relocation, alteration or other work on the tracks, bridges, roads, pipes, sewers, conduits, wires, or other property of such railroad corporation, transit authority or other public authority or municipality and which may disrupt the free flow of public transportation. Whenever any such agreement provides that a railroad corporation, transit authority or other public authority, and municipality perform such construction or work for which the commonwealth is obligated to assume a part of the cost, the agreement may provide for the monthly advancement by the department to such railroad corporation transit authority or other public authority or municipality of funds covering the estimated cost of such construction or work then in progress.

Approved December 30, 1977.

Chap. 894. AN ACT AUTHORIZING THE COMMONWEALTH TO REIMBURSE THE TOWN OF DALTON FOR CERTAIN MONIES EXPENDED FOR VETERANS' BENEFITS.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Dalton, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding thirty thousand eight hundred and forty-eight dollars and two cents, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it from May

nineteenth, nineteen hundred and seventy-three through September nineteenth, nineteen hundred and seventy-five, under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and reasonable report thereof to said commissioner.

Approved December 30, 1977.

Chap. 895. AN ACT REQUIRING HEARINGS OF GOVERNMENTAL BODIES TO MUNICIPALITIES TO BE HELD IN THOSE AREAS OR MUNICIPALITIES.

Be it enacted, etc., as follows:

Chapter 30A of the General Laws is hereby amended by inserting after section 11B the following section:-

Section 11C. Any agency which is required by law to conduct hearings, shall, if the subject matter of such hearing solely concerns a single municipality, hold such hearing or a substantial portion thereof in such municipality upon receipt of a written request from the mayor of a city, the board of selectmen of a town, or the council of a municipality having a manager-council form of government received by the agency not less than fourteen days before the scheduled date of the hearing. If the subject matter of such hearing solely concerns a particular geographic area of the commonwealth, the agency shall hold such hearing or a substantial portion thereof within such geographic area upon receipt of written requests from a majority of the mayors, boards of selectmen and councils of the cities and towns which constitute such geographic area received by the agency not less than fourteen days before the scheduled date of the hearing. The municipality in which the hearing is held shall provide a hearing room and other necessary facilities for such hearing. If no suitable place for holding such hearing is available in the municipality, the municipality may arrange for the holding of the hearing in another city or town that is reasonably convenient. This section shall not apply to hearings held as part of an adjudicatory proceeding, but this sentence shall not be construed to restrict an agency from holding an adjudicatory hearing in any appropriate location.

Approved December 30, 1977.

Chap. 896. AN ACT RELATIVE TO CERTAIN RETIREMENT AND DEATH BENEFITS WHICH MAY BE PAID BY THE MELROSE FIREMENS RELIEF ASSOCIATION, INCORPORATED.

Be it enacted, etc., as follows:

The Melrose Firemens Relief Association, Incorporated, a corporation duly established under the laws of the commonwealth, is hereby authorized upon retirement from the fire department of the city of Melrose with fifteen years of service of any member in good standing, to pay to such member, if he so elects in writing within thirty days of his retirement a sum equal to the death benefit provided by the by-laws of said corporation, and he shall thereupon cease to be an active member of said corporation or entitled to receive any benefits therefrom.

Approved December 30, 1977.

Chap. 897. AN ACT FURTHER REGULATING ACTIVITIES WITH OCEAN SANCTUARIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 132A of the General Laws is hereby amended by striking out sections 13 to 16, inclusive, and inserting in place thereof the following four sections:-

Section 13. There are hereby established the following ocean sanctuaries:

(a) The Cape Cod Ocean Sanctuary is described as follows: Beginning at a point three miles west of the mean low-water line along the Bay Closing Line between Brant Rock in the town of Marshfield and Race Point in Provincetown as established on the Marine Boundary Map of the Commonwealth (prepared by the Department of Public Works, Division of Waterways, December, 1971, pursuant to Chapter 810 of the Acts of 1970 and Chapter 1035 of the Acts of 1971); thence swinging in a clockwise arc along a line three miles offshore and parallel to the mean low-water line of the northerly extremity of Cape Cod to the point of intersection with the Exterior Line of the Commonwealth as established on the aforementioned Marine Boundary Map; thence in a generally easterly and then southerly direction along said Exterior Line to the intersection with a line running due east (50 Degrees True) from a point three miles due south (180 Degrees True) of the mean low-water line at the southernmost point of Monomoy Point in the town of Chatham; thence westerly on said line to the point three miles due south (180 Degrees True) of the mean low-water line of the southern-

most point of Monomoy Point; thence running due north (0 Degrees True) to the mean lowwater line at Monomoy Point; thence along the mean low-water line of the eastern side of Monomoy Island and thence by the shortest distance to the seaward boundary of the Cape Cod National Seashore, as established by Act of Congress (1961, P.L. 87-126); thence easterly, northerly, westerly, and finally southwesterly along the seaward boundary of said Cape Cod National Seashore to the point of intersection with the aforementioned closing line, then westerly along said closing line to the point of beginning; and meaning and intending to include Town Cove and Nauset Harbor and portions of the Atlantic Ocean.

(b) The Cape Cod Bay Ocean Sanctuary is bounded and described as follows: That body of water known as Cape Cod Bay and lying southerly of the Bay Closing Line between Brant Rock in the Town of Marshfield and Race Point in the town of Provincetown as established on the aforementioned Marine Boundary Map of the Commonwealth, and lying seaward of the mean low-water line; meaning and intending to include: all of that water area and seabed lying in a southerly direction from the aforementioned closing line; all of Provincetown Harbor including portions which may be easterly or northerly of the aforementioned closing line, Wellfleet, Plymouth, and Barnstable Harbors; Plymouth, Kingston, and Duxbury Bays; and the Cape Cod Canal Northerly of the Bourne-Sandwich town boundary, and excluding the water area and seabed of the Cape Cod National Seashore as established by Act of Congress (1961, P.L. 87-126).

(c) The Cape and Islands Ocean Sanctuary is bounded and described as follows: Beginning at a point on the mean low-water line at the southernmost point of Monomoy Point; thence due south to a point in the Atlantic Ocean three miles due south (180 Degrees True) of the mean low-water line at the southernmost point of Monomoy Point; thence due east (90 Degrees True) to the Exterior Line of the Boundary of the Commonwealth as established on the aforementioned Marine Boundary Map; thence in a generally southerly and then westerly direction along said Exterior Line to the point of intersection with the extension of the lateral boundary of Rhode Island and Massachusetts; thence northerly along said lateral boundary to the mean low-water line near Quicksand Point; thence following the mean low-water line around Buzzards Bay, the Cape Cod Canal to the Bourne-Sandwich town boundary, and the southern portion of Cape Cod to the point of intersection in Pleasant Bay with the

western boundary of the Cape Cod National Seashore; thence southerly along said boundary; thence by the shortest distance to the mean low-water line of Monomoy Island; thence to the point beginning by following the mean low-water line of the western side of Monomoy Island; and meaning and intending to include the area seaward of the mean low-water lines of Nantucket, Martha's Vineyard, Elizabeth and other islands; and meaning and intending to include the following bodies of water: Nantucket Sound, Vineyard Sound, Buzzards Bay, the Cape Cod Canal, Pleasant Bay, and portions of the Atlantic Ocean.

(d) The North Shore Ocean Sanctuary is bounded and described as follows: Beginning at the mean low-water line at the southeasternmost point of Pickworth Point in the town of Manchester; thence by a line bearing (150 Degrees True) (South-southeasterly) seaward to a distance of three miles to a point (42 Degrees 31.13' north, 70 Degrees 43.87' west); thence due east (90 Degrees True) to the point of intersection (42 Degrees 31.13' north, 70 Degrees 36.70' west) with the Exterior Line of the Marine Boundary of the Commonwealth as established on the aforementioned Marine Boundary Map; thence northerly, northeasterly, northwesterly, westerly, southwesterly, and northerly along said Exterior Line to the point of intersection with the extension of the lateral boundary of New Hampshire and Massachusetts; thence westerly along said lateral boundary to the line of mean lowwater; thence southerly, northeasterly, southeasterly, southerly, and southwesterly, along the line of mean low-water to the point of place of beginning; and meaning and intending to include Gloucester Harbor; Ipswich and Essex Bays; Plum Island Sound; the Merrimack River Estuary; and portions of the Atlantic Ocean.

(e) The South Essex Ocean Sanctuary is bounded and described as follows: Beginning at the mean low-water line at the southeasternmost point of Pickworth Point in the town of Manchester; thence by a line bearing (150 Degrees True) (South-southeasterly) seaward to a distance of three miles to a point (42 Degrees 31.13' north, 70 Degrees 43.87' west) thence due east (90 Degrees True) to the point of intersection (42 Degrees 31.13' north, 70 Degrees 36.70' west) with the Exterior Line of the Boundary of the Commonwealth as established on the aforementioned Marine Boundary Map; thence southerly along said Exterior Line to a point (42 Degrees 26.10' north, 70 Degrees 38.42' west) thence due west (270 Degrees True) along a line a point (42 Degrees 26.10' north, 70 Degrees 52.02' west) which is three miles from the mean low-water line on a line which is the exten-

sion of the boundary line between the city of Lynn and the town of Swampscott thence northwesterly along said boundary extension to the mean low-water line; thence easterly, northeasterly, northwesterly, southwesterly, northeasterly, northwesterly, and northeasterly along the line of mean low-water of the commonwealth to the point or place of beginning; and meaning and intending to include Marblehead Harbor, Salem Harbor, Beverly Harbor, Salem Sound, Manchester Bay, and parts of Massachusetts Bay.

“Miles”, as used in this section, means nautical miles. “Mean low-water line” shall mean the arithmetic mean of the low-water heights observed over a specific 19-year Metonic cycle (the National Tidal Datum Epoch) and shall be determined using the nautical charts, harbors charts series (1:50,000 and larger) prepared by the National Ocean Survey, U.S. Department of Commerce. For those coastal areas not covered by such published harbor charts, the mean low-water line shall be determined using hydrographic survey data obtainable from the National Ocean Survey. Save for the degree bearings given herein, the compass directions provided in this act are general approximations of the directions of the boundaries of the sanctuaries; in all cases the mean low-water line shall follow the mean low-water line as determined from said charts or data, however it may wend or meander. Such Ocean Sanctuaries shall include all islands lying within the aforescribed boundaries seaward of the mean low-water lines of each such island.

Section 14. All ocean sanctuaries as described in section thirteen shall be under the care and control of the department of environmental management and shall be protected from any exploitation, development, or activity that would seriously alter or otherwise endanger the ecology or the appearance of the ocean, the seabed, or subsoil thereof, or the Cape Cod National Seashore.

Section 15. Except as otherwise provided herein, the following activities shall be prohibited in an ocean sanctuary: the building of any structure on the seabed or under the subsoil; the construction or operation of offshore or floating electric generating stations; the drilling or removal of any sand, gravel or other minerals, gases or oils; the dumping or 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 an ocean sanctuary.

Section 16. Nothing in sections fourteen, fifteen and section eighteen is intended to prohibit the following activities, uses or

facilities: In all ocean sanctuaries except the Cape Cod Ocean Sanctuary the planning, construction, reconstruction, operation and maintenance of industrial liquid coolant discharge and intake systems and all other activities, uses and facilities associated with the generation, transmission, and distribution of electrical power, provided that all certificates, licenses, permits and approvals required by law are obtained therefor, and provided, further, that such activities, uses and facilities shall not be undertaken or located except in compliance with any applicable general or special statutes, rules, regulations or orders lawfully promulgated; the operation and maintenance of existing municipal, commercial or industrial facilities and existing municipal, commercial or industrial discharges where such discharges and facilities have been approved and licensed by appropriate federal and state agencies; the laying of cables approved by the department of public utilities; channel and shore protection projects, navigation aids, projects authorized under chapter ninety-one, deemed to be of public necessity and convenience, contingent upon obtaining the required approval wherever applicable by the United States Army Corps of Engineers, the division of water pollution control, the department of environmental quality engineering, or the department of environmental management; other improvements not specifically prohibited by sections fourteen, fifteen and section eighteen which are approved by appropriate federal and state agencies and which are consistent with said sections, including the maintenance and repair of existing structures or uses, but not any change or extension of such structures or uses unless otherwise permitted by said sections; the harvesting and propagation of fish and shellfish in all forms, so long as the department of environmental management and the department of fisheries, wildlife and recreational vehicles are satisfied that such activities are carried on in accordance with sound conservation practices; temporary educational and scientific activities jointly permitted by appropriate state agencies; and the extraction of sand and gravel from the seabed and subsoil of a sanctuary for the purposes of shore protection or beach restoration, provided that such shore protection or beach restoration is approved by the department of environmental quality engineering.

Except in the Cape and Islands Ocean Sanctuary, the Cape Cod Ocean Sanctuary, and the Cape Cod Bay Ocean Sanctuary nothing is intended to prohibit municipal wastewater treatment discharges and municipal wastewater treatment facilities if such discharge into the ocean sanctuary is the only feasible alternative

to existing water pollution problems, if it is consistent with the intention and purposes of this chapter, and it is approved and licensed by appropriate federal and state agencies. In the North Shore Ocean Sanctuary, discharges shall be permitted from municipal waste treatment facilities if construction is commenced prior to January first, nineteen hundred and seventy-eight or if a city or town has been awarded a federal or state grant for construction of a wastewater treatment facility prior to January first, nineteen hundred and seventy-eight, if the waste has been treated by the best practical means, if such a discharge is in accordance with plans developed under the provisions of clause (10) of section twenty-seven of chapter twenty-one, and such plans are subject to the approval of the division of water pollution control after a public hearing conducted by said division.

SECTION 2. Said chapter 132A is hereby further amended by striking out section 18 and inserting in place thereof the following section:-

Section 18. All departments, divisions, commissions, or units of the executive office of environmental affairs and other affected agencies or departments of the commonwealth shall issue permits or licenses for activities or conduct their activities consistently with sections thirteen to sixteen, inclusive, and shall not permit or conduct any activity which is contrary to the provisions of said sections. The provisions of said sections thirteen to sixteen, inclusive, shall not require any additional permits from the department of environmental management under said sections, but said departments, divisions, commissions, units, or other agencies shall confer and consult with the department of environmental management to insure compliance with said sections. The attorney general or the appropriate state agency shall take such action as may be necessary from time to time to enforce the provisions of said sections, and the superior court shall have jurisdiction to enforce the provisions thereof.

SECTION 3. The executive office of environmental affairs shall prepare an official map of the ocean sanctuaries, established by section thirteen of chapter one hundred and thirty-two A of the General Laws, as amended by section one of this act, and shall file such with the clerk of the house of representatives and the state secretary within six months of the effective date of this act.

Approved December 30, 1977.

Chap. 898. AN ACT FURTHER REGULATING INFORMATION TO VOTERS.

Be it enacted, etc., as follows:

Chapter 54 of the General Laws, as most recently amended by chapter 195 of the acts of 1976, is hereby amended by striking out sections 53 and 54 and inserting in place thereof the following two sections:-

Section 53. The election commissioners in the city of Boston, at least twenty-four days, and the registrars of voters in every other city or town, at least ninety days, before the biennial state election, shall cause to be sent to the state secretary mailing lists of the voters whose names appear on the latest voting lists of their respective cities and towns, prepared as required by section fifty-five of chapter fifty-one and indicating, so far as practicable, those addresses that appear to be group residential quarters, and shall promptly furnish him with subsequent additions to and corrections in such lists. The secretary shall cause to be printed and sent to all residential addresses and to each voter residing in group residential quarters, with copies of the measures to which they refer, summaries prepared by the attorney general, a one-sentence statement describing the effect of a yes or no vote prepared by the state secretary, and, as provided in section fifty-four, arguments for and against measures to be submitted to the people under Article XLVIII of the Amendments to the Constitution.

The secretary shall also cause to be printed and sent in like manner any question to be placed on the ballot at a biennial state election for the purpose of ascertaining the will of the people upon a particular subject provided that such question is received by the secretary on or before the first Wednesday of July preceding such election. Any such question shall be accompanied by a fair, concise summary prepared by the attorney general, a one-sentence statement describing the effect of a yes or no vote prepared by the secretary, and arguments for and against said question as provided in section fifty-four. This section shall not apply to a question of public policy filed in accordance with section nineteen of chapter fifty-three.

Section 54. The state secretary shall cause to be printed and sent, in the manner provided in section fifty-three, arguments for and against every measure to be submitted to the voters of the commonwealth. No argument shall contain more than one hundred and fifty words. The secretary shall seek such arguments from the principal proponents and opponents of each initiative or referendum petition, legislative amendment, legislative sub-

stitute or other measure to be submitted to all the voters of the commonwealth and such arguments may be filed on or before the tenth day following the date that any such measure is finally received by the secretary for submission to the voters or within such further time as he shall designate. For purposes of this section, the principal proponents and opponents of a measure shall be those persons determined by the secretary to be best able to present the argument for and against the measure, respectively, at the time the measure is finally received by the secretary for submission to the voters, provided that the principal proponents of an initiative or referendum petition shall be the first ten signers of such petition, or a majority of them. In determining the principal proponents and opponents of a measure, the state secretary shall contact each nonelected political committee which is organized under the provision of chapter fifty-five and which is on file with the director of campaign and political finance to influence the outcome of such a measure. If no argument is received by the secretary from the principal proponents or opponents of a measure within the time allowed by this section, the secretary shall prepare such argument. All arguments filed with or prepared by the secretary under this section shall be open to public inspection.

Approved December 30, 1977.

Chap. 899. AN ACT PROVIDING FOR SUSPENSION OF MOTOR VEHICLE LICENSES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 22A, as most recently amended by chapter 227 of the acts of 1969, and inserting in place thereof the following section:-

Section 22A. The registrar, after hearing, shall suspend any license to operate motor vehicles issued to a judgment debtor in an action brought to recover damages for injury to property arising out of the use, operation or maintenance on the ways of the commonwealth of a motor vehicle or trailer; or, if the judgment debtor is a partnership, a trust, or a corporation, shall suspend all certificates of registration issued to it under this chapter, if within sixty days after a finding by a court and notification to the registrar by the clerk of court that a judgment has been entered against the judgment debtor in said action, and that the judgment debtor has willfully and intentionally failed to pay an order

or orders consistent with the provisions of chapter two hundred and twenty-four.

This section shall not apply in any case if the registrar is satisfied as aforesaid that the judgment debtor was, at the time such injury occurred, insured against loss or damage on account of his legal liability for such injury by or under a policy of insurance issued by an insurance company duly authorized to transact business in the commonwealth under chapter one hundred and seventy-five, to the amount or limit of at least five thousand dollars. Nor shall this section apply in the case of a judgment rendered in an action brought to recover damages for death or bodily injuries as well as damages for such injury to property, unless a separate finding or verdict for such property damages has been entered or returned in such action, in which case the amount of damages so awarded shall, for the purposes of this section, be deemed the amount of the judgment. The registrar shall not impose such suspension if he is satisfied that indemnity against such judgment will be furnished by the judgment debtor to the commonwealth, or a city or town under section one hundred A of chapter forty-one.

If a judgment debtor satisfies the clerk of the court in which the order was issued that said judgment debtor is unable to locate the judgment creditor or his legal representative, he shall deposit with such clerk the full amount of the order or orders and said clerk shall give him a receipt therefor reciting such facts. Upon presentation to the registrar, such receipt shall be evidence of satisfaction, release, or discharge of the obligation under any such order.

Approved December 30, 1977.

Chap. 900. AN ACT PROVIDING THAT CERTAIN POLITICAL SUBDIVISIONS MAY BE SELF-INSURERS FOR CERTAIN INSURANCE PURPOSES.

Be it enacted, etc., as follows:

Chapter 32B of the General Laws is amended by inserting after section 3 the following section:-

Section 3A. A city, town, county or other subdivision of the commonwealth, when providing hospital, surgical, medical, dental and other health care coverage as authorized by this chapter, and subject to the adequacy of a claims trust fund as hereinafter described may, in lieu of or in addition to entering into the insurance policies, agreements or contracts described in

this chapter, enter into an administrative services or similar contract with one or more insurance companies or non-profit hospital, medical or dental service corporations organized under chapter one hundred seventy-six A, chapter one hundred seventy-six B or chapter one hundred seventy-six E whereby the funds for the payment of claims of eligible persons, including appropriate service charges of the insurance carrier or other intermediary shall be furnished by the respective subdivision from the claims trust fund for the payment by such intermediary to the health care vendors or persons entitled to such payment in accordance with the terms and provisions of said contract. If deemed by the city, town, county or other subdivision to be in the best interests of the subdivision and its active and retired employees and their eligible dependents, the respective subdivision may enter into such service type contracts for a period not to exceed five years.

Funds made available by appropriations by the city, town, county or other subdivision of the commonwealth for purposes of this chapter on the basis of the contributory share of the subdivision as set forth and applicable therein shall, upon authorization by the subdivision, be transferred from said appropriation account by the treasurer and shall be deposited from time to time by the treasurer in a separate fund to be known as the claims trust fund. Notwithstanding the provisions of section fifty-five of chapter forty-four, the treasurer shall be the custodian of said fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, cooperative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth. Any interest or return of premium or claims advance, excluding dividends applicable to section eight or eight A, shall be added to and become part of the fund. The treasurer shall invest and reinvest as aforesaid such funds to the extent not required for current disbursement as determined by the subdivision. Any interest liability incurred as the result of processing a tax anticipation loan authorized by section four of chapter forty-four, and directly related to the establishment or the continuance of the aforesaid claims trust fund, shall be chargeable to said fund. The treasurer shall take measures that will assure a sufficient balance at all times in said fund to make prompt payment for incurred and unpaid claims and other related liabilities. The subdivision insofar as practicable shall prepare annually or

sooner a schedule for the treasurer which shall be an estimate of the amounts of anticipated monthly disbursements to be made from said fund and shall as frequently as necessary authorize disbursements therefrom in accordance with the terms and conditions of the contracts authorized by this section.

Where an annual or earlier accounting of administrative service charges, claims paid, and claims incurred and unpaid, under a contract authorized by this section to the subdivision, discloses that payment from the fund has resulted in the contributions of the subdivision and its employees and retirees toward a previously established total monthly premium or rate has been shared on a ratio inconsistent with the share of the contributions as provided from time to time by applicable sections of this chapter, the subdivision shall adjust future contributions toward the total monthly premium or rate to compensate for the inconsistency. Payment to the subdivision by the employees, retirees and surviving spouses of their contribution toward the total monthly premium or rate shall be to the extent and manner as required in the applicable sections of this chapter.

Approved December 30, 1977.

Chap. 901. AN ACT AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO GRANT TO THE COUNTY OF DUKES COUNTY INTERESTS IN CERTAIN LAND LOCATED IN THE TOWNS OF EDGARTOWN AND WEST TISBURY FOR AIRPORT PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the department of environmental management is hereby authorized to grant to the county of Dukes County an easement in a certain parcel of land located within the town of Edgartown in the Martha's Vineyard State Forest, hereinafter described, to use said land for the installation, construction, maintenance and operation of a Medium Approach Light System for the purpose of improving the safe, unobstructed and unrestricted ingress and egress of aircraft to and from Martha's Vineyard Airport, an airport owned by said county and located in the town of Edgartown and the town of West Tisbury, said installation, construction, maintenance and operation to be accomplished by or pursuant to the direction and requirements of the United States of America, acting by and through the Federal Aviation Administration, or its duly authorized representatives or agents; provided, however,

that said department shall not erect, maintain or allow any buildings, structures or objects to remain or to be placed on said land, other than such as may be specifically approved by said county and that said department shall permit agents and employees of said county to enter said parcel to remove buildings, structures, or objects, or any growth on said parcel, which interferes with the installation, construction, maintenance or operation of a Medium Approach Light System, or which may be required by the United States of America, or its duly authorized representatives or agents, incidental to such installation, construction, maintenance or operation of said system. Said parcel is bounded and described as follows:

Parcel A.

Land in the Town of Edgartown beginning at a point in the northeasterly boundary of Martha's Vineyard Airport, said boundary being easterly of County Road, and being 1700 feet from the end of Runway 24 and said point being 75 feet westerly of the centerline extended of said runway; thence N 40° 26' 37" E a distance of 900 feet; thence N 49° 33' 23" E a distance of 150 feet; thence S 40° 26' 37" W a distance of 900 feet; thence S 49° 33' 23" W a distance of 150 feet; to the point of beginning.

This parcel contains an area of 3.1 acres, more or less.

Approved December 30, 1977.

Chap. 902. AN ACT EXEMPTING FUEL USED BY RAILROADS FROM THE SALES AND USE TAX.

Be it enacted, etc., as follows:

Section 6 of chapter 64H of the General Laws, as appearing in section 1 of chapter 757 of the acts of 1967, is hereby amended by striking out paragraph (j) and inserting in place thereof the following paragraph:-

(j) Sales of fuel used for heating purposes, used in the operation of aircraft or used in the operation of railroads.

Approved December 30, 1977.

Chap. 903. AN ACT PROVIDING THAT SERVICE FEES FOR COLLECTIVE BARGAINING AGENTS OF PUBLIC EMPLOYEES SHALL BE EQUAL TO THE AMOUNT UNIFORMLY REQUIRED TO BECOME AFFILIATED WITH SUCH AGENT AND FURTHER REGULATING THE EXPENDITURES THEREOF.

Be it enacted, etc., as follows:

Section 12 of chapter 150E of the General Laws, as appearing in chapter 1078 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following two paragraphs:-

Prior to the vote, the exclusive bargaining agent shall make reasonable efforts to notify all employees in the unit of the time and place of the meeting at which the ratification vote is to be held, or any other method which will be used to conduct the ratification vote. The amount of such service fee shall be equal to the amount required to become a member and remain a member in good standing of the exclusive bargaining agent and its affiliates to or from which membership dues or per capita fees are paid or received. No employee organization shall receive a service fee as provided herein unless it has established a procedure by which any employee so demanding may obtain a rebate of that part of said employee's service payment, if any, that represents a pro rata share of expenditures by the organization or its affiliates for:

- (1) contributions to political candidates or political committees formed for a candidate or political party;
- (2) publicizing of an organizational preference for a candidate for political office;
- (3) efforts to enact, defeat, repeal or amend legislation unrelated to the wages, hours, standards of productivity and performance, and other terms and conditions of employment, and the welfare or the working environment of employees represented by the exclusive bargaining agent or its affiliates;
- (4) contributions to charitable, religious or ideological causes not germane to its duties as the exclusive bargaining agent;
- (5) benefits which are not germane to the governance or duties as bargaining agent, of the exclusive bargaining agent or its affiliates and available only to the members of the employee organization.

It shall be a prohibited labor practice for an employee organization or its affiliates to discriminate against an employee

on the basis of the employee's membership, nonmembership or agency fee status in the employee organization or its affiliates.

Approved December 30, 1977.

Chap. 904. AN ACT DESIGNATING THE CITY COUNCIL IN THE CITY OF PEABODY AS THE LICENSING AUTHORITY IN SAID CITY FOR CERTAIN THEATRICAL EXHIBITIONS, PUBLIC SHOWS AND AMUSEMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section one hundred and eighty-one of chapter one hundred and forty of the General Laws or of any other law, the city council of the city of Peabody, is hereby designated and constituted as the licensing authority in said city under the provisions of said section one hundred and eighty-one of said chapter one hundred and forty as to a license for theatrical exhibitions, public shows, public amusements and exhibitions of every description, to be held upon weekdays only and for more than one day. As to such a license the city council of the city of Peabody shall have all the powers and duties conferred upon mayors and boards of selectmen under the provisions of said section one hundred and eighty-one of said chapter one hundred and forty.

Approved December 30, 1977.

Chap. 905. AN ACT PROHIBITING THE CONSTRUCTION OF CERTAIN FACILITIES IN THE TOWN OF WEYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of any general or special law to the contrary, the department of environmental management or any other political subdivision of the commonwealth shall not construct a regional maintenance facility or rubbish collection center on the peninsula of land located in the town of Weymouth which includes the former Weymouth Nike missile site, land and buildings, and the adjacent property acquired by said department prior to December first, nineteen hundred and seventy-seven.

SECTION 2. Item 2120-8775 of section four of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six is hereby amended by striking out the wording and inserting in place thereof the words:- For conservation and

recreational development of the former Weymouth Nike missile site, land, leased or owned buildings thereon, and property adjacent thereto.

Approved December 30, 1977.

Chap. 906. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC HEALTH TO CLASSIFY A CERTAIN NUMBER OF BEDS AT BRAEMORE OF MARLBOROUGH, INC. FOR LEVEL II AND LEVEL III PATIENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty-five C of chapter one hundred and eleven of the General Laws or any other general or special law, the department of public health is hereby authorized and directed to make an affirmative determination of need as set forth in said section twenty-five C of said chapter one hundred and eleven as to the project described in an application for such a determination submitted by the Braemore of Marlborough, Inc. and numbered Project No. 4-0748 and to approve said project forthwith.

(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, January 3, 1978, and, in concurrence, by the Senate, January 3, 1978, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 907. AN ACT PROVIDING FOR EXPANSION AND CONTINUED OPERATION OF THE ST. JOHN OF GOD HOSPITAL IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter seven hundred and seventy-six of the acts of nineteen hundred and seventy-two or any other contrary provisions of law, the commissioner of public health is hereby authorized and directed to issue a certificate of need to St. John of God Hospital, Inc. and an appropriate hospital license to St. John of God Hospital, Inc. to authorize the construction and operation thereof of a new hospital facility con-

taining sixty chronic disease beds and ancillary services at the estimated capital expenditure of four million dollars.

(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, January 3, 1978, and, in concurrence, by the Senate, January 3, 1978, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 908. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES BY CERTAIN RESTAURANTS IN THE TOWN OF WINCHESTER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations imposed by section eleven A of chapter one hundred and thirty-eight of the General Laws, as to the time and manner of voting upon the questions therein set forth, and to section seventeen of said chapter as to the number thereof, the selectmen of the town of Winchester shall cause to be placed on the official ballot used for the election of officers in the town of Winchester at the annual town meeting to be held in the year nineteen hundred and seventy-eight the following question:-

Shall not more than three licenses be granted to this town for the sale therein of all alcoholic beverages by restaurants having a seating capacity of not less than one hundred persons?

YES	
NO	

If a majority of the votes cast in said town in answer to said question is in the affirmative, said town shall be taken to have authorized, until the end of calendar year nineteen hundred and eighty the sale in said town of all alcoholic beverages to be drunk on the premises of restaurants having a seating capacity of not less than one hundred persons. Said three licenses shall be subject, however, to all the other provisions of said chapter one hundred and thirty-eight.

SECTION 2. The board of selectmen is authorized to and shall include a summary of the aforesaid question including a statement of their position on the ballot with said question.

SECTION 3. The state secretary shall cause to be placed on the official ballot to be used in the town of Winchester at the biennial state election in nineteen hundred and eighty, and at each biennial state election thereafter until the voters of said town shall have voted in the affirmative three consecutive times or in the negative three consecutive times, 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 cities and towns at such elections:-

F. Shall not more than three licenses be granted in this town for the sale therein of all alcoholic beverages by restaurants having a seating capacity of not less than one hundred persons?

YES	
NO	

If a majority of the votes cast in said town in answer to subdivision F is in the affirmative, said town shall be taken to authorize, for the two calendar years next succeeding, the sale in said town of all alcoholic beverages to be drunk on the premises of restaurants having a seating capacity of not less than one hundred persons. Said three licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

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

Approved January 3, 1978.

Chap. 909. AN ACT RELATIVE TO THE ADMISSION CHARGES AT BATTLESHIP COVE IN THE CITY OF FALL RIVER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to direct the department of education to immediately provide for free admission to certain events and exhibits for school groups, therefore 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 387 of the acts of 1973 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The department of education, in the name and on behalf of the commonwealth, is hereby authorized and directed to contract with the U.S.S. Massachusetts Memorial Committee, Incorporated for the purpose of furnishing free admission to all

educational events and exhibits in Battleship Cove in the city of Fall River including, but not limited to the Battleship Massachusetts, including the commonwealth's World War II Memorial thereon, the destroyer Kennedy, including the commonwealth's Korean and Vietnam Memorial thereon, the Submarine Lionfish, the P.T. Boat Museum and the Marine Museum for all organized school groups and teachers of all schools located in the commonwealth.

Approved January 3, 1978.

Chap. 910. AN ACT FURTHER REGULATING THE CANCELLATION, MODIFICATION, REVOCATION OR EXPIRATION OF CONTRACTS BETWEEN INSURERS AND INDEPENDENT INSURANCE AGENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate certain contracts between insurers and independent insurance agents, therefore 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 163 of chapter 175 of the General Laws, as most recently amended by chapter 1056 of the acts of 1973, is hereby further amended by striking out the third to fifteenth paragraphs, inclusive, and inserting in place thereof the following six paragraphs:-

No company shall cancel the authority of any independent insurance agent for fire or casualty insurance, or both, if said agent is not an employee of said company and no company shall modify a contract with such an agent unless the company gives written notice of its intent to cancel such agent or its intent to modify such contract at least one hundred and eighty days before the proposed effective date of any such cancellation or modification. No company shall allow the license of any such agent to expire unless the company gives written notice of its intent to do so at least one hundred and eighty days before the proposed effective date of any such expiration. Except as otherwise provided herein, any agent receiving notice of such cancellation, modification or expiration may, within fifteen days after receipt thereof, make a written demand for reference to three referees of the question as to whether or not such cancellation, modification or expiration will so affect the renewal, continuation or replacement of any policies placed with the company through the efforts of the agent,

or the services needed by any policyholder doing business with the company as a result of the efforts of the agent, as to justify renewal or continuation of any policies then in effect having been placed with such company by such agent. In the event the referees shall find that such cancellation, modification or expiration will so affect the renewal, continuation or replacement of any policies placed with the company through the efforts of the agent, or the services needed by any policyholders doing business with the company as a result of the efforts of the agent, then the referees shall order continuance or renewal of any policies expiring within a period of thirteen months of the issuance of such notice, at a rate of compensation to such agent equal to that as provided in the agency agreement expiring or being so cancelled or modified, for one additional policy period equal in length to the most recent policy period of such expiring policy, but in no event for more than one year; provided that with respect to motor vehicle insurance policies expiring within the aforesaid thirteen-month period, such policies shall be renewed for policy periods not to exceed one year. Such one year renewals of all motor vehicle insurance policies shall be provided at each expiration of such policies during the aforementioned thirteen-month period; provided, however, that the referees shall not order a continuance or renewal of such policies if they find that the reason for the cancellation or expiration of the agency agreement by the company was legitimately based upon one of the following grounds:-

(a) the agent was convicted of a dishonest act related to his occupation as an insurance agent;

(b) the agent's license to engage as an insurance broker was revoked;

(c) the company surrendered its license to do business in the commonwealth.

An agent making a written demand for such reference shall accompany said written demand with the names and addresses of three persons, whereupon the company shall within fifteen days thereof notify the agent of its choice of one of the said persons to act as one of the referees and at the same time submit the names and addresses of three persons to the agent, who shall within fifteen days after receiving such names, notify the company in writing of his choice of one of such persons to act as a second referee. At the same time the agent shall notify the commissioner, such notice to be on a form prescribed by the commissioner, that both the company and agent have chosen referees. Within ten days of the receipt of such notice the commissioner

shall appoint a person to serve as third referee, and shall notify such person, the agent and the company in writing of such appointment. Each person nominated or appointed as a referee shall be a disinterested person, shall be a resident of the commonwealth and shall be willing to act as such referee. Within ten working days of the appointment of the third referee, who shall serve as chairman, the three referees shall meet, hear evidence, reduce their decisions to writing, and sign it, and shall deliver a copy thereof to the agent, to the company and to the commissioner. In the event any company receiving such a written demand for such a reference fails to comply with the provisions of this paragraph, then such agent shall have the authority to renew or continue any policies placed with such company through the efforts of such agent expiring within a period of thirteen months from the date of the notice of cancellation, modification or expiration of the agency agreement, at a rate of compensation to such agent equal to that as provided in the agency agreement expiring or being so cancelled or modified, for one additional policy period equal in length to the most recent policy period of such expiring policy, but in no event for more than one year; provided that, with respect to motor vehicle insurance policies expiring within the aforesaid thirteen-month period, such policies shall be renewed for policy periods not to exceed one year. Such one year renewals of all motor vehicle insurance policies shall be provided at each expiration of such policies during the aforesaid thirteen-month period.

Any insurance company and any insurance agent may by written contract agree to modify the provisions of the preceding two paragraphs, other than the requirement of a one-hundred-eighty-day notice in the event of a cancellation or modification of a contract or of intent to allow the expiration of a license, by provisions presented to and approved by the commissioner which he finds after due hearing and investigation will adequately protect both the right of a policyholder to a continuance of insurance and the services of any agent of his own choosing and the right of an agent to fair compensation for the insurance placed with a company as a result of his efforts. The commissioner may make reasonable rules of general application regarding such modified provisions.

The decision of the referees may provide for the renewal or continuance of any or all policies expiring within a period of thirteen months of the issuance of any such notice, at a rate of compensation to such agent equal to that as provided in the agency agreement expiring or being so cancelled or modified, for one ad-

ditional policy period equal in length to the most recent policy period of such expiring policy, but in no event for more than one year; provided that, with respect to motor vehicle insurance policies expiring within the aforesaid thirteen-month period, such policies shall be renewed for policy periods not to exceed one year. Such one year renewals of all motor vehicle insurance policies shall be provided at each expiration of such policies during the aforementioned thirteen-month period. The decision of the referees may also provide for the continuance of such previous contractual provisions, if the referees, or a majority of them, find that such decision will best protect the right of a policyholder to a continuance of insurance and the services of an agent of his own choosing and the right of any agent to compensation for the insurance placed with a company as a result of his efforts giving due consideration to the possibility the affected agent has of obtaining similar coverage for policyholders affected from other companies at reasonable compensation. The decisions rendered in accordance with the provisions of this section providing for reference shall be binding on all companies and agents affected thereby. If such a decision orders the renewal or continuance of any policies, policyholders and the affected agent shall be entitled in all respects to the same services and practices as were in effect prior to reference insofar as amounts and types of coverage, credit terms and agency services are also continued. The referees, or a majority of them, shall fix a fair compensation for the agent affected whenever they order such a renewal or continuance of policies.

All policies expiring within thirteen months of the notice may be renewed for the policy periods as aforesaid but no agent or company relying on this section shall again refer the same issue to referees. Where other provisions of the general laws require notice to policyholders before nonrenewal of any coverages, the company shall at the request of the agent who is unable to replace any such policy which has been renewed for one or more policy periods in accordance with this section comply with those provisions of law.

An agent initiating reference under this section and the company receiving written demand shall each be liable for the payment of the reasonable charges and expenses of his nominee for referee and one half of the compensation for the reasonable charges and expenses of the third referee. The third referee shall forthwith upon the execution of the decision furnish the agent and the company with a written statement specifying in detail his charges for compensation and expenses. The agent or the

company, if aggrieved by said charges, may petition the commissioner for review. The petition shall set forth with particularity the specific item or charges in dispute. The commissioner shall, within ten days of receipt of the petition, notify the interested parties of the date established for a hearing on said petition, and, after said hearing the commissioner shall approve or disapprove said charges in whole or in part, his findings and decisions shall be final and conclusive.

Approved January 3, 1978.

Chap. 911. AN ACT MAKING A CORRECTIVE CHANGE IN THE TAXATION OF PROPERTY ON PUBLIC HIGHWAYS.

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. Section 3A of chapter 59 of the General Laws, as most recently amended by section 2 of chapter 513 of the acts of 1975, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

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, Massachusetts Turnpike, transit authority or park, 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. This act shall take effect as of December thirty-first, nineteen hundred and seventy-three.

Approved January 3, 1978.

Chap. 912. AN ACT AUTHORIZING THE COUNTY TREASURER OF
BRISTOL COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter thirty-four of the General Laws or any other general or special law to the contrary, the county treasurer of Bristol county is hereby authorized to pay out of any funds available in the county treasury of said county the sum of one hundred and sixty-three thousand seven hundred and seventy-three dollars to Bay Bank United, Bay Bank Merchants, in the city of Taunton, on a note dated June twenty-first, nineteen hundred and seventy-seven and payable December twenty-first, nineteen hundred and seventy-seven, in the sum of one hundred and fifty-eight thousand nine hundred and seventy-three dollars, plus interest at two and seventy-five one hundredths per cent at six months in the sum of four thousand eight hundred dollars, and the sum of thirty-five thousand eighty-eight dollars for certain salary increases for one year which are effective July first, nineteen hundred and seventy-seven and are a result of a collective bargaining agreement for teachers and extension agents at the Bristol county agricultural school, and for proportionate salary increases for one year, for non-union administrative positions at the Bristol county agricultural school, which are effective July first, nineteen hundred and seventy-seven and are a result of a vote of the board of trustees for the Bristol county agricultural school on August ninth, nineteen hundred and seventy-seven.

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

Approved January 3, 1978.

Chap. 913. AN ACT RELATIVE TO COMMONWEALTH SCHOLARSHIPS AT
SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith certain administrative changes to be made at Southeastern Massachusetts University, therefore 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 forty-six C of chapter seventy-four of the General Laws is hereby repealed.

SECTION 2. Chapter 75B of the General Laws is hereby amended by adding the following section:

Section 18. Southeastern Massachusetts University is hereby authorized and directed to grant certain scholarships annually in the number and amount as set forth in the appropriation made therefor, to be known as the Commonwealth Scholarships, to worthy students who are residents of the commonwealth and who possess the requisite ability and who are in need of financial assistance.

Approved January 3, 1978.

Chap. 914. AN ACT TO PROVIDE THAT CHILDREN OF STATE EMPLOYEES WHO ARE OVER THE AGE OF NINETEEN AND ARE STUDENTS SHALL BE ELIGIBLE FOR GROUP HOSPITAL, MEDICAL AND SURGICAL BENEFITS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith hospital, surgical, and medical insurance for certain children of state employees attending schools and colleges, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (d) of section 2 of chapter 32A of the General Laws is hereby amended by striking out the second and third sentences, as appearing in chapter 516 of the acts of 1959, and inserting in place thereof the following three sentences:- Said definition shall also include an unmarried child, nineteen years of age or over, who is a full-time student in an educational or vocational institution and whose program of education has not been substantially interrupted by full-time employment, excluding service in the armed forces. The standards for such full-time instruction and the time required to complete such program of education shall be determined by the commission. Contributions toward the total monthly premium or rate applicable to the health insurance coverage for a full-time student shall be as provided for in section eight, but such contribution shall cease upon the student's attainment of age twenty-four or the following June thirtieth of the year in which the student attains said age; however, at the option of the employee, such coverage may be continued beyond said age or date provided that the total monthly premium or rate is paid in full by the employee and the method of payment by the active or retired employee shall be as determined by the commission.

SECTION 2. For the purposes of this act the group insurance commission is hereby authorized to expend such funds as may be available in item 1120-2000 in section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven.

Approved January 3, 1978.

Chap. 915. AN ACT PROVIDING THAT PERSONS OVER SIXTY-FIVE YEARS OF AGE SHALL NOT BE CHARGED TUITION AT STATE COLLEGES, COMMUNITY COLLEGES, OR CERTAIN STATE UNIVERSITIES.

Be it enacted, etc., as follows:

Chapter 69 of the General Laws is hereby amended by inserting after Section 7F the following section:-

Section 7G. There shall be no charge for tuition to any person sixty-five years of age or over attending a state college, a regional community college, Southeastern Massachusetts University, Lowell University or the University of Massachusetts, if the institution which such person attends is not overenrolled. This section shall not apply to any person with an annual income in excess of twelve thousand dollars.

Approved January 3, 1978.

EMERGENCY LETTER — January 30, 1978 @ 10:12 A.M.

Chap. 916. AN ACT REQUIRING TRAINING IN CARDIOPULMONARY RESUSCITATION IN THE PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Section 1 of chapter 71 of the General Laws, as most recently amended by chapter 753 of the acts of 1974, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentences:- 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, emotional development, and training in the administration of first aid, including cardiopulmonary resuscitation. The department of education shall pay for the cost of any such instruction in cardiopulmonary resuscitation; provided, however, that a school committee may by majority vote decide that such instruction shall not be offered.

Approved January 3, 1978.

Chap. 917. AN ACT TO PROVIDE FOR THE PROTECTION AND WELFARE OF CERTAIN CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting after section 104 the following section:-

Section 104A. Whoever with knowledge that a person is a child under eighteen years of age, or whoever while in possession of such facts that he should have reason to know that such person is a child under eighteen years of age, hires, employs, procures, uses, causes, or encourages such child to pose or be exhibited in a state of nudity or to participate or engage in any act that depicts, describes or represents sexual conduct for purpose of visual representation or reproduction in any book, magazine, pamphlet, motion picture film, photograph, or picture shall be punished by imprisonment in the state prison for a term of not less than five nor more than seven years, or by a fine of not less than three nor more than five thousand dollars, or by both such fine and imprisonment.

It shall be an affirmative defense in any prosecution pursuant to this section that such visual representation or reproduction of any posture or exhibition in a state of nudity was produced, processed, published, printed or manufactured for a bona fide scientific or medical purpose, or for an educational or cultural purpose for a bona fide school, museum or library.

For purposes of this section the words “nudity” and “sexual conduct” shall have the meanings as defined in section thirty-one of chapter two hundred and seventy-two.

SECTION 2. Chapter 272 of the General Laws is hereby amended by inserting after section 29 the following section:-

Section 29A. Whoever disseminates any visual material that contains a representation or reproduction of any posture or exhibition in a state of nudity or of any act that depicts, describes, or represents sexual conduct participated or engaged in by a child who is under eighteen years of age, knowing the contents of such visual material or having sufficient facts in his possession to have knowledge of the contents thereof, or whoever has in his possession any such visual material knowing the contents or having sufficient facts in his possession to have knowledge of the contents thereof, with the intent to disseminate the same, shall be punished in the state prison for a term of not less than five nor more than seven years or by a fine of not less than three nor more than five thousand dollars, or by both such fine and imprisonment.

It shall be an affirmative defense in any prosecution pursuant to this section that such dissemination of any visual material that contains a representation or reproduction of any posture or exhibition in a state of nudity was produced, processed, published, printed or manufactured for a bona fide scientific or medical purpose, for an educational or cultural purpose for a bona fide school, museum or library, or where the person who is so represented or reproduced in a state of nudity is over the age of eighteen years.

For the purposes of this section and section thirty A, the determination whether the child in any visual material prohibited hereunder is under eighteen years of age may be made by the personal testimony of such child, by the testimony of a person who produced, processed, published, printed or manufactured such visual material that the child therein was known to him to be under eighteen years of age, by testimony of a person who observed the visual material, or by expert medical testimony as to the age of the child based upon the child's physical appearance, by inspection of the visual material, or by any other method authorized by any general or special law or by any applicable rule of evidence.

SECTION 3. Said chapter 272 is hereby further amended by inserting after section 30 the following section:-

Section 30D. The superior court shall also have jurisdiction to enjoin the dissemination of any visual material that contains a representation or reproduction of any posture or exhibition in a state of nudity or of any act that depicts, describes, or represents sexual conduct participated or engaged in by a child who is under eighteen years of age. The procedures for issuance of such injunction shall be the same as those provided in section thirty, and are in addition to other criminal proceedings initiated under any provisions of the General Laws, and not a condition precedent thereto.

SECTION 4. Section 31 of said chapter 272, as most recently amended by section 12 of chapter 430 of the acts of 1974, is hereby further amended by striking out, in line 2, the words "and thirty" and inserting in place thereof the words:- , twenty-nine A, thirty and thirty D.

SECTION 5: The definition of "Nudity" in said section 31 of said chapter 272, as appearing in said section 12 of said chapter 430, is hereby amended by adding the following sentence:- In the case of pre-pubertal persons nudity shall mean uncovered or less than opaquely covered pre-pubertal human genitals or pubic area.

SECTION 6. Said section 31 of said chapter 272, as so appearing, is hereby further amended by adding the following definition:-

“Visual material”, any motion picture film, picture, photograph, or any book, magazine, or pamphlet that contains a picture, photograph or similar visual representation or reproduction. Undeveloped photographs, pictures, motion picture films and similar visual representations or reproductions may be visual materials notwithstanding that processing, development or similar acts may be required to make the contents thereof apparent.

SECTION 7. Section 32 of said chapter 272, as most recently amended by section 13 of said chapter 430, is hereby further amended by striking out, in lines 1 and 2, the words “and twenty-nine” and inserting in place thereof the words:- , twenty-nine and twenty-nine A.

Approved January 3, 1978.

Chap. 918. AN ACT RELATIVE TO SPECIAL POLICE OFFICERS IN COLLEGES, UNIVERSITIES, OTHER EDUCATIONAL INSTITUTIONS AND HOSPITALS.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by striking out section 10G, inserted by chapter 565 of the acts of 1965, and inserting in place thereof, the following section:-

Section 10G. The commissioner may, upon such reasonable terms and conditions as may be prescribed by him, at the request of an officer of a college, university, other educational institution or hospital licensed pursuant to section fifty-one of chapter one hundred and eleven, appoint employees of such college, university, other educational institution or hospital as special police officers. Such special police officers shall serve for three years, subject to removal by the commissioner, and they shall have the same power to make arrests as regular police officers for any criminal offense committed in or upon lands or structures, owned, used or occupied by such college, university, other institution or hospital.

Each application for appointment as a special police officer or a renewal thereof shall be accompanied by a fee in accordance with the following schedule: Original appointment, twenty-five dollars; renewal, fifteen dollars.

The commissioner may promulgate such rules and regulations as may be necessary to insure proper standards of skill. Said rules and regulations shall conform to the provisions of chapter thirty A.

Approved January 3, 1978.

Chap. 919. AN ACT PROVIDING FOR A CARRYOVER OF THE INVESTMENT CREDIT UNDER THE CORPORATION EXCISE.

Be it enacted, etc., as follows:

SECTION 1. Section 31A of chapter 63 of the General Laws, as most recently amended by section 3 of chapter 752 of the acts of 1973, is hereby further amended by adding the following paragraph:-

(g) Any corporation entitled to a credit for any taxable year in accordance with the provisions of paragraphs (a) to (f), inclusive, may carry over and apply to its excise for any one or more of the next succeeding three taxable years, the portion, as reduced from year to year, of its credit which exceeds its excise for the taxable year.

SECTION 2. Section 11 of chapter 752 of the acts of 1973 is hereby amended by striking out, in line 6, the word "seventy-eight" and inserting in place thereof the word:- eighty-two.

SECTION 3. Section one of this act shall apply only to credits to which a corporation is entitled for taxable years ending on or after December thirty-first, nineteen hundred and seventy-seven.

Approved January 3, 1978.

Chap. 920. AN ACT PROVIDING 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, for the purchase of certain property, the sums set forth in sections two to six, inclusive, of this act, for

the several purposes and subject to the conditions in said sections two to six, inclusive, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Executive Office of Administration and Finance.

Motor Vehicles Management Bureau.

Item		
1102-8781	For the purchase of passenger vehicles	\$1,224,000
1102-8782	For the purchase of heavy automotive equipment	383,000
	<i>Bureau of State Buildings.</i>	
1102-8783	For certain repairs to the heating system in the George Fingold library	\$100,000

Executive Office of Environmental Affairs.

Department of Environmental Management.

Division of Forests and Parks.

2120-8781	For certain renovation and improvement to the waterfront area of Quinsigamond state park	\$200,000
	State Recreation Areas Fund	100.0 %

Department of Environmental Quality Engineering.

Bureau of Environmental Sanitation.

2250-8781	For certain roof repairs to the Lawrence experimental station	\$40,000
-----------	---	----------

Division of Waterways.

2270-8781	For a flood control project on Congamond lake in the town of Southwick	\$200,000
-----------	--	-----------

Department of the Metropolitan District Commission.

Metropolitan Water System.

2420-8781	For repairs and renovations including demolition of various facilities throughout the water system, including but not limited to roofing, masonry, windows, doors, toilet facilities and site utilities and grounds	\$1,000,000
	MDC Water District Fund	100.0 %
2420-8782	For the replacement of the roof of the building known as the old stone church on the banks of Wachusett reservoir in the town of West Boylston	25,000
	MDC Water District Fund	100.0 %

Metropolitan Parks District.

2440-8781	For certain site improvements including landscaping	\$300,000
	MDC Parks District Fund	100.0 %
2440-8782	For the design and construction of the John F. Kennedy Memorial Park in Cambridge (adjacent to the John F. Kennedy School of Government) in accordance with Chapter 298 of the Acts of nineteen hundred and seventy-six	507,000
	John Fitzgerald Kennedy Library and Park	
	Fund	100.0 %

Executive Office of Human Services.*Soldiers' Home in Massachusetts.*

Item		
4180-8781	For the purchase and installation of radiography equipment .	\$65,000
4180-8782	For the purchase and installation of a technicon simultaneous multiple analyzer	100,000
4180-8783	For the purchase and installation of a radiographic generator .	95,000
4180-8784	For purchase and installation of a tilt table with floating top .	60,000
4180-8785	For certain repairs and improvements to roofing, sidewalks and buildings	115,000

Soldiers' Home in Holyoke.

4190-8781	For roofing and masonry repairs and renovations	\$75,000
-----------	---	----------

Department of Correction.

4311-8781	For the replacement of mattresses	\$175,000
-----------	---	-----------

Correctional Institution at Walpole.

4313-8781	For replacement of dishwashing system in the kitchen	\$25,000
4313-8782	For renovations and improvements to the gymnasium	75,000

Department of Public Health.*Massachusetts Hospital School.*

4533-8781	For the replacement of the automatic door operator system . .	\$16,000
-----------	---	----------

Western Massachusetts Hospital.

4537-8781	For the purchase of a blood chemistry analyzer	\$27,000
-----------	--	----------

Department of Mental Health.*Region Two.**Worcester State Hospital.*

5293-8781	For renovation of the kitchen in the Bryan building, including cost of furnishings and equipment	\$125,000
-----------	--	-----------

*Region Four.**Danvers State Hospital.*

5491-8781	For the replacement of certain equipment	\$10,000
-----------	--	----------

*Region Seven.**Paul A. Dever State School.*

5781-8781	For roofing repairs to buildings 12 and 15	\$15,000
-----------	--	----------

Executive Office of Transportation and Construction.*Department of Public Works.*

6020-8781	For repairs to heating systems at certain garages and buildings Highway Fund	\$341,000 100.0%
6020-8782	For the replacement and repair of certain roofs Highway Fund	204,000 100.0%
6020-8783	For improvements to certain buildings for energy conservation Highway Fund	225,000 100.0%

Executive Office of Educational Affairs.*George Fingold Library.*

7000-8781	For furnishings and equipment	\$68,000
-----------	---	----------

Salem State College.

Item		
7114-8781	For renewal of steam lines	\$40,000

University of Lowell.

7220-8781	For replacement of roofing of certain buildings	\$200,000
-----------	---	-----------

Southeastern Massachusetts University.

7310-8781	For the purchase of library books	\$100,000
-----------	---	-----------

Massachusetts Board of Regional Community Colleges.

7500-8781	For certain demolition and renovations in compliance with a certain executed lease on November twenty-ninth, nineteen hundred and sixty-five, and, provided further that the ownership of certain demountable classroom buildings is hereby transferred to the Assabet Valley regional vocational school district	\$190,000
-----------	---	-----------

Cape Cod Community College.

7504-8781	For certain masonry repairs and improvements	\$61,000
-----------	--	----------

SECTION 3.

Executive Office for Administration and Finance.

Office of the Commissioner.

1100-8781	For the construction of certain building foundation systems in the Park Square area of the city of Boston, including an underground garage structure and the cost of movable furnishings and equipment; provided, that within ninety days from the date of this act, the city of Boston has resubmitted to the department of community affairs a revised application for an urban renewal project grant under chapter one hundred and twenty-one B of the General Laws for this project	\$12,500,000
-----------	---	--------------

Bureau of Building Construction.

1102-8784	For unexpected contingencies in the cost of projects authorized in this section, other than the acquisition of land, to be allocated by the commissioner of administration with the approval of the governor, provided, that the allocation to any project shall not exceed a percentage of the total amount appropriated for the project in this or any other act, said percentage to be not more than five per cent plus the percentage increase in the cost of building construction as determined for the period involved by the commissioner of administration from available building cost indexes; and provided further, that copies of said allocations shall be filed immediately with the house and senate committees on ways and means, and that any limitations of the total project cost of an item may be increased by an amount not exceeding said allocation to the project as previously determined for the period involved, by the commissioner of administration	\$1,819,700
1102-8785	For project feasibility studies and environmental impact reports, and for preparation of preliminary plans and descriptive specifications, as authorized by section forty-six of chapter seven of the General Laws; provided, that a schedule of studies and reports 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 feasibility study or environmental impact report; to be in addition to the amount appropriated in item 1102-8776 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	150,000

Flood Relief Board.

Item		
1185-8781	For the payment of certain flood damage incurred on June thirtieth and on August eighth and ninth, nineteen hundred and seventy-six, subject to the approval of the flood relief board, to the towns of Chester, Hancock, Mount Washington, New Ashford, North Adams, Peru, Plainfield and Williamstown	\$316,300
Department of Corporations and Taxation.		
1201-8781	For certain improvements to and enlargement of the computer facility, including security measures, in the Saltonstall state office building	\$393,000

*Executive Office of Environmental Affairs.**Division of Conservation Services.*

2030-8781	For assistance to cities and towns in the acquisition of land as provided in section eleven of chapter one hundred and thirty-two A of the General Laws; to be in addition to the amount appropriated in item 2030-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	\$4,000,000
-----------	---	-------------

*Department of Environmental Management.**Waterways Division.*

2270-8783	Item 2270-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventysix is hereby amended by striking out, in line 2, of the ninth paragraph the words "eight million two hundred" and inserting in place thereof the words:- nine million four hundred,- and by adding the following paragraph:- To provide funds, in addition to current appropriations, to cover the costs relating to unanticipated subsurface conditions, structural deficiencies, acquisition of leasehold interests, equipment and construction cost escalation and general overruns associated with the Federal Public Works and Economic Development Act, Public Law 89-136, Title IX, grant to the commonwealth for improvements to the Gloucester state fish pier	\$1,200,000
-----------	---	-------------

*Executive Office of Human Services.**Department of Youth Services.**Judge John J. Connelly Youth Center.*

4221-8781	For certain renovations and improvements including the cost of furnishings and equipment	\$500,000
-----------	--	-----------

Worcester Detention Center.

4224-8781	For the preparation of plans for the construction of a two level multipurpose addition and for certain renovations	\$35,000
-----------	--	----------

*Department of Correction.**Correctional Institution at Walpole.*

4313-8783	For the preparation of plans for renovations to the mechanical systems	\$50,000
-----------	--	----------

Correctional Institution at Concord.

4314-8781	For the replacement and repairs to the electrical distribution system	\$100,000
4314-8782	For replacement of the perimeter wall including demolition and lighting; to be in addition to the amount appropriated in item 4314-8771 of section	

Item

two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six \$1,600,000

Correctional Institution at Norfolk.

4316-8781 Item 4316-9011 of section two of chapter four hundred and twenty-three of the acts of nine-teen hundred and seventy-four is hereby amended by inserting after the word "building", in line 3, the words:- and for the construction of a metal gymnasium building \$27,000

Southeastern Correctional Center.

4344-8781 For certain renovations, alterations, site, security and utility improvements, to the former juvenile center and staff houses at the correctional institution at Bridgewater, including the costs of furnishings and equipment \$2,600,000

4344-8782 For renovation to the "K" building, including the cost of furnishing and equipment 350,000

Northern Worcester Correctional Center.

4348-8781 For renovations, construction, alterations, site, security and utility improvements to certain buildings at Gardner state hospital, including the costs of furnishings and equipment with a space limited to not more than forty acres of said state hospital \$2,350,000

Department of Public Health.

Lakeville Hospital.

4531-8781 For wall, window and roofing renovations to the hospital buildings and nurses' home \$500,000

Massachusetts Hospital School.

4533-8782 For the preparation of plans for renovations or replacement of the power plant, including modifications to utility distribution systems \$120,000

4533-8751 Item 4533-8751 of section two of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four is hereby amended by inserting after the word "suite", in line 2, the words:- and for certain repairs and replacement of the roofing, of the Nelson building.

4533-8783 For the plans for a gymnasium and natatorium including therapeutic, recreational, arts and crafts and concomitant facilities .. 150,000

Western Massachusetts Hospital.

4537-8782 For the preparation of plans for certain renovations and improvements \$50,000

Department of Mental Health.

Upgrading of Mental Health Facilities.

5011-8781 For the planning and upgrading of facilities for the mentally retarded, including the cost of furnishings and equipment; provided, that any expenditure from this item shall be contingent upon the prior approval and assurance by the secretary of human services that not less than seventy-five per cent of such expenditures are eligible for federal reimbursement under Title 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, with the approval of the commissioner of administration, and the house and senate committees on ways and means, shall designate the proportion of said sum to be expended at selected facilities \$6,500,000

*Region One.**Belchertown State School.*

Item		
5181-8781	For improvements to the water supply, including new wells, treatment and modifications to the pumping station; to be in addition to the amount appropriated in item 5181-8772 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	\$370,000

*Region Two.**Monson State Hospital.*

5294-8781	For the construction on existing state property of a recreation and training camp for the handicapped	\$200,000
8074-23)	Item 8074-23 of section two of chapter eleven hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out, in line 2, the word "Furcolo" and inserting in place thereof the words: "and replacement".	
5294-8741)		

*Region Three.**Metropolitan State Hospital.*

5391-8771	Item 5391-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six is hereby amended by striking out, in line 2, the word "Furcolo" and inserting in place thereof the words: "various other."	
-----------	--	--

*Region Five.**Cushing Hospital.*

5593-8781	Item 5593-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six is hereby amended by striking out the wording and inserting in place thereof the following:- For renovations to various buildings to meet the requirements of the life safety code, including the cost of furnishings and equipment	\$1,300,000
-----------	---	-------------

*Region Seven.**Taunton State Hospital.*

5792-8781	For certain renovations and improvements to the Goss and Chambers buildings to comply with life safety code requirements	\$350,000
-----------	--	-----------

*Executive Office of Educational Affairs.**Boston State College.*

7108-8781	For certain renovations to the Kennedy and administration buildings	\$200,000
7108-8782	For plans and demolition of the former pumping station and for certain site improvements including a parking lot	200,000

Bridgewater State College.

8069-41)	Item 8069-41 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, as amended by item 8069-41 of section two of chapter three hundred and nineteen of the acts of nineteen hundred and seventy-three, is hereby further amended by inserting after the word "equipment," in line 2, the words: "and for certain roofing, masonry repairs and lighting improvements,."	
7109-8691)		
7109-8781	For certain renovations to the Burnell building, including furnishings and equipment	\$140,000
7109-8782	For the preparation of plans for certain repairs and improvements to Boyden hall	175,000

Salem State College.

7114-8782	For repairs to the masonry and roofing in the arts and science building	\$135,000
-----------	---	-----------

Westfield State College.

Item		
8070-39)	Item 8070-39 of section two of chapter seven hundred and sixty-seven of the	
)	acts of nineteen hundred and sixty-nine is hereby amended by inserting	
7115-8781)	after the word "systems", in line 2, the words:- and certain im-	
	provements and modifications to said plant and systems, and for im-	
	provement of street lighting.	
7115-8782	For the preparation of plans and construction for a first aid facility on the	
	physical education fields, including the cost of furnishings and equip-	
	ment	\$250,000

Worcester State College.

7116-8781	For roofing repairs in various buildings, including the repair or replacement of windows in administration building	\$100,000
-----------	---	-----------

Massachusetts College of Art.

7117-8781	For certain renovations to buildings at the former naval shipyard in Charlestown, including the cost of furnishings and equipment, and relocating from the present site to be in addition to the amount appropriated in item 7117-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	\$6,800,000
-----------	--	-------------

Massachusetts Maritime Academy.

7118-8781)	For the construction of a classroom building, including site preparation and	
)	development, and the cost of furnishings and equipment, to be in addition	
8071-52)	to the amount appropriated in item 8071-52 of section two of	
	chapter six hundred and thirty-three of the acts of nineteen hundred and	
	seventy	\$5,050,000

Southeastern Massachusetts University.

7310-8782	For road replacement and repairs	\$134,000
7310-8783	For improvements to the potable water distribution system ..	190,000
7310-8784	For site improvement and development, including parking areas and access roads	335,000
7310-8785	For the bridge between Group I complex and the auditorium lecture halls	530,000

University of Massachusetts.

7400-8781	For certain renovations and improvements, including furnishings and equipment, to the building at 100 Arlington Street, in the city of Boston	\$980,000
-----------	---	-----------

University of Massachusetts — Amherst.

7410-8781	For renovation of the Goodell building, including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 7410-8772 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	\$500,000
7410-8782	For plans and renovation and repairs to Brooks house and Knowlton house	150,000
7410-8783	For renovations and improvements to the steam generating plants, including provisions for air pollution abatement control, and for the purchase of certain related equipment; to be in addition to the amount appropriated in item 7410-8774 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	2,100,000
7410-8784	For the repair, improvement, and extension of utility systems at the Amherst campus and university field stations	1,500,000

University of Massachusetts — Worcester.

7411-8781	For the purchase of furnishings and equipment for the teaching hospital	\$1,000,000
-----------	---	-------------

- Item
 7411-8782 For the purchase of furnishings and equipment for certain basic clinical laboratories, including audio-visual equipment \$550,000
- University of Massachusetts — Boston.*
- 7416-8781 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 the construction of a bus terminal including utilities and site improvements; 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 \$300,000
- 7416-8782 For improvements to the primary cooling system; to be in addition to the amount appropriated in item 7416-8773 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six 2,500,000

Massachusetts Board of Regional Community Colleges.

Holyoke Community College.

- 8072-79) Item 8072-79 of section two of chapter nine hundred and seventy-six of the
) acts of nineteen hundred and seventy-one is hereby amended by striking
 7506-8721) out the wording and inserting in place thereof the following:-
 For the construction of a fine arts and administration building, including the costs of furnishings and equipment, modifications to partitions and acoustical treatment, emergency generator and mechanical and electrical improvements in the power plant, and irrigation and site improvements; total project cost not to exceed five million one hundred thousand dollars.

Massachusetts Bay Community College.

- 7507-8771 Item 7507-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six is hereby amended by inserting after the word "equipment", in line 2, the words:-, and for site improvements and construction of additional parking facilities.

Northern Essex Community College.

- 7510-8781 For the construction of a parking lot \$100,000
 7510-8782 For the plans for a Fine Arts Center, total project cost not to exceed five million dollars 250,000

Roxbury Community College.

- 7517-8711 Item 8071-75 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy, as amended by item 8071-75 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 the wording and inserting in place thereof the following:-
 For land acquisition and preliminary plans for a new community college in the Roxbury, Mattapan and Dorchester districts of the city of Boston, the site of which shall be chosen by the Massachusetts board of regional community colleges.

SECTION 4.

Executive Office of Public Safety.

Registry of Motor Vehicles.

- 8400-8781 For the acquisition of land, or land with buildings thereon by purchase or eminent domain under chapter seventy-nine of the General Laws; and

Item

for preparation of plans for the rehabilitation or construction, including demolition, of a registry building; 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; and provided further, that the unexpended balance remaining in item 8400-8751 of section three of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four is hereby transferred and made available for this purpose

\$1,100,000

SECTION 5.

Executive Office of Environmental Affairs.

Department of Environmental Management.

2120-8782	For the acquisition of land for the establishment of the Blackstone River state park	\$1,000,000
2120-8783	For site development and the construction of a regional office facility in Pittsfield, including the cost of furnishings and equipment	425,000

SECTION 6.

Executive Office of Environmental Affairs.

Metropolitan District Commission.

Division of Parks.

2440-8783	For environmental and recreational work in Stony Brook reservation in Hyde Park and Roslindale districts of the city of Boston, to complete site improvements at the John F. Thompson Memorial Park for the handicapped, reclamation of forest lands, flood control work, hiking and bicycle trails and, for the construction and reconstruction of park and recreational facilities, including the cost of equipment and the fencing of the football field and repairs of skating rink; 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	\$475,000
2440-8784	For repairs and renovations to the Amelia Earhart dam, including but not limited to the lock gates, structure control system, culverts and mechanical systems	1,500,000
2440-8785	For the development of parks and outdoor recreational facilities on the banks of the Neponset river; and for the construction of bicycle paths and boat and canoe launching facilities along the Neponset river and in the Neponset river reservation	3,564,048
2440-8786)	Item 2448-8751 of section five of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four is hereby amended by striking out the wording and inserting in place thereof the following:— For repairs and renovations to certain skating rinks	1,500,000
2448-8751)		
2440-8787	For the rehabilitation of various park facilities	1,000,000

SECTION 7. To meet the cost of the expenditures authorized by section two of this act there is hereby appropriated from the General Fund other funds as specified therein the sum of six million one hundred eighty-six thousand dollars, said appropriation to expire June thirtieth, nineteen hundred and eighty.

SECTION 8. 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-seven, 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 9. 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 three through six of this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such time 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 thirtieth, nineteen hundred and eighty-two. 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 three through six are charged.

SECTION 10. 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 aggregate, the sum of sixty-one million six hundred thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan, Act of 1978, 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 semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and two. Bonds and the interest thereon issued under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 11. To meet the expenditures necessary in carrying out the provisions of section four of this act, the state treasurer shall, upon the request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of one million one hundred thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Highway Improvement Loan, Act of 1978, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and two. 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 shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 12. 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 in-

terest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of one million four hundred twenty-five thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas Loan, Act of 1978, and shall be on the serial payment plan for such maximum term of years not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and two. 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 shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 13. 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 eight million thirty-nine thousand and forty-eight dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks District Loan, Act of 1978, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial

maturities of such bonds shall be payable not later than one year from the date of the issue thereof and the entire issue not later than June thirtieth, two thousand and two. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan District Parks Fund. Bonds and the interest thereon issued under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 14. Notwithstanding any provision of chapter thirty-one of the General Laws or any other general or special law to the contrary, first preference for all permanent or temporary positions at the northern Worcester correctional center to be located at the site of the former Gardner state hospital shall be given to those persons determined by the commissioner of corrections to be residents of the greater Gardner area, provided that such persons are otherwise qualified for such positions. For those positions under the provisions of chapter thirty-one, greater Gardner area residents who achieve a passing grade on examinations and are otherwise qualified under department regulations shall have their names placed at the top of the list in order of their grade.

SECTION 15. Notwithstanding any provisions of chapter thirty-one of the General Laws or any other general or special law to the contrary, first preference for all permanent or temporary positions at the Southeastern correctional center to be located at the site of the former juvenile center and staff house at the correctional institution at Bridgewater shall be given to those persons determined by the commissioner of corrections to be residents of the greater Bridgewater area, provided that such persons are otherwise qualified for such positions. For those positions under the provisions of chapter thirty-one, greater Bridgewater area residents who achieve a passing grade on examinations and are otherwise qualified under department regulations shall have their names placed at the top of the list in order of their grade.

SECTION 16. Section 10 of chapter 481 of the acts of 1976 is hereby amended by striking out, in line 7, the words "sixty-three million eight hundred" and inserting in place thereof the words: -sixty-three million ten.

SECTION 17. Section 3 of chapter 90E of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 13 of chapter 356 of the acts of 1977, and inserting in place thereof the following paragraph:-

The commissioner shall expend for the purpose of assisting counties, cities and towns to construct bikeways for commuter or recreational use, and for the construction of unique regional bikeways and bicycle parking facilities, such funds as are appropriated or authorized by the general court for such purpose, and payment shall be made to the county or city or town upon application to the commissioner on the basis of criteria established by him.

The second paragraph of said section 3 of said chapter 90E is hereby amended by inserting after clause (b) the following clause:-

(c) One hundred per cent for the cost of unique regional bikeways and bicycle parking facilities, as determined by the commissioner.

SECTION 18. Item 2120-8774 of section 4 of chapter 481 of the acts of 1976 is hereby amended by striking out the proviso contained in lines 2 to 4, inclusive, and inserting in place thereof the following:- provided, that such construction shall not be subject to the provisions of section forty of chapter seven of the General Laws as most recently amended. The department is hereby authorized to accept funds from public and private sources and may make application for federal assistance in carrying out said project. Any such funds or assistance made available to the commonwealth for this project, if the bonds have not been sold, be used to reduce the amount of the bonds so authorized, and if the bonds have been sold, said funds or assistance when received shall be used to meet the payment of maturities and interest on the bonds issued under this item.

SECTION 18A. Section 12 of said chapter 481 is hereby amended by striking out, in line 7, the words "three million six" and inserting in place thereof the words:- four million five.

SECTION 18B. Section 16 of said chapter 481 is hereby amended by striking out, in lines 3 and 4, the words "and item 2120-8774 of section four" and by striking out, in line 6, the words "ten million six" and inserting in place thereof the words:-nine million seven.

SECTION 19. Section 14 of chapter 803 of the acts of 1972, as amended by section 20A of said chapter 481, is hereby further amended by inserting after the word "the", in line 1, the words:- metropolitan district commission, the -and by inserting after the word "act", in line 5 and in line 7, in each instance, the words:- except for section five.

SECTION 19A. Section 14A of said chapter 803, inserted by section 20B of said chapter 481, is hereby amended by inserting

after the word “by”, in line 4 and in line 5, in each instance, the words:- section five of.

SECTION 20. Chapter 30 of the General Laws is hereby amended by adding the following section:-

Section 64. No mental health hospital or public health hospital shall be converted to use by the department of correction without the express approval of the general court.

SECTION 21. Notwithstanding any provision of law to the contrary, no facility accommodating more than one thousand persons may be built within seven hundred and fifty yards of the Neponset river without the approval of the general court.

SECTION 22. Item 2449-8755 of section five of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four is hereby repealed.

SECTION 23. One year after the completion of renovations referred to in this act the population capacity at correctional institution at Walpole shall not exceed five hundred and twenty-five persons and at correctional institution at Concord shall not exceed two hundred and twenty persons.

I disapprove, in SECTION 2, Item 2420-8782; in SECTION 3, Item 4344-8782, Item 7510-8781, Item 7510-8782; in SECTION 6, Item 2440-8785; and SECTIONS 21 and 22.

I reduce Item 7115-8782 in SECTION 3 to \$75,000.

The remainder of this bill I hereby approve.

Approved January 13, 1978.

Chap. 921. AN ACT FURTHER REGULATING FIELD TRIALS UNDER THE CONTROL OF THE DIVISION OF FISHERIES AND WILDLIFE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by striking out section 20, as most recently amended by section 22 of chapter 706 of the acts of 1972, and inserting in place thereof the following section:-

Section 20. Upon application to the director by an incorporated or unincorporated club or organization having a membership of citizens who have been residents of the commonwealth for at least six consecutive months immediately prior to making application, and upon payment of a fee of fifteen dollars by the applicant, the director may issue a license to such club or organization to hold a field trial under the rules and regulations of the American Kennel Club, Inc., American Field or other bird dog or kennel association as recognized by the director for

retriever or bird dogs at the time and place stated in the license. The license shall authorize members of the licensee to shoot and kill with firearms, under the supervision of a natural resource officer of the division of law enforcement except that, in the case of such a field trial conducted on property under the ownership or control of the division, under the supervision of an employee of the division, pheasants, quail, chukar partridge, mallard ducks, or other species authorized by the director, which are propagated or legally acquired by members of the licensee, and released by members of the licensee at the field trial held at the time and place specified in the license. The license shall be valid only during the daylight hours, and the written consent of the owner of or the person having legal control of, the land on which such field trial is held shall first be obtained. Before any pheasant, quail, chukar partridge, mallard duck, or other species so shot is removed from the premises, the natural resource officer of the division of law enforcement or the employee of the division, as the case may be, shall attach to it a tag, which shall be furnished by the director for a reasonable fee, and which shall remain attached to the bird until the bird is prepared for consumption. A licensee shall pay to the natural resource officer of the division of law enforcement or the employee of the division, as the case may be, a fee of thirty-five dollars per day for services rendered at such a field trial. Such natural resource officer shall be designated by the director of the division of law enforcement or such employee of the division shall be designated by the director, as the case may be, to supervise such a field trial. Persons participating in any such field trial pursuant to the provisions of this section shall not be required to secure hunting or sporting licenses for this purpose.

SECTION 2. Chapter 272 of the General Laws is hereby amended by striking out section 77, as most recently amended by chapter 679 of the acts of 1977, and inserting in place thereof the following section:-

Section 77. Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or kills an animal, or causes or procures an animal to be overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated or killed; and whoever uses in a cruel or inhuman manner in a race, game, or contest, or in training therefor, as lure or bait a live animal, except an animal if used as lure or bait in fishing; and whoever, having the charge or custody of an animal, either as owner or

otherwise, inflicts unnecessary cruelty upon it, or unnecessarily fails to provide it with proper food, drink, shelter, or protection from the weather, and whoever, as owner, possessor, or person having the charge or custody of an animal, cruelly drives or works it when unfit for labor, or willfully abandons it, or carries it or causes it to be carried in or upon a vehicle, or otherwise, in an unnecessarily cruel or inhuman manner or in a way and manner which might endanger the animal carried thereon, or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

Approved January 3, 1978.

Chap. 922. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF NORFOLK TO BORROW MONEY FOR THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE REPAIR, RENOVATION, AND CONSTRUCTION, EQUIPPING AND FURNISHING OF BUILDINGS AT NORFOLK COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate and complete accommodations and facilities for the Norfolk county agricultural school, the county commissioners of Norfolk county are hereby authorized to repair and renovate the present buildings and to construct additions to such buildings on land now owned by said county in the town of Walpole and shall furnish and equip the same. Said commissioners are hereby further authorized to cause plans and specifications to be prepared for the construction and renovation of said facilities; provided, that the total cost of such plans and specifications shall not exceed three hundred and sixty thousand dollars, and provided further 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 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 purpose 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, four million seven hundred thousand dollars; and, may issue bonds or notes of the county therefor, which shall bear on their face the words, Norfolk County Agricultural School Loan Act of 1977. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved January 3, 1978.

Chap. 923. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO CONSTRUCT AND EQUIP ADDITIONS TO AND TO ALTER THE TEACHING FACILITIES IN THE GYMNASIUM, OFFICES, GREENHOUSES AND SHOP, AT THE BRISTOL COUNTY AGRICULTURAL SCHOOL AND AUTHORIZING THE BORROWING OF MONEY FOR SAID PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Bristol county are hereby authorized to expend a sum not exceeding one million five hundred thousand dollars for the construction, originally equipping and furnishing, on land now owned by the county, of additions to and alterations of the gymnasium, offices, greenhouses and shop at the Bristol County Agricultural School, including plans and specifications, architects' fees and legal fees and expenses and other costs incidental thereto and connected therewith.

SECTION 2. For the purposes authorized by section one, the treasurer of Bristol county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, one million five hundred thousand dollars and may issue bonds or notes of the county therefor, which shall bear on their face the words, Bristol County Agricultural School Loan, Act of 1977. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The

county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved January 3, 1978.

Chap. 924. AN ACT REGULATING THE SUBMISSION OF THE BUDGET OF THE SUFFOLK COUNTY TRUSTEES FOR COUNTY COOPERATIVE EXTENSION SERVICE.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 44 of chapter 128 of the General Laws, as amended by section 75 of chapter 849 of the acts of 1969, is hereby further amended by inserting after the word "trustees", in line 1, the words:- , except in Suffolk county,.

SECTION 2. The second sentence of the said section 44 of said chapter 128, inserted by chapter 991 of the acts of 1971, is hereby amended by inserting after the word "trustees", in line 1, the words:- , except in Suffolk county,.

SECTION 3. Said chapter 128 is hereby further amended by inserting after section 44 the following section:-

Section 44A. The trustees in Suffolk county shall annually prepare and submit a budget containing detailed estimates of all sums required by them for carrying out sections forty to forty-five, inclusive, during the ensuing fiscal year. Said trustees in preparing their budget shall indicate estimated expenses for the agricultural, home economics, resource development and youth programs and shall record their expenditures in like manner in their annual report.

To meet the expenses incurred there shall annually be expended from the state treasury, subject to appropriation, sums equal, in the aggregate, to five cents on each one thousand dollars of the equalized valuations of the town of Winthrop and the cities of Boston, Chelsea and Revere, as most recently reported by the state tax commission to the general court under the provisions of section ten C of chapter fifty-eight of the General Laws, and the state treasurer shall issue his warrant requiring the assessors of said town and cities to assess a tax to the amount of the sums so expended in proportion to their said valuations, and such amounts shall be collected and paid to the state treasury as provided by section twenty of chapter fifty-nine of the General

Laws; provided, that such town or any city may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasury, and any sum so deposited shall be credited against such assessment. There may also be expended for the purpose of this act voluntary contributions for such purposes deposited in the state treasury.

SECTION 4. The provisions of this act shall take effect beginning with the fiscal year commencing July first, nineteen hundred and seventy-seven.

Approved January 3, 1978.

Chap. 925. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WELFARE TO INSTITUTE PROCEEDINGS IN THE PROBATE COURT FOR THE SUPPORT OF A RECIPIENT AND MINOR CHILDREN.

Be it enacted, etc., as follows:

Chapter 18 of the General Laws is hereby amended by striking out section 21, as appearing in section 12 of chapter 885 of the acts of 1969, and inserting in place thereof the following section:-

Section 21. The department shall be subrogated to the rights to support and maintenance of any welfare recipient to the extent of any payments made by this department to such recipient. If no probate court order is outstanding, the department may by motion in the name of the recipient or in its own name seek to obtain a probate court order on any outstanding libel for divorce or on any outstanding petition for separate support to the extent of any aid which may have been authorized by the department. The department may by motion in the name of the recipient or in its own name seek to obtain a modification of a probate court order on any outstanding libel for divorce or on any outstanding petition for separate support to the extent of any aid which may have been authorized by the department. Said department shall institute contempt proceedings under the provisions of section thirty-four A of chapter two hundred and fifteen in the name of the recipient in the event that any order of support made by the probate court concerning any recipient under a petition for separate support or a libel for divorce has not been complied with. If no probate court order is outstanding, the department shall in its own name apply for a complaint and initiate nonsupport proceedings in the appropriate district court under section one of chapter two hundred and seventy-three.

Approved January 3, 1978.

Chap. 926. AN ACT AUTHORIZING THE TRUSTEES OF THE TEWKSBURY HOSPITAL TO CONVEY CERTAIN LAND IN THE TOWN OF TEWKSBURY TO FREDERICK BALDWIN, JR. IN EXCHANGE FOR CERTAIN OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

The trustees of the Tewksbury hospital, acting for and on behalf of the commonwealth, are hereby authorized to convey to Frederick Baldwin, Jr. of the town of Tewksbury, by a quit claim deed approved as to form by the attorney general, a certain parcel of land shown as "Lot 14" on a plan entitled: "Plan of Land in Tewksbury, Mass. drawn for Frederick Baldwin, Jr. July, 1976 1" = 40'," said parcel being bounded and described as follows:-

NORTHEASTERLY: by Livingston Street in courses of 81.70 feet, 47.35 feet, 153.45 feet, 118.08 feet, 82.00 feet, 20.19 feet and 41.00 feet;

SOUTHWESTERLY: by land now or formerly of the B&M Railroad, 629.10 feet;

NORTHWESTERLY: by land now or formerly of Yee Ark Sing and Mee Ark Lee, in courses of 3.51 feet, 225.34 feet, 70.54 feet, 61.54 feet, 104.54 feet and 7.62 feet.

Containing 2.9989 acres according to said plan.

Said land was conveyed to the commonwealth by C.H. Tucker in 1899 and recorded in the registry of deeds in the county of Middlesex, Book 309, Page 269.

In consideration of such conveyance, said Frederick Baldwin, Jr. shall convey to the commonwealth a certain parcel of land in the town of Tewksbury shown on a plan of land entitled "Plan of Land in Tewksbury, Mass. drawn for Frederick Baldwin, Jr. June, 1976 1" = 40'," said parcel being bounded and described as follows:

SOUTHEASTERLY: by East Street in courses of 44.84 feet and 58.64 feet;

SOUTHWESTERLY: by land of the commonwealth of Massachusetts in courses of 816.81 feet and 238.15 feet;

NORTHWESTERLY: by land now or formerly of the grantor, in courses of 46.75 feet and 46.17 feet;

NORTHEASTERLY: by land of the commonwealth of Massachusetts in courses of 255.00 feet and 879.27 feet.

Containing 2.13 acres according to said plan.

Approved January 3, 1978.

Chap. 927. AN ACT RESTRUCTURING THE STATE BALLOT LAW COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Sections twenty-nine to thirty-two inclusive, of chapter six of the General Laws are hereby repealed.

SECTION 2. Chapter 53 of the General Laws is hereby amended by striking out section 7, as most recently amended by chapter 306 of the acts of 1976, and inserting in place thereof the following section:-

Section 7. Every voter signing a nomination paper shall sign in person as registered or substantially as registered, and shall state the address where he currently is living with street and number, if any, and his address on January first preceding, if different, 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.

Every nomination paper of a candidate for a city or town office shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the seventh day preceding the day on which it must be filed with the city or town clerk. Every nomination paper of a candidate for a state office shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the twenty-eighth day preceding the day on which it must be filed with the state secretary; and certification of nomination papers of candidates for state office shall be completed no later than the seventh day before the final day for filing said papers with the state secretary.

Every initiative and referendum petition paper shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the fourteenth day preceding the day on which it must be filed with the state secretary; and certification of initiative and referendum petition forms shall be completed no later than the second day before the final day for filing said papers with the state secretary. In the case of special elections, every nomination paper shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian in the afternoon of the seventh day preceding the day on which it must be filed with the state secretary; and certification of nomination

papers of candidates shall be completed no later than the twenty-four hours before the final hour for filing said papers with the state secretary.

Each nomination paper shall be marked with the date and time it was submitted and such papers shall be certified in order of submission. In each case the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars shall place next to each name not checked symbols designated by the state secretary indicating the reason that name was disqualified. The registrars shall certify a number of names that are required to make a nomination, increased by two fifths thereof, if they are submitted in a timely manner for a certification.

The state secretary need not receive nomination papers for a candidate after receiving such papers containing a sufficient number of certified names to make a nomination, increased by two fifths thereof.

For the purposes of this section a registered voter who in signing his name to a nomination paper inserts a middle name or initial in, or omits a middle name or initial from, his name as registered shall be deemed to have signed his name substantially as registered. If the registrars can reasonably determine from the form of the signature the identity of the duly registered voter, the name shall be deemed to have been signed substantially as registered. The provisions of the preceding paragraphs 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. Signatures shall not be certified on nomination papers or initiative and referendum petitions from more than one city or town per sheet.

Nomination papers for candidates for the presidential primary shall be submitted to said registrars on or before five o'clock post meridian of the fourteenth day before the final date for filing said papers with the state secretary, and certification of said papers shall be completed no later than the seventh day before the final day for filing said papers with the state secretary; except that nomination papers for candidates for state, ward, and town committees shall be submitted to said registrars on or before five o'clock post meridian on the eleventh day before the final day for filing with the state secretary and certification shall be com-

pleted no later than the fourth day before the final day for filing said papers with the state secretary.

SECTION 3. Section 10 of said chapter 53 is hereby amended by striking out the first paragraph, as most recently amended by section 1A of chapter 920 of the acts of 1971, and inserting in place thereof the following paragraph:-

All certificates of nomination and nomination papers of candidates for the office of state representative, state senator, executive council, or county office shall be filed with the state secretary on or before the last Tuesday in May of the year in which a state election is to be held. Certificates of nomination or nomination papers for the office of senator in congress, representative in congress, governor, lieutenant governor, attorney general, treasurer and receiver general, state auditor and state secretary, shall be filed on or before the first Tuesday in June of the year in which a state election is to be held. If there is a special election to fill the office of representative in congress, all certificates of nomination and nomination papers shall be filed on or before the tenth Tuesday preceding the day of such election. If there is a special election to fill any other state office, all certificates of nomination and nomination papers shall be filed on or before the ninth Tuesday preceding the day of such election.

SECTION 4. Said chapter 53 is hereby further amended by striking out section 11, as most recently amended by chapter 135 of the acts of 1956, and inserting in place thereof the following section:-

Section 11. When certificates of nomination and nomination papers have been filed, and are in apparent conformity with the law, they shall be valid unless written objections are made. Such objections shall be filed, as to state offices, with the state secretary, and, as to city or town offices, with the city or town clerk in accordance with the provisions of chapter fifty-five B.

SECTION 5. Sections twelve and twelve A of said chapter fifty-three are hereby repealed.

SECTION 6. Section 20 of said chapter 53 is hereby amended by striking out the sentence added by section 1 of chapter 352 of the acts of 1975 and inserting in place thereof the following sentence:- Petition forms for such applications submitted under section nineteen shall be made available for use on or before the fifteenth Tuesday preceding the final date for filing as provided in section twenty-one.

SECTION 7. Said chapter 53 is hereby further amended by striking out section 22A, as most recently amended by section 2 of

said chapter 352, and inserting in place thereof the following section:-

Section 22A. The provisions of law relative to the signing of nomination papers of candidates for state office, and to the identification and certification of names thereon and submission to the registrars therefor, shall apply, so far as apt, to the signing of initiative and referendum petitions and to the identification and certification of names thereon, and, except as otherwise provided, to the time of their submission to the registrars. Initiative or referendum petition forms shall be made available no later than the fourteenth day after the date such petitions are filed with the state secretary by the first ten signers; provided, however, that in the instance of petitions filed under the provisions of section three or section four of that part of Article XLVIII of the Amendments of the Constitution under the heading "THE REFERENDUM. III. Referendum Petitions.", the petition forms shall be made available no later than the fourteenth day after a summary has been prepared. Registrars shall receipt in writing for each initiative or referendum petition submitted to and received by them, and shall deliver such petitions only on receiving written receipts therefor. Each initiative and referendum petition shall state the last day and hour for filing such petitions with the registrars and with the state secretary.

SECTION 8. Section twenty-six of said chapter fifty-three is hereby repealed.

SECTION 9. The seventh paragraph of section 34 of said chapter 53, as most recently amended by chapter 380 of the acts of 1974, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following two sentences:- Against the name of each such candidate there shall be printed, if the candidate requests, a statement in not more than eight words setting forth any of the following public offices which he holds or has held: those offices which are voted for at state primaries, mayor, city councillor, alderman, town councillor, selectman, and school committee member. The statement shall clearly indicate that he is a former incumbent thereof if such is the case and, if he is an elected incumbent of an office for which he seeks renomination, that he is a candidate for such renomination; and if he is a veteran as defined in section twenty-one of chapter thirty-one, the word "veteran" may be included in the eight word statement.

SECTION 10. Section 45 of said chapter 53 is hereby amended by striking out the first paragraph, as most recently amended by

section 2 of chapter 329 of the acts of 1977, and inserting in place thereof the following paragraph:-

Every nomination paper shall state, in addition to the name of the candidate, (1) his residence, with street and number thereof, if any, (2) the office for which he is nominated, and (3) the political party whose nomination he seeks, and the paper may state, in not more than eight words, any of the following public offices which he holds or has held: those offices which are voted for at state primaries, mayor, city councillor, alderman, town councillor, selectman, and school committee member. The statement shall clearly indicate that he is a former incumbent thereof if such is the case and, if he is an elected incumbent of an office for which he seeks renomination that he is a candidate for such renomination. If he is a veteran, as defined in section twenty-one of chapter thirty-one, the word "veteran" may be included in the eight-word statement. This information, in addition to the district name or number, if any, shall be stated on the nomination paper before any signature of a purported registered voter is obtained and the circulation of nomination papers without such information is prohibited.

SECTION 11. Said chapter 53 is hereby further amended by striking out section 46, as most recently amended by section 3 of chapter 329 of the acts of 1977, and inserting in place thereof the following section:-

Section 46. Every nomination paper of a candidate for a city or town office shall be submitted, on or before five o'clock post meridian of the seventh day preceding the day on which it must be filed, to the registrars of the city or town in which the signers appear to be voters. Every nomination paper of a candidate for state office shall be submitted on or before five o'clock post meridian of the twenty-eighth day preceding the day on which it must be filed with the state secretary to the registrars of the city or town in which the signers appear to be voters. Every nomination paper of a candidate for the presidential primaries shall be submitted on or before five o'clock post meridian of the fourteenth day preceding the day on which it must be filed, except that each nomination paper of a candidate for election to state, ward, and town committees shall be so submitted on or before five o'clock post meridian of the eleventh day preceding the day on which it must be filed. Each nomination paper shall be marked with the date and time it was submitted and such papers shall be certified in order of submission. Said registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of sig-

natures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and who are not enrolled in any other party than that whose nomination the candidate seeks, and only names so checked shall be deemed to be names of qualified voters for the purpose of nomination. The registrars shall place next to each name not checked symbols indicating the reason that name was disqualified. The certification of voters shall be signed by a majority of the board of registrars.

The registrars shall inform the candidate submitting such papers if the designation of the district only in which he seeks office is incorrect, and shall give said candidate the opportunity to insert the correct designation on such papers before the signatures are certified. The registrars shall, if the candidate so desires, allow a change of district on the nomination papers in the presence of the candidate whose name appears on the nomination papers, and the registrar and the candidate shall both initial the change of district so made and further shall in writing explain the change of district causing three copies to be made, one of each for the registrar and candidate and one to be attached to the nomination papers. If the correct district designation is not so inserted, the nomination papers shall not be approved. In no case may a correction be made to change the office for which such candidate is nominated.

The provisions of section seven relative to the number of names to be certified and received shall apply to such papers. For the purpose of certifying the names on primary nomination papers the registrars shall hold meetings on the four Tuesdays next preceding the seventh day before the final day on which such papers are required to be filed with the state secretary, except that for presidential primaries, the meetings for certifying papers for candidates for state, ward and town committees shall be held on the four Tuesdays next preceding the fourth day before the final day for filing said papers with the state secretary, except that the fifth Tuesday shall be substituted for that Tuesday on which any city or town holds its local election.

No person shall be a candidate for nomination for more than one office; but this shall not apply to candidates for membership in political committees.

SECTION 12. Section 47 of said chapter 53 is hereby amended by striking out the last sentence, added by section 3 of chapter 352 of the acts of 1975, and inserting in place thereof the following sentence:- Nomination papers for use in the nomination of candidates for all offices shall be available for use on or before the fifteenth Tuesday preceding the date for filing as provided in

section forty-eight, except in the case of primaries before special elections.

SECTION 12A. Section 48 of said chapter 53 is hereby amended by striking out the third paragraph, as appearing in section 12 of chapter 600 of the acts of 1975, and inserting in place thereof the following paragraph:-

All certificates of nomination and nomination papers of candidates for the office of state representative, state senator, executive council, or county office shall be filed with the state secretary on or before the last Tuesday in May of the year in which a state election is to be held. Certificates of nomination or nomination papers for the office of senator in congress, representative in congress, governor, lieutenant governor, attorney general, treasurer and receiver general, state auditor and state secretary, shall be filed on or on before the first Tuesday in June of the year in which a state election is to be held. In the case of primaries before special elections, such nomination papers shall be filed on or before the fifth Tuesday preceding the day of the primaries. The state secretary shall forthwith issue to the candidate or other person filing such nomination papers a certificate acknowledging the time and date of the receipt thereof.

SECTION 13. Said chapter 53 is hereby further amended by striking out section 53A, as most recently amended by section 19 of chapter 473 of the acts of 1938, and inserting in place thereof the following section:-

Section 53A. When nominations at the state primaries are in apparent conformity with law, they shall be valid unless written objections are made thereto in accordance with the provisions of chapter fifty-five B. A person nominated at such primaries may withdraw his name from nomination by a request signed and duly acknowledged by him and filed with the state secretary within the time prescribed in said chapter fifty-five B for filing objections to such nominations.

SECTION 14. The General Laws are hereby amended by inserting after chapter 55A the following chapter:-

Chapter 55B. The State Ballot Law Commission.

Section 1. There shall be a state ballot law commission consisting of five persons to be appointed by the governor, one of whom shall be a retired justice of the supreme judicial court, appeals court, superior court or district courts of the commonwealth who shall be chairman. The chairman shall serve for

a term of one year from February first of the year in which he was appointed and may be reappointed for further terms. The other members of said commission shall serve for terms of two years from February first of the year in which they were appointed and may be reappointed for further terms.

No more than three members of the commission shall be members of the same political party.

Vacancies occurring during the term of any member shall be filled for the unexpired term by the governor within sixty days of the occurrence of said vacancy. The governor may remove any member of the commission.

The state secretary shall serve as the secretary of the commission.

Section 2. No member of said commission shall hold any public office except that of justice of the peace, notary public, or be a candidate for public office, or member or employee of any political committee. If any member of the commission shall be nominated as a candidate for public office and shall not in writing decline said nomination within three days, he shall be deemed to have vacated his office as a member of said commission.

Section 3. The members of the commission shall each be paid such compensation for their services not exceeding twenty-five hundred dollars annually, as the governor may determine, and shall be reimbursed for expenses necessarily incurred in the performance of their duties. The chairman of the commission shall cause the proceedings thereof to be recorded by a competent stenographer and for such purpose and other necessary expenditures of the commission for clerical assistance may expend such sums as may be appropriated therefor.

Section 4. The commission may investigate the legality, validity, completeness and accuracy of all nomination papers and actions required by law to give candidates access to a state ballot or to place a referendum question on a ballot in the commonwealth.

The commission shall be responsible for all matters relating to ballot access, including but not limited to, the constitutional qualifications of any nominee for state, national or county office; the certificates of nomination or nomination papers filed in any presidential primary, state primary and election, or special state primary or election, the withdrawal of nomination for any state, county, or federal office after the time to do so has expired or any ineffective withdrawal; the filing of nomination papers under a false name, or fictitious nominees; and the fraudulent or forged

signing of statewide or municipal initiative and referendum petitions.

The commission may summon witnesses, administer oaths, and require the production of books, records and papers at a hearing before it upon any matter within its jurisdiction.

Witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties as witnesses in civil cases before the courts. Any member may sign a summons or administer an oath. In the event that said commission fails to render its decision within the time required in this chapter on any matter so referred, the state secretary shall, notwithstanding such failure, proceed forthwith to cause to be printed the ballots for such primaries or elections. Petitions for judicial review of decisions of the commission, under the provisions of chapter thirty A, shall be filed in the court within five days after receipt of the notice of the final decision of said commission. The commission shall establish rules of procedure in conformance with the provisions of chapter thirty A governing the conduct of hearings and investigations which shall be made available in printed form to each party prior to appearance or testimony before the commission.

Section 5. Objections to certificate of nomination and nomination papers for candidates for senator in congress and representative in congress, governor, lieutenant governor, attorney general, treasurer and receiver general, state auditor, state secretary, state representative, state senator, executive council, and county offices, shall be filed with the state secretary's office within seventy-two hours, succeeding five o'clock post meridian of the last day fixed for filing nomination papers except for objections made by a candidate to his own papers with respect to signature certifications.

Candidates challenging the certification signatures on their own nomination papers shall do so in accordance with the provisions of section six.

Objections that signatures appearing on an initiative or referendum petition have been forged or placed thereon by fraud and that in consequence thereof the petition has not been signed by a sufficient number of qualified voters actually supporting such petition, as required by the constitution, or any other objection relating to signatures on such petitions, may be filed with the state secretary not later than five o'clock post meridian on the thirtieth day succeeding the last day for filing such initiative petition. Objections that the supplemental signatures necessary to place an initiative petition on the ballot after rejection by the

legislature, have been forged or placed thereon by fraud and that in consequence thereof the petition has not been signed by a sufficient number of qualified voters actually supporting such petition, or any other objection relating to signatures on such petitions, as required by the constitution shall be filed not later than five o'clock post meridian on the seventh day succeeding the last day for filing such additional signatures.

Objections to nominations at state primaries shall be filed with the state secretary within six days succeeding five o'clock in the afternoon of the day of holding such primaries.

Objections to nomination papers of candidates to be voted for at primaries or general elections may be made by any registered voter of the district in which a candidate seeks nomination. Such objection shall not be valid unless it contains the voting address of the person filing the objections, as shown upon the current annual register of voters.

Objections to signatures appearing on an initiative or referendum question may be made by any registered voter of the commonwealth.

Such objections shall contain in detail each ground for protest with respect to said nomination papers, initiative and referendum petitions or primary nominations. Each objection, or objections by any person to any candidate or initiative referendum petition shall be accompanied by a nonreturnable filing fee of twenty-five dollars. If the commission declines jurisdiction of such objection the filing fee shall be returned.

Anyone filing an objection under this section shall not later than the day after which it is filed, mail by registered or certified mail, return receipt requested, a copy of such objection as filed with the commission to the candidate against whose nomination papers, initiative and referendum petition or primary nomination, such objection is made. Failure to do so shall invalidate any objection filed with the commission.

No objection shall be considered by the commission unless such objection is accompanied by a certificate of voter registration issued by the board of registrars of voters, or the clerk of the same, where the person filing the objection resides, stating that he is a registered voter in the district of the candidate being challenged.

The certificate of registration shall be substantially as follows:

The Commonwealth of Massachusetts
Certificate of Voter Registration

We hereby certify that _____ a registered voter at _____ is a registered voter.

(Street #, Ward & Precinct.)

Clerk of Board of Registrars of Voters

or

Election Commissioners of

(City-Town)

All objections filed under this section shall be forwarded to the commission by the state secretary.

Section 6. Any candidate who has filed nomination papers with the local registrars and who has an insufficient number of certified signatures for nomination to the office sought, or, any candidate who has enough signatures certified for nomination but only has ten per cent or less certified signatures in excess of the number needed for nomination may request a review of the signatures he filed by making written application to the registrars. Said application shall list the signatures not previously certified by the registrars on which the candidate is requesting a review. Local registrars, upon receipt of any such written request shall review the signatures appealed by the candidate and correct any errors or mistakes in certification. Review and corrections shall be completed no later than twenty-four hours before the final hour for filing said papers with the state secretary. Candidates may request only one review. Said application shall be submitted to the registrars no later than forty-eight hours after the last day for the registrars to certify nomination papers.

Local registrars shall be responsible for defending their actions with respect to original certification, reviews and corrections. A candidate who has a deficient number of signatures or who still has ten per cent or less signatures in excess of the number needed for nomination, after completion of the review process, and who has filed his papers with the state secretary by five o'clock post meridian of the last day for filing such nomination papers may appeal from the decision of the local registrar to the superior court of the county in which the candidate is a resident; provided, however, that if such superior court is not holding a civil session the superior court of Suffolk county. Such appeal shall be in the form of a civil action and shall be filed within seventy-two

hours of the last day and time for filing nomination papers with the state secretary.

The commission shall not have jurisdiction over any appeal brought under this section.

Section 7. Objections to certificates of nomination papers for city offices shall be filed with the city clerk within forty-eight hours of the last day fixed for filing nomination papers, except where city charters provide otherwise. Objections to certificates of nomination or nomination papers for town offices shall be filed with the town clerk within twenty-four hours of the last day fixed for filing nomination papers, except where town charters provide otherwise.

Objections filed with the city or town clerk shall forthwith be transmitted by him to the board authorized to hear such objections as provided under this section.

Objections to nomination for city offices, except in the city of Boston, shall be considered by the board of registrars and the city solicitors.

Objections to nominations for town offices shall be considered by the board of registrars. Boards in cities and towns may, at hearings on such objections and questions, summon witnesses, administer oaths and require the production of books, records and papers. Such witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties for default, as witnesses in civil cases before the courts. A summons may be signed, and an oath may be administered by any member of such board.

When such objection has been filed, notice thereof shall be sent by registered or certified mail, return receipt requested forthwith, by the city or town clerk to the candidates affected thereby, addressed to their residences as given in the certificate of nomination or nomination papers, and to any party committee interested in the nomination to which such objection has been made. If more candidates bearing the same designation are nominated for an office, otherwise than by nomination papers, than are to be elected thereto, such boards shall determine the candidates, if any, entitled to such designation. Such boards shall render a decision on any matter referred to them, pertaining to certificates of nomination or nomination papers for any regular or special city or town primaries or any regular or special city or town election, or to withdrawals of nomination therefore, not later than four days after the last day fixed for filing objections to such certificates or papers, or for filing such withdrawals, as the case may be, under this chapter.

In the event that any such board fails to render within the aforesaid period its decision on any matter so referred, the city or town clerk shall, notwithstanding such failure, proceed forthwith to cause to be printed the ballots of such primaries of elections.

Section 8. The commission with respect to objections to certificates of nominations or nomination papers except those for a special primary or election shall by five o'clock post meridian of the Wednesday following the last day for filing such objections notify all parties involved that objection has been made to their certificates of nomination or nomination papers.

The commission with respect to objections to signatures or initiative or referendum petitions shall by five o'clock post meridian of the Wednesday following the last day for such objections notify all parties involved that objection has been made to their initiative or referendum petition.

The commission with respect to objections to supplemental signatures necessary to place an initiative petition on the ballot after rejection by the legislature shall by five o'clock post meridian of the Friday following the last day for filing such objections notify all parties involved that objection has been made to their additional signatures.

The commission with respect to objections to nominations at state primaries, except special primaries shall by five o'clock post meridian of the Tuesday following the last day for filing such objections notify all candidates affected thereby that objection has been made to their nomination.

Notification shall be by registered or certified mail, return receipt requested. All notifications shall contain in detail the objections made, as well as the date, time, and the location of said hearing. Notifications shall be addressed to the residences as given in the certificates of nomination, nomination papers, and to the initial ten signers of a petition as the case may be. In addition, such notification shall also contain the rules or procedure that will be used in conducting said hearings.

Section 9. Hearings on objections to certificates, nomination or nomination papers shall not be held prior to the second Monday following the Friday for filing such objections.

Hearings on objections to signatures on initiative or referendum petitions shall not be held prior to the second Monday following the last day for filing such objections.

Hearings on objections to supplemental signature filings for initiative petitions shall not be held prior to the first Wednesday following the last day for filing such objections.

Hearings on objections to nominations at state primaries shall not be held prior to the Monday following the last day for filing such objections.

Section 10. The commission shall render a decision on any matter referred to it, pertaining to certificates of nomination or nomination papers for any presidential or biennial state primaries or any biennial state election or to withdrawals of nomination therefore, not later than five o'clock post meridian on the twenty-first day after the last day fixed for filing objections to such certificates or papers or for filing such withdrawals, as the case may be, under the provisions of this chapter. The commission shall render a decision on any matter referred to it pertaining to nominations made at biennial state primaries, not later than five o'clock post meridian on the fourteenth day after the last day fixed for filing objections to such nominations.

The commission shall render a decision on any matter referred to it, pertaining to objections that signatures appearing on an initiative or referendum petition have been forged or placed thereon by fraud and that in consequence thereof the petition has not been signed by a sufficient number of qualified voters actually supporting such petition, as required by the constitution, no later than the twenty-first day after the last day fixed for filing objections to such signatures. The commission shall render a decision on any objection filed with respect to the supplemental filing of signatures for initiative petition to be placed on the ballot after the rejection by the legislature of such petition no later than five o'clock post meridian in the afternoon on the fourteenth day after the last day fixed for filing objections to such signatures.

The commission shall render a decision on any matter referred to it pertaining to certificates of nomination or nomination papers for any special state primary or special state election not later than five o'clock post meridian in the afternoon on the fourth day after the last day fixed for filing objections to such certificates or papers.

Section 11. If objection is filed under section five or section seven by a person duly nominated for any state, city or town office alleging that an apparent nomination for the same office is a fictitious or nonexistent person or that the name under which a person has been apparently nominated for such office is not his true name, the commission or the proper board named in section six shall summon the apparent nominee to appear before it and submit to examination. If no person appears in response to such summons or if a person representing himself to be the nominee appears and after a hearing the commission or board is satisfied

that the allegations contained in such objection are true, the commission or board shall sustain the objection and vacate the nomination.

Section 12. The commission shall be required to keep records of all decisions and an official transcript of all proceedings of the hearings. These documents shall be stored in the public records division of the state secretary. The commission shall upon written request provide any person appealing a decision by the commission a copy of the transcript from hearings pertaining to his case, in accordance with rules and regulations established in conformance with chapter thirty A. All records and transcripts of the commission shall be open to the public.

SECTION 15. The term of office of the members of the state ballot law commission, in office upon the effective date of this act, shall expire on February first, nineteen hundred and seventy-eight.

SECTION 16. Of the members of the state ballot law commission first appointed under section one of chapter fifty-five B of the General Laws, inserted by section fifteen of this act, two shall be appointed for a term expiring February first, nineteen hundred and seventy-nine and two for terms expiring February first, nineteen hundred and eighty and their successors shall be appointed for a term of two years.

SECTION 17. The provisions of this act are severable. If any provisions of this act or the application thereof to any person or circumstance is held unconstitutional or invalid by any court of competent jurisdiction, the application of such provision to any other person or circumstance or the application of the remaining provisions of this act shall not be impaired.

SECTION 18. This act shall take effect as of January first, nineteen hundred and seventy-nine.

Approved January 3, 1978.

Chap. 928. AN ACT CHANGING THE NAME OF THE LOWER PIONEER VALLEY REGIONAL TRANSIT AUTHORITY TO PIONEER VALLEY REGIONAL TRANSIT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The eighth clause of the second paragraph of section 2 of chapter 161B of the General Laws, as appearing in section 1 of chapter 1141 of the acts of 1973, is hereby amended by striking out, in line 1, the heading, and inserting in place thereof the following heading:- "The Pioneer Valley Transit Authority".

SECTION 2. Said chapter 161B is hereby amended by striking out section 3, as appearing in section 1 of chapter 1141 of the acts of 1973, and inserting in place thereof the following section:-

Section 3. Any city or town, or group or combination of cities or towns, other than a city or town included in the Massachusetts Bay Transportation Authority may, subject to the approval of the secretary, and upon compliance with the provisions of this section, by majority vote of the city council or majority vote of the town meeting or majority vote of any other legislative body, respectively, be made into a body politic and corporate and a political subdivision of the commonwealth under the name of the municipality within the new authority having the greatest population, or under any other appropriate regional name agreed to be a majority of the member municipalities, and followed by the words "Transit Authority".

Any such authority shall be deemed to be established upon written notification to the governor that the member municipalities have voted to establish a regional transit authority. Having so notified the governor, the advisory board established pursuant to section five shall proceed to appoint an administrator in accordance with section four. Once established, each such authority shall have the same powers, limitations, duties and organization as an authority established pursuant to section fourteen and shall in all respects be subject to the provisions of this chapter, except section fourteen, as if it were an authority so established.

Any city or town or group or combination of cities and towns, other than a city or town included in the Massachusetts Bay Transportation Authority or in an authority established pursuant to section fourteen may, by majority vote of the city council or of the town meeting or majority vote of any other legislative body, respectively, subject to the approval of the secretary, and subsequent to the notification of the advisory board to such authority by the secretary, join an authority which is not separated from said city or town or group or combination of cities and towns by more than one other municipality.

SECTION 3. The first paragraph of section 5 of said chapter 161B is hereby amended by striking out the first sentence of said paragraph and inserting in place thereof the following sentence:- There shall be an advisory board to each authority consisting of the city manager, in the case of Plan D or Plan E city, or the mayor of each other city, and the chairman of the board of selectmen of each town having such board, or the town manager or town administrator of each other town.

SECTION 4. Paragraph (f) of section 6 of said chapter 161B is hereby amended by striking out, in lines 6 and 7, the words “held or later acquired by the authority”, and is further amended by striking out, in lines 14 and 15, the words “which is to be financed from the proceeds of bonds or bond anticipation notes and”.

SECTION 5. Paragraph (m) of said section 6 of said chapter 161B is hereby amended by striking out, in line 2, the word “corporation” and inserting in place thereof the following word:-authority.

SECTION 6. Paragraph (c) of section 8 of said chapter 161B is hereby amended by striking out, in line 3, the word “corporation” and inserting in place thereof the following word:- authority.

SECTION 7. Section 8 of said chapter 161B is hereby further amended by striking out paragraph (h) and inserting in place thereof the following paragraph:-

(h) All current expenses of the authority shall be in accordance with an annual budget prepared by the administrator and submitted to the advisory board no later than April first of each year for the ensuing fiscal year. On or before June first the advisory board shall approve said budget as submitted or subject it to such itemized reductions therein as the advisory board shall deem appropriate.

SECTION 8. Section nine of said chapter 161B is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- If in any year the commonwealth shall be called upon to pay any amount on account of the net cost of service of any regional transit authority, the total amount of such net cost of service shall be assessed upon the cities and towns which are members of such authority in the proportion which the loss attributable to each route in each such city or town bears to the loss attributable to all such routes in all such cities and towns.

SECTION 9. Section 14 of said chapter 161B is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The membership of the authority upon its establishment as provided in this section shall consist of those cities and towns which affirmatively vote for the formation of the authority as provided in the first paragraph. Nothing contained in this section shall prevent any city or town, including a city or town which did not vote for the formation of the authority under the first

paragraph from joining an authority subsequent to the formation thereof.

SECTION 10. Section 15 of said chapter 161B is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Any city or town which is a member of an authority may place upon the official ballot at any biennial or regular or special city election or annual or special town election the following question:

“Shall this (city, town) continue to be a member of the (name) Regional Transit Authority?”

SECTION 11. The second paragraph of section fifteen of said chapter 161B as so appearing is hereby further amended by striking out in the second sentence, in line 12, the word “Transportation,” and inserting in place thereof the word:- Transit.

SECTION 12. Chapter 1141 of the acts of 1973 is hereby amended by striking out section 9A and inserting in place thereof the following section:-

Section 9A. The secretary of the executive office of transportation and construction is hereby authorized and directed to reserve sixteen million dollars of the twenty million dollar bonding authorization provided under section seventeen of chapter one hundred and sixty-one B of the General Laws, as inserted by section one of this act, for the following authorities established pursuant to section fourteen of said chapter one hundred and sixty-one B, in the following amounts:

Southeastern Regional Transit Authority	\$2,182,020
Greater Attleboro-Taunton Regional Transit Authority	1,110,818
Brockton Regional Transit Authority	1,446,385
Montachusett Regional Transit Authority	820,817
Merrimack Valley Regional Transit Authority	1,509,453
Lowell Regional Transit Authority	1,621,944
Berkshire Regional Transit Authority	630,734
Pioneer Valley Transit Authority	3,888,498
Worcester Regional Transit Authority	2,052,047
Cape Cod Regional Transit Authority	737,284
	<hr/>
	\$16,000,000

The four million dollars of bonding authorization under said section seventeen which is not reserved as provided in the first

paragraph may be distributed by the secretary to any authority established under chapter one hundred and sixty-one B based on the need of said authorities for capital funds.

If an authority listed in the first paragraph has not been created in any of the above areas within three years of the passage of this act, or if any of the bonding authorization reserved for an authority under the first paragraph is not utilized within five years of the passage of this act, such bonding authorization reserved to such authority or such unused portion shall revert to the discretionary portion of the bonding authorization provided in the second paragraph and shall be distributed by the secretary as provided in such paragraph.

Approved January 3, 1978.

Chap. 929. AN ACT PROVIDING FOR THE LICENSING AND REGULATING OF FARMER-WINERIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 138 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 10A of chapter 430 of the acts of 1973, and inserting in place thereof the following section:-

Section 1. The following words as used in this chapter, unless the context otherwise requires, shall have the following meanings:-

“Alcohol”, all alcohol other than denatured alcohol or alcohol described in section three hundred and three A of chapter ninety-four.

“Alcoholic beverages”, any liquid intended for human consumption as a beverage and containing one half of one per cent or more of alcohol by volume at sixty degrees Fahrenheit.

“Club”, a corporation chartered for any purpose described in section two of chapter one hundred and eighty, whether under federal or state law, including any body or association lawfully operating under a charter granted by a parent body so chartered, and including also any organization or unit mentioned in clause twelfth of section five of chapter forty, owning, hiring, or leasing a building, or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members; provided, that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the members at its annual meeting, and that no member or any officer, agent or

employee of the club is paid, or directly or indirectly receives in the form of salary or other compensation, any profits from the disposition or sale of alcoholic beverages beyond the amount of such salary as may be fixed and voted annually within two months after January first in each year by the members or by its directors or other governing body and as shall in the judgment of the local licensing authorities and the commission be reasonable and proper compensation for the services of such member, officer, agent or employee. Such club shall file with the local licensing authorities and the commission annually within three months after January first in each year a list of the names and residences of its officers, together with the amount of salary or compensation received by each employee engaged in the handling or selling of alcoholic beverages.

“Commission”, the alcoholic beverages control commission established under section forty-three of chapter six.

“Farmer-winery”, any plant or premise where wine is produced, rectified, blended or fortified from fruits, flowers, herbs or vegetables.

“Hotel”, a building or part of a building owned or leased and operated by a person holding a duly issued and valid license as an innholder, under the provisions of chapter one hundred and forty and provided with adequate and sanitary kitchen and dining room equipment and capacity for preparing, cooking and serving suitable food for its guests, including travelers and strangers and its other patrons and customers, and in addition meeting and complying with all the requirements imposed upon innholders under said chapter one hundred and forty.

“Licensing authorities”, the commission or the local licensing authorities, or both, as the case may be.

“Local licensing authorities”, the licensing boards and commissions established in any city or town under special statute or city charter or under section four or corresponding provisions of earlier laws, or, in a city having no such board or commission or having a board rendered inactive under section eight, the aldermen, or, in a town having no such board or commission, the selectmen.

“Malt beverages”, all alcoholic beverages manufactured or produced by the process of brewing or fermentation of malt, with or without cereal grains or fermentable sugars, or of hops, and containing not more than twelve per cent of alcohol by weight.

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

“Restaurant”, space, in a suitable building, leased or rented or owned by a person holding a duly issued and valid license as a common victualler under the provisions of said chapter one hundred and forty, and provided with adequate and sanitary kitchen and dining room equipment and capacity for preparing, cooking and serving suitable food for strangers, travelers and other patrons and customers, and in addition meeting and complying with all the requirements imposed upon common victuallers under said chapter one hundred and forty. No advertising matter, screen, curtain or other obstruction which, in the opinion of the licensing authorities, prevents a clear view of the interior of a restaurant shall be maintained in or on any window or door thereof after the said authorities have ordered the removal of such obstruction and have afforded the licensee thereof a reasonable opportunity to remove the same.

“Tavern”, an establishment where alcoholic beverages may be sold, as authorized by this chapter, with or without food, to be served to and drunk by patrons in plain view of other patrons, all entrances to which shall open directly from a public way. The business conducted therein shall be open to public view from the sidewalk level and the establishment shall be properly lighted. No window facing a public way shall be obstructed by any screen or other object extending more than five feet above the level of the sidewalk on which the establishment abuts, but in no event shall any screen or obstruction prevent a clear view of the interior of said tavern.

“Winegrower”, any person licensed to operate a farmer’s winery under section nineteen B.

“Wines”, all fermented alcoholic beverages made from fruits, flowers, herbs or vegetables and containing not more than twenty-four per cent of alcohol by volume at sixty degrees Fahrenheit, except cider containing not more than three per cent, or containing more than six per cent, of alcohol by weight at sixty degrees Fahrenheit.

SECTION 2. Section 12 of said chapter 138 is hereby amended by striking out the sixth paragraph, as most recently amended by chapter 812 of the acts of 1977, and inserting in place thereof the following paragraph:-

The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specially for each licensee; provided, that no such sale shall be made on any secular day between the hours of two and eight o’clock antemeridian and that, except as provided in section thirty-three, no such licensee

shall be barred from making such sales on any such day after eleven o'clock antemeridian and before eleven o'clock postmeridian, and no tavern shall be kept open on any such day between one o'clock antemeridian and eight o'clock antemeridian; and provided further, that any such licensee and his employees shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making emergency repairs to, or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. The licensing authority shall not decrease the hours during which sales of such alcoholic beverages may be made by any licensee until after a public hearing concerning the public need for such decrease; provided, that any licensee affected by such change shall be given two weeks notice of such public hearing; provided, however, that local licensing authorities, subject to the approval of the commission, may grant a license notwithstanding the provisions of section seventeen to sell wine for consumption on the winery premises to a winegrower authorized to operate a farmer-winery under section nineteen B; such licensees may sell for on-premises consumption wine produced by the winery or produced for the winery and sold under the winery brand name.

SECTION 3. The first paragraph of section 19A of said chapter 138 is hereby amended by striking out the first sentence, as amended by chapter 666 of the acts of 1975, and inserting in place thereof the following sentence:- The commission may annually grant to individual citizens of the commonwealth employed as salesmen for licensees under section eighteen, eighteen A, nineteen or nineteen B permits which shall authorize such salesmen on behalf of their employers to solicit orders for alcoholic beverages from any licensee under this chapter to whom their employers are authorized to sell such beverages, and the fee for each such permit shall be fifteen dollars.

SECTION 4. Said chapter 138 is hereby further amended by inserting after section 19A the following section:-

Section 19B. (a) For the purpose of encouraging the development of a domestic vineyards, the commission shall issue a farmer-winery license to any applicant who is both a citizen and resident of the commonwealth, and to applying partnerships composed solely of such individuals, and to applying corporations organized under the laws of the commonwealth or organized under the laws of any other state of the United States and admitted to do business in this commonwealth, unless:

(1) such person does not comply with reasonable application procedures required by the commission; or

(2) the commission determines that such person is not of responsible character; or

(3) a church or school located within five hundred feet of the winery premises has objected to issuance of the license in accordance with section sixteen C; or

(4) the commission determines that the applicant retains or owns an interest, directly or indirectly, in the business of a licensee under section twelve or fifteen; or

(5) the commission determines that the applicant retains or owns an interest, directly or indirectly in more than one business licensed under section eighteen; or

(6) the applicant has not furnished the requisite license fee or bond; or

(7) the commission determines that the co-partners, corporate officials or stockholders of the applicant do not meet the requirements of paragraphs (2), (4) and (5), or that the manager or agent intended to conduct the winery business on the applicant's behalf does not meet such requirements, or that such co-partners, officials, stockholders, agent or manager remain undisclosed.

(b) The commission may on its own motion, and shall upon the written request of any applicant who has been refused a farmer-winery license or has been refused transfer or renewal of such a license, hold an evidentiary hearing, notice of which shall be mailed to the applicant at the address given in his application. Such hearing shall be before the commission, or a member thereof. The commission shall present its reasons for refusing issuance. The applicant may appear in person or by counsel, may cross-examine witnesses for the commission and may present evidence. The hearing shall be stenographically or sound recorded. If the hearing is conducted by an examiner, the examiner shall report on the hearing to the commission. The commission shall decide within thirty days of the completion of the hearing whether to issue the winery license or grant the transfer or renewal. If the commission refuses the license, transfer or renewal following the hearing, notice in writing of the refusal shall be mailed to the applicant. In all such cases, the commission shall keep on file a statement in the form of an opinion of the reasons for the refusal, and shall furnish a copy thereof to the applicant.

(c) Any applicant who has appeared before the commission at such a hearing and who has been refused a farmer-winery license or the transfer renewal of such a license may appeal to the superior court of the county where the applicant resides or has his

principal place of business within the commonwealth, or to the superior court for the county of Suffolk.

(d) Every applicant for an original winery license or for a transfer of such a license shall, within seven days after filing an application with the commission, send written notice of his application by registered mail, return receipt requested, to:

(1) each school which offers instruction and training to children of compulsory school age in accordance with sections one and four of chapter seventy-one and which is located within a radius of five hundred feet from the premises on which the winery is to be operated; and

(2) each church as defined in section sixteen C which is located within a radius of five hundred feet from such premises.

The notice shall also state that the church or school has the right to object under section sixteen C to the issuance or transfer of the winery license. If the authorities in charge of any such school or church complain to the commission in writing that a winery license has been issued or transferred without the mailing of the requisite notice, and that they object to such issuance or transfer, the commission shall hold a hearing to determine whether the requisite notice was mailed. If after a hearing the commission determines that notice was not mailed as required, then the commission shall cancel the winery license unless:

(3) such school or church had actual notice, prior to issuance or transfer, of the application and of the right to object under sixteen C; or

(4) such school or church did not complain as soon as possible after actual notification of the application and of the right to object.

Any winegrower aggrieved by the cancellation of his license, or any school or church aggrieved by the commission's refusal to cancel such a license, may appeal as provided in subsection (d).

(e) A winegrower may operate a farmer's winery under such conditions as the commission may prescribe by regulation.

(f) A winegrower may import the unfermented juice of fruits, flowers, herbs or vegetables, but may not import wine or alcohol into the commonwealth.

(g) A winegrower may sell wine or winery products:

(1) at wholesale to any person holding a valid license to manufacture alcoholic beverages under section nineteen;

(2) at wholesale to any person holding a valid wholesaler's and importer's license under section eighteen;

(3) at wholesale to any person holding a valid farmer-winery license under this section;

(4) at wholesale in kegs, casks, barrels or bottles to any person holding a license to sell under section twelve, thirteen or fourteen, and, for the sole purpose of resale in containers in which the wine was delivered, to any person holding a license to sell under section fifteen; provided that the total annual sales to section twelve, thirteen, fourteen, and fifteen licenses shall not exceed fifty thousand gallons;

(5) at wholesale to any registered pharmacist holding a certificate of fitness under section thirty;

(6) at wholesale to churches and religious societies, educational institutions, incorporated hospitals, homes for the aged, manufacturers of food products, and manufacturers of drugs and chemicals as authorized by, and subject to the provisions of section twenty-eight;

(7) at retail by the bottle to consumers for consumption off the winery premises;

(8) at wholesale to any person in any state or territory in which the importation and sale of wine is not prohibited by law; and

(9) at wholesale to any person in any foreign country.

(h) A winegrower may not sell at retail to consumers any wine or winery product not produced by the winery or produced for the winery and sold under the winery brand name. All retail sales must be made on the winery premises.

(i) A winegrower may be licensed by local licensing authorities to sell wine for consumption on the winery premises in accordance with the pertinent provisions of section twelve and with such regulations as the commission may prescribe.

(j) All wines sold by a licensee hereunder shall be sold and delivered in such manner and under such conditions and with such labels or other marks to identify the producer as the commission may prescribe.

(k) Every winegrower under this section shall keep such records as the commission may prescribe, and shall file with the commission, whenever and as often as it may require, duplicates of copies of such records. The commission shall at all times, through its designated officers or agents, have access to all books, records or other documents of every licensed winegrower relating to the licensee's winery business.

(l) The annual license fee for each winegrower, in respect of each winery, shall be computed based on the wine gallonage produced by the winery as follow:

5,000 gallons or less per year	\$ 22. per year
More than 5,000 and less than 20,000 gallons per year:	\$ 44. per year
More than 20,000 gallons and less than 100,000 gallons per year:	\$ 82. per year
More than 100,000 and less than 200,000 gallons per year:	\$110. per year
More than 200,000 and less than 1,000,000 gallons per year:	\$110. per year
Each additional 1,000,000 gallons per year:	\$111. per year

(m) Every applicant for a farmer-winery license shall, at the time of filing an application, pay a license fee based on a reasonable estimate of the amount of wine to be produced during the year covered by the license. Persons holding farmer-winery licenses shall report annually at the end of the year covered by the license the amount of wine produced during such year. If the total amount of such wine exceeds the amount permitted by the fee already paid, the licensee shall pay whatever additional fee is owing under this section.

SECTION 5. Section 20 of said chapter 138 is hereby amended by striking out the first two paragraphs, as appearing in section 10 of chapter 542 of the acts of 1943, and inserting in place thereof the following two paragraphs:-

The commission may grant to any holder of a manufacturer's, farmer-winery or wholesaler's and importer's license under this chapter a permit to store in any city or town those alcoholic beverages which such licensees are authorized to manufacture, produce or sell; provided, that there shall not be granted to such manufacturer, farm-winery or wholesaler and importer, in the aggregate, more than three such permits in the commonwealth, not more than one such permit in any city or town. A permit so granted to the holder of such a license shall authorize him to deliver such beverages from any place of storage for which he has such a permit upon orders, which need not be in writing, received by him at the premises covered by his manufacturer's, farm-winery or wholesaler's and importer's license and transmitted to the place of storage covered by the permit. The commission may establish annual fees thereof not exceeding five hundred dollars for any one permit.

Special warehouse permits may be granted by the commission for the storage of alcoholic beverages in a duly licensed bonded warehouse. A special permit so granted shall authorize the holder thereof to transfer such beverages between any premises for

which he has such special permit and any premises covered by his manufacturer's, farm-winery or wholesaler's and importer's license. The fee for such a special permit shall be not less than fifty nor more than two hundred dollars.

SECTION 6. Said chapter 138 is hereby further amended by striking out section 21, as most recently amended by section 95 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 21. Every licensed manufacturer of alcoholic beverages or alcohol as defined in this chapter, and every winegrower under section nineteen B, and every holder of a wholesaler's and importer's license for the sale and importation of alcoholic beverages, and every licensee under section seventy-six shall, in addition to the license fees elsewhere provided in this chapter, be liable for and pay to the commonwealth an excise, for the privilege enjoyed by him as such manufacturer, winegrower, wholesaler and importer, or licensee under section seventy-six, to be levied on sales within the commonwealth of alcoholic beverages or alcohol, other than wines to be used for sacramental purposes only and other than malt beverages imported into the commonwealth, and to be levied on importations of malt beverages into the commonwealth, as follows:

(a) For each barrel of thirty-one gallons, or fractional part of a barrel, aforesaid, of malt beverages, at the rate of two dollars and forty cents per barrel aforesaid;

(b) For each wine gallon, or fractional part thereof, of cider containing more than three per cent but not more than six per cent of alcohol by weight at sixty degrees Fahrenheit, at the rate of two cents per wine gallon;

(c) For each wine gallon, or fractional part thereof, of still wine, other than cider containing more than three per cent but not more than six per cent of alcohol as aforesaid, including vermouth, at the rate of forty cents per wine gallon;

(d) For each wine gallon, or fractional part thereof, of champagne and all other sparkling wines, at the rate of fifty cents per wine gallon;

(e) For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing fifteen per cent or less of alcohol by volume at sixty degrees Fahrenheit, at the rate of eighty cents per wine gallon;

(f) For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing more than fifteen per cent but not more than fifty per cent of alcohol by volume at sixty

degrees Fahrenheit, at the rate of two dollars and ninety-five cents per wine gallon;

(g) For each proof gallon, or fractional part thereof, of all other alcoholic beverages containing more than fifty per cent of alcohol by volume at sixty degrees Fahrenheit, or alcohol, at the rate of two dollars and ninety-five cents per proof gallon. The words "proof gallon" when used in this section with reference to an alcoholic beverage, shall be held to be a gallon of the alcoholic beverage which contains one half its volume of alcohol of a specific gravity of seven thousand nine hundred and thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit. Every person subject to this section shall keep a true and accurate account of all alcoholic beverages or alcohol sold by him other than malt beverages imported into the commonwealth by him, and a like account of all malt beverages imported into the commonwealth by him. The excise imposed by this section shall be paid to the commissioner of corporations and taxation at the time provided for filing the return required by section sixteen of chapter sixty-two C. The state tax commission by rule or regulation shall provide for the waiver of payment of the excise in respect to any alcoholic beverages or alcohol if it appears that an excise has already been paid under the provisions of this section in respect thereto; provided, however, that alcoholic beverages or alcohol manufactured within or imported into the commonwealth and exported therefrom shall be exempt from such excise. Alcohol for the purpose of this section shall not include alcohol sold for scientific, chemical, mechanical, manufacturing, industrial, culinary, pharmaceutical or medical purposes in containers greater in capacity than one wine gallon, and shall not include absolute alcohol, so-called, sold for such purposes in any containers. The taxes imposed by this section shall also be applicable to sales of alcoholic beverages, upon which an excise has not already been paid under the provisions of this section, made by railroad or car corporations or the owner or operator of any vessel or shipping company licensed to sell alcoholic beverages under the provisions of section thirteen.

Any person who shall knowingly purchase, sell or possess any alcoholic beverages or alcohol not manufactured in, produced in or imported into the commonwealth by a licensed manufacturer, a winegrower or a holder of a wholesaler's and importer's license for the sale and importation thereof or a licensee under section seventy-six, or a railroad or car corporation or the owner or operator of any vessel or shipping company licensed under section thirteen, or a person holding a permit for importation under

section twenty-two A, or any person specifically exempted by section two, shall, in addition to any other penalties provided for violation of any provisions of this chapter, be subject to a fine equal to double the amount of the excise which would have been payable by a licensee subject to this section if such alcoholic beverages or alcohol had been imported or sold by such licensee. The state police and all local police authorities shall have authority to enforce, and shall, at the request of the commissioner or his duly authorized agent, enforce the provisions of this paragraph.

The administration of the tax imposed by this section shall be vested in the commissioner of corporations and taxation and governed by the provisions of chapter sixty-two C.

SECTION 7. Section 23 of said chapter 138 is hereby amended by striking out the third paragraph, as appearing in section 12 of chapter 542 of the acts of 1943, and inserting in place thereof the following paragraph:-

No license issued under section twelve, fourteen or fifteen, and no certificate of fitness issued under section thirty shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under section eighteen, nineteen or nineteen B or from a holder of a special permit to sell issued under section twenty-two A; provided, that the holder of a license under section twelve or fifteen may sell alcoholic beverages acquired as the result of the purchase of a warehouse receipt for such beverages if the said receipt was purchased from the holder of a license under section eighteen, nineteen or nineteen B, or from a broker registered under chapter one hundred and ten A who is authorized thereunder to deal in warehouse receipts for alcoholic beverages; and provided, further, that nothing contained in this section shall be construed to authorize a licensee under section twelve or fifteen to import alcoholic beverages into this commonwealth except through the holder of a license issued under section eighteen.

SECTION 8. Section 25 of said chapter 138 is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 574 of the acts of 1968, and inserting in place thereof the following paragraph:-

It shall be unlawful for any licensee under this chapter to lend or borrow money, directly or indirectly, to or from any other licensee under this chapter. It shall be unlawful for any licensee under this chapter to receive or extend credit, directly or indirectly, for alcoholic beverages sold or delivered to any licensee engaged in the sale of alcoholic beverages except in the usual

course of business and for a period of not more than sixty days, or for any manufacturer, wholesaler or importer of alcoholic beverages, or any winegrower not holding a license under section twelve, to acquire, retain or own, directly or indirectly, any interest in the business of any licensee under section twelve, or for any winegrower licensed under section twelve to acquire, retain or own, directly or indirectly, any interest in the business of any other licensee under section twelve, or for any manufacturer of alcoholic beverages or any winegrower to acquire, retain or own, directly or indirectly, any interest in the business of any licensee under section fifteen. Nothing in this chapter shall require any manufacturer, winegrower or wholesaler to extend credit to any licensee. The credit period shall be calculated from the date of the delivery of the alcoholic beverages to the purchaser to the date when the purchaser discharges in full the indebtedness for which the credit was extended. If any licensee does not discharge in full any such indebtedness within such sixty day period, the indebtedness shall be overdue and such licensee shall be delinquent within the meaning of this section. Within three days after a licensee becomes delinquent, the licensee who extended the credit shall mail a letter of notice by certified mail to the commission and a copy thereof to the delinquent licensee. The letter of notice shall be in forms provided by the commission. The notice shall contain the name of the delinquent licensee, the date of delivery of the alcoholic beverages and the amount of the indebtedness remaining undischarged. Within five days after receipt of such a letter of notice, the commission shall post the name and address only of the delinquent licensee in a delinquent list containing the names and addresses of all delinquent licensees. Such posting shall constitute notice to all licensees of the delinquency of such licensee.

SECTION 9. Said section 25 of said chapter 138 is hereby further amended by striking out the seventh paragraph, as so appearing, and inserting in place thereof the following paragraph:-

Nothing in this chapter shall prevent a person holding any interest in a business licensed under section nineteen or nineteen B from holding at the same time any interest in not more than one business licensed under section eighteen.

SECTION 10. Said chapter 138 is hereby further amended by striking out section 25C, as most recently amended by chapter 428 of the acts of 1965, and inserting in place thereof the following section:-

Section 25C. (a) No brand of alcoholic beverages shall be sold within the commonwealth to a wholesaler or retailer, and no

manufacturer, winegrower or wholesaler shall sell, offer for sale, solicit any order for, or advertise, any alcoholic beverages, the container of which bears a label stating the brand or the name of the owner or producer, unless a schedule of minimum consumer prices for each such brand of alcoholic beverages shall first have been filed with the commission and is then in effect.

(b) Each of the schedules hereinafter referred to shall be in writing, duly verified, and filed in the number of copies and form as required by the commission, and shall contain, with respect to each item, the exact brand or trade name, capacity of package, nature of contents, age and proof where stated on the label, the percentage and type of spirits where stated on the label, the minimum consumer resale price of a bottle and of a case, but not a multiple of a bottle price or a case price or a fraction of a case price, which prices shall be uniform throughout the commonwealth.

(c) Such schedule may be filed by (1) the manufacturer, winegrower, importer or wholesaler who owns such brand if licensed by the commission, or (2) any wholesaler, importer or manufacturer licensed by the commission, with the approval of the commission.

(d) The first schedule shall be filed on or before a date to be fixed by the commission, and the prices therein shall become effective on a date to be fixed by the commission and shall remain in effect for a period, not exceeding four months, to be fixed by the commission. Subsequent schedules shall be filed at the times and for the periods hereinafter set forth and shall be effective during the periods hereinafter set forth:-

FILING DATES.

July 1-10
September 1-10
November 1-10
January 1-10
March 1-10
May 1-10

EFFECTIVE DATES.

September 1-October 31
November 1-December 31
January 1-February 28
March 1-April 30
May 1-June 30
July 1-August 31

provided, however, that nothing contained herein shall require any manufacturer, winegrower or wholesaler to file a schedule of minimum consumer resale prices for any brand of alcoholic beverages offered for sale or sold (1) to a retailer under a brand which is owned exclusively by such retailer and sold within the commonwealth exclusively by such retailer; (2) to a church, synagogue or religious organization under a brand which is

owned exclusively by such manufacturer, winegrower or wholesaler, if authorized to sell wine to such persons and such wine is sold exclusively to such persons; (3) to on-premises retailers under a brand which is owned exclusively by such manufacturer, winegrower or wholesaler and is sold by such manufacturer, winegrower or wholesaler exclusively to such retailers for consumption on the premises.

No such filing, however, shall take effect unless within thirty days thereafter the commission shall approve such prices as not being excessive, inadequate, or unfairly discriminatory; provided, however, that such approval shall not be deemed a rule or regulation within the meaning of section twenty-four or section seventy-one, nor shall such approval be subject to the provisions of chapter thirty A.

(e) Within ten days after the filing of each such schedule the commission shall make it or a composite thereof available for inspection by licensees. All such schedules so filed shall be subject to public inspection from the time that they are required to be made available for inspection by licensees. Each manufacturer, winegrower and wholesaler shall retain in his licensed premises a copy of his filed schedules, and shall, as soon as practicable after the tenth day of the month in which such schedules are filed, compile, publish and mail to each retailer authorized to sell alcoholic beverages for off-premises consumption, a list, to be designated "minimum consumer resale price list". Such list, as then in effect, shall be conspicuously displayed within the interior of the licensed premises where sales are made and where they can be readily inspected by consumers.

(f) No licensee authorized to sell alcoholic beverages at retail for off-premises consumption shall sell, offer to sell, solicit an order for, or advertise, any alcoholic beverages at a price less than the minimum consumer resale price then in effect, unless written permission of the commission is granted for good cause shown and for reasons not inconsistent with the purposes of this section and under such terms and conditions as the commission deems necessary.

(g) The commission is hereby authorized to make rules which are necessary (1) to prevent circumvention of the provisions of this section by the offering or giving of any rebate, allowance, free goods, discount or any other thing or service of value; (2) to permit the withdrawal of, an addition to, a deletion from, or an amendment of any schedule containing the minimum consumer retail price or a modification of prices therein, when not inconsistent with the purposes of this section, whenever necessary to

avoid practical difficulties or unnecessary hardships to any licensee affected by this section or because of acts or circumstances beyond the control of such licensee, and under such terms and conditions as are necessary to carry out the purposes of this section; (3) to permit the sale at a price less than the minimum consumer resale price of alcoholic beverages which are damaged or deteriorated in quality, or the closeout of a brand for the purpose of discontinuing its sale, under such terms and conditions as are necessary to carry out the purposes of this section; (4) to permit the sale by a retailer of a brand of alcoholic beverages for which a schedule of minimum consumer resale prices has not been and cannot be filed, whenever necessary to avoid practical difficulties or unnecessary hardships to any licensee affected by this section or because of acts or circumstances beyond the control of such licensee, and under such terms and conditions as are necessary to carry out the purposes of this section.

All schedules filed pursuant to this section shall be subject to public inspection from the time that they are required to be made available for inspection by licensees, and shall not be considered confidential. For the violation of any provision of this section or any rule or regulation duly promulgated under this section, the commission may suspend a license as follows:- for a first offence, not exceeding six days suspension of license; for a second offence, not exceeding fifteen days suspension of license; and for each subsequent offence, thirty days suspension of license. Each manufacturer, winegrower and wholesaler shall retain in his licensed premises for inspection by licensees a copy of his filed schedules as then in effect. The commission may make such rules and regulations as shall be appropriate to carry out the purposes of this section. For the purpose of this section alcoholic beverages shall not include malt beverages.

SECTION 11. Section 25E of said chapter 138 is hereby amended by striking out the first paragraph, as amended by chapter 442 of the acts of 1973, and inserting in place thereof the following paragraph:-

It shall be an unfair trade practice and therefor unlawful for any manufacturer, winegrower, importer or wholesaler of any alcoholic beverages, to refuse to sell, except for good cause shown, any item having a brand name to any licensed wholesaler to whom such manufacturer, winegrower, importer or wholesaler has made regular sales of such brand item during a period of six months preceding any refusal to sell.

SECTION 12. Said chapter 138 is hereby further amended by striking out section 28, as amended by chapter 112 of the acts of 1934, and inserting in place thereof the following section:-

Section 28. The holder of a license under section eighteen, nineteen, nineteen B may sell those alcoholic beverages which such licensees are authorized to sell to churches and religious societies, educational institutions licensed under section fourteen, incorporated hospitals and homes for aged people whose real or personal property is exempt from taxation under the laws of the commonwealth, and to manufacturers of food products, including ice cream, for use only in connection with the manufacture of such products, and to manufacturers of drugs and chemicals for use only in the manufacture or preparation of articles mentioned in section thirty-five of chapter one hundred and twelve, in such quantities and subject to such restrictions as the commission may by regulation prescribe. The holder of such a license may also sell and deliver such beverages to any person on any federal or state military or naval reservation authorized by the commanding officer thereof to purchase and receive the same.

SECTION 13. Said chapter 138 is hereby further amended by striking out section 32, as amended by section 8 of chapter 370 of the acts of 1934, and inserting in place thereof the following section:-

Section 32. No holder of a license or permit under this chapter shall himself or through an agent or employee go from town to town or from place to place in the same town selling, bartering, hawking or peddling, or exposing or carrying for sale, barter, hawking or peddling, any alcoholic beverages from a vehicle. All sales of such beverages under section fifteen of this chapter, and all sales thereof by a licensee under section eighteen, nineteen or nineteen B where transportation and delivery are required, shall be made only upon orders actually received at the licensed place of business prior to the shipment thereof. Violation of this section shall be punished by a fine not exceeding two hundred dollars or by imprisonment for not more than six months, or both.

SECTION 14. Said chapter 138 is hereby further amended by striking out section 34, as most recently amended by section 2 of chapter 155 of the acts of 1972, and inserting in place thereof the following section:-

Section 34. No person shall receive a license or permit under this chapter who is under eighteen years of age. Whoever, being licensed under this chapter, employs any person under eighteen years of age in the direct handling or selling of alcoholic

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

SECTION 15. Said chapter 138 is hereby further amended by striking out section 70, as most recently amended by chapter 598 of the acts of 1945, and inserting in place thereof the following section:-

Section 70. No license or permit under this chapter shall be granted by the commission or the local licensing authorities unless the fee therefor has been paid into the state treasury or the city or town treasury, as the case may be. No license shall be granted by the commission under sections eighteen, nineteen, nineteen B or seventy-six unless the applicant shall have filed with the state treasurer a bond running to the commonwealth. Every such bond shall be in a penal sum and form approved by the commission and be executed by the applicant as principal and by a surety company authorized to do business in the commonwealth as surety, conditioned upon performance by the licensee of all the conditions of the license and observance of all provisions of this chapter.

Approved January 3, 1978.

Chap. 930. AN ACT PROVIDING FOR THE UNIFORM REGULATION OF THE PURCHASE, USE AND SALE OF VOTING EQUIPMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 26, as most recently amended by section 1 of chapter 624 of the acts of 1963, and inserting in place thereof the following section:-

Section 26. The state secretary shall, at the expense of the commonwealth, provide every city and town for use at every

precinct or division of a precinct therein under the provisions of section seven A with a state ballot box and counting apparatus approved by the state secretary in accordance with section thirty-two.

SECTION 2. Said chapter 54 is hereby further amended by striking out section 32, as amended by section 2 of chapter 564 of the acts of 1967, and inserting in "lace thereof the following section:-

Section 32. The state secretary shall examine all types of voting equipment including ballot boxes, counting apparatus, and voting machines and determine whether such equipment complies with the minimum requirements for such equipment imposed by law and whether the use of such equipment would further the efficient administration of elections.

Any person owning or interested in such equipment may submit it to the state secretary for examination. For the purpose of assistance in examining such new equipment, the secretary, subject to appropriation, may employ not more than three individuals who are experts in one or more of the fields of data processing, mechanical engineering and public administration.

Within thirty days after completing the examination and approval of any such equipment the state secretary shall make and file in his office his report on the equipment together with a written or printed description and drawings and photographs clearly identifying the equipment. As soon as practicable after such filing, the state secretary upon request shall send a copy of the report to any governing body within the state.

Any voting equipment that receives the approval of the state secretary may be used for conducting elections. Any voting equipment that does not receive such approval shall not be adopted for or used at any election. After such equipment has been approved by the state secretary, any change or improvement in the equipment that does not impair its accuracy, efficiency or capacity shall not render necessary a reexamination or reapproval of the equipment.

All voting equipment being used upon the effective date of this act shall within twelve months of said effective date be submitted to the state secretary for his approval. Within twenty-four months of the effective date of this act the secretary shall approve or disapprove of such equipment and promulgate uniform regulations for such equipment in accordance with section thirty-seven.

SECTION 3. Section 33E of said chapter 54 is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

If there is an approved electronic voting system in use, a voter may vote by punching holes in a data processing card, or by marking his ballot with special inks, or in a special manner, in conformity with the approved electronic voting system in use.

SECTION 4. The third paragraph of section 34 of said chapter 54, as amended by section 2 of chapter 57 of the acts of 1969, is hereby further amended by inserting after the word "effective", in line 7, the words:- ; provided, further, that no such discontinuance shall prevent the state secretary from selecting appropriate voting machines and vote tally systems pursuant to section thirty-two.

SECTION 5. Section 35 of said chapter 54 is hereby amended by striking out the thirteenth sentence, added by chapter 150 of the acts of 1973, and inserting in place thereof the following sentence:- In cities and towns which use printer type voting machines approved pursuant to section thirty-two, such examination by a candidate whose name appears on said machine or his representative, duly authorized in writing, shall be conducted by means of the printer sheets to determine the figures on each machine are properly registered.

SECTION 6. Section 35B of said chapter 54 is hereby amended by striking out the third paragraph, as amended by section 7 of chapter 511 of the acts of 1941, and inserting in place thereof the following paragraph:-

All provisions of law relative to primaries and elections, so far as applicable to the use of voting machines and not inconsistent with this section or sections thirty-two, thirty-five A, thirty-seven or regulations promulgated thereunder, shall apply to all primaries and elections held at polling places where voting machines are used.

SECTION 7. Said chapter 54 is hereby further amended by striking out section 37, as amended by section 7 of chapter 564 of the acts of 1967, and inserting in place thereof the following section:-

Section 37. The state secretary shall promulgate regulations governing the approval of voting equipment under section thirty-two.

The state secretary shall promulgate regulations governing the contents, form, character and kind of ballots, ballot labels, ballot cards, formats, records, papers and documents and other materials and supplies and procedures necessary in the use of any voting equipment approved in accordance with section thirty-two and in the process of counting and tabulating the ballots.

The state secretary shall prescribe by regulation approved methods of voting such as paper ballot voting, machine voting and electronic voting.

The state secretary shall prescribe rules and regulations to achieve and maintain the maximum degree of accuracy, impartiality and efficiency on the procedures of voting and of counting, tabulating and recording votes.

SECTION 8. Section thirty-eight of said chapter fifty-four is hereby repealed.

Approved January 3, 1978.

Chap. 931. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO PAY A SUM OF MONEY TO COLETTI BROS., INC.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the county commissioners of Norfolk county are hereby authorized to appropriate, and after such appropriation the county treasurer of said county is hereby authorized and directed to pay to Coletti Bros., Inc. the sum of fifty-two thousand nine hundred and seventy-four dollars earned by said corporation for the preparations of plans and specifications authorized to be drawn for a proposed county court house.

Approved January 3, 1978.

Chap. 932. AN ACT REQUIRING APPOINTEES TO CERTAIN POLICE POSITIONS IN THE COMMONWEALTH TO ATTEND REGIONAL OR MUNICIPAL POLICE TRAINING SCHOOLS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 96B, as most recently amended by chapter 697 of the acts of 1972, and inserting in place thereof the following section:-

Section 96B. Every person who receives an appointment to a position on a permanent full-time basis in which he will exercise police powers in a municipal police department, the metropolitan district commission police, Massachusetts Bay Transportation Authority police, capital police or the division of law enforcement within the office of the secretary of the executive office of environmental affairs, and any employee of the registry of motor vehicles who will exercise police powers shall prior to exer-

cising any police powers, be assigned to and satisfactorily complete a prescribed course of study at a regional or municipal police training school, approved by the Massachusetts criminal justice training council, hereinafter referred to as the council. Any person so attending such a school shall be paid the wages provided for the position to which he was appointed and such reasonable expenses as may be determined by the appointing authority.

Every regular police officer on a permanent full-time basis in any such municipal police department, the metropolitan district commission police, the Massachusetts Bay Transportation Authority police or the division of law enforcement within the office of the secretary of the executive office of environmental affairs or an employee of the registry of motor vehicles having police powers shall be assigned to and shall attend a regional or municipal police training school approved by the council for the purpose of completing an approved course of study of in-service training at such intervals and for such periods of time as the council may determine. Any such police officer who receives an appointment to a position of higher rank shall, in addition, complete such other courses of supervisory training as the council may determine. While attending such school or completing such courses, such person shall be paid his regular wages as a police officer and shall receive such reasonable expenses as may be determined by the appointing authority.

Each person appointed as a reserve, or intermittent police officer, in a city or town shall, prior to exercising any police powers, satisfactorily complete a course of study prescribed by the council.

The appointing authority shall submit to the council, within one month of appointment, the name and date of appointment of any person who will exercise police powers. Upon petition to the council by the appointing authority, a person so appointed may be exempted by the council, in whole or in part, from the provisions of this section prior to his exercising police powers.

Failure of an appointed person to comply with the provisions of this section prior to his exercising police powers, shall result in the appointed persons removal by the appointing authority, provided said person has not been exempted therefrom by the council as herein provided. Failure of an appointed person to satisfactorily complete the prescribed course of study, shall result in his removal by the appointing authority.

Every municipal, county and state employee employed by the department of corrections, the division of youth service, the

parole board or any county correctional institution whose duties require contact with persons committed to institutions or persons on parole from said institutions shall complete a course of study as prescribed by the Massachusetts criminal justice training council at such time and at such intervals as it shall determine. Exemption from the requirement that training be completed prior to exercising any police powers may be waived by the Massachusetts criminal justice training council for individuals enrolled in specific training programs.

Approved January 3, 1978.

Chap. 933. AN ACT PROVIDING ASSISTANCE TO CERTAIN CITIES AND TOWNS FOR PARK AND RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The secretary of environmental affairs shall establish a program to assist the cities in the commonwealth and towns with a population of thirty-five thousand inhabitants which have established park or recreation commissions and conservation commissions under section eight C of chapter forty of the General Laws in acquiring lands for municipal park and recreation purposes. Said secretary may, from funds appropriated, reimburse any such city or town for money expended by it in establishing an approved project under said program in such amount as he shall determine to be equitable in consideration of anticipated benefits from such project, but in no event shall the amount of such reimbursement exceed eighty per cent of the cost of such project. No reimbursement shall be made hereunder to such city or town unless a project application is filed by such city or town with the secretary setting forth such plans and information as the secretary may require and approved by him, nor until such city or town shall have appropriated, transferred from available funds or have voted to expend from its conservation fund, under clause (51) of section five of chapter forty of the General Laws, an amount equal to the total cost of the project, nor until the project has been completed to the satisfaction of the secretary, in accordance with said approved plans. Any reimbursement received by a city or town under this act shall be applied to the payment of indebtedness, if any, incurred in acquiring land for such conservation or recreation projects. For the purposes of this act the words "cities and towns" shall mean all cities, and towns with a population in excess of thirty-five thousand inhabitants. The director of conservation services, subject

to approval of the secretary, shall establish rules and regulations for the management of such programs. This act shall not apply to lands already acquired under section eleven of chapter one hundred and thirty-two A of the General Laws or to a project if it is then in competition with a funding request said section eleven.

SECTION 2. This act shall cease to be effective on June thirtieth, nineteen hundred and eighty.

Approved January 3, 1978.

Chap. 934. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO PAY A CERTAIN SUM OF MONEY TO HENRY GODLESKI.

Be it enacted, etc., as follows:

The town of Mashpee is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is authorized to pay to Henry Godleski, the sum of four hundred and forty dollars for damages to his boat incurred as he was patrolling John's pond in the performance of his duties as a special police officer for said town.

Approved January 3, 1978.

Chap. 935. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO MAKE CERTAIN IMPROVEMENTS AT THE ESSEX COUNTY JAIL AND HOUSE OF CORRECTION AT LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to expend a sum of money not to exceed two hundred and twenty-five thousand dollars for the installation of a centrally controlled electric locking system for cells and installing new passage doors and emergency exits at the Essex county jail and house of correction at Lawrence.

SECTION 2. For the purpose authorized by section one, the county treasurer of Essex county with the approval of the county commissioners of said county may borrow from time to time such sums as may be necessary not exceeding in the aggregate two hundred and twenty-five thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, County of Essex, Jail and House of Correction Loan, Act of 1977. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than one year from their dates.

Approved January 3, 1978.

Chap. 936. AN ACT AUTHORIZING THE TOWN OF OAK BLUFFS TO APPROPRIATE MONEY FOR THE CENTENNIAL CELEBRATION OF THE ESTABLISHMENT OF SAID TOWN.

Be it enacted, etc., as follows:

For the celebration of the one hundredth anniversary of its settlement or of its incorporation the town of Oak Bluffs may appropriate money annually during the two years preceding such anniversary. Such town may establish in its treasury a special fund in which shall be deposited such sums as may be appropriated by it under the provisions of this act, and any and all sums of money received by way of income from the sale of commemorative items or from admission charges for commemorative ceremonies or events. Any and all such sums received by the treasurer shall be kept separate from any other moneys, funds or property of said town, and the principal and interest thereof may, from time to time upon the authorization of the board of selectmen, or of the majority of the special committee established to plan such celebration, be expended for the purposes of said celebration in the year of such celebration and in the year preceding or succeeding same. Any surplus remaining in said special fund after such celebration is concluded, shall be transferred by said treasurer into the excess and deficiency account of said town.

Approved January 3, 1978.

Chap. 937. AN ACT FURTHER REGULATING COLLECTIVE BARGAINING BY EMPLOYEES OF THE STATE LOTTERY COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Employer" or "public employer" in section 1 of chapter 150E of the General Laws, as amended by section 2 of chapter 278 of the acts of 1977, is hereby further amended by adding the following sentence:- In the case of employees of the state lottery commission, employer shall mean the state lottery commission or its designee.

SECTION 2. Section 3 of said chapter 150E is hereby amended by adding the following paragraph:-

The appropriate bargaining unit in the case of employees of the state lottery commission shall be all employees below the rank of assistant director.

SECTION 3. Section 7 of said chapter 150E, as most recently amended by section 4 of chapter 277 of the acts of 1977, is hereby further amended by striking out paragraphs (b) and (c) and inserting in place thereof the following two paragraphs:-

(b) The employer, other than any employer that is a board of trustees of the community colleges, state colleges, or state universities, the judiciary or the state lottery commission, shall submit to the appropriate legislative body within thirty days after the date on which the agreement is executed by the parties, a request for an appropriation necessary to fund the cost items contained therein; provided, that if the general court is not in session at that time, such request shall be submitted at the next session thereof. If the appropriate legislative body duly rejects the request for an appropriation necessary to fund the cost items, such cost items shall be returned to the parties for further bargaining. The provisions of the preceding two sentences shall not apply to agreements reached by school committees in cities and towns in which the provisions of section thirty-four of chapter seventy-one are operative.

(c) The provisions of this paragraph shall apply to every employer that is a board of trustees of the community colleges, state colleges or state universities, the judiciary and the state lottery commission. Every such employer shall submit to the governor, within thirty days after the date on which a collective agreement is executed by the parties, a request for an appropriation necessary to fund such incremental cost items contained therein as are required to be funded in the then current fiscal year; provided, however, that if such agreement first has effect in a subsequent fiscal year, such request shall be submitted pursuant to the provisions of this paragraph. Every employer to whom this subsection applies shall append to such request an estimate of the monies necessary to fund such incremental cost items contained therein as are required to be funded in each fiscal year, during the term of the agreement, subsequent to the fiscal year for which such request is made. The employer shall submit to the general court within the aforesaid thirty days, a copy of such request and such appended estimate. Whenever the governor shall have failed, within sixty days from the date on which such request shall have been received by him, to recommend to the general court that the general court appropriate the monies so requested, the request shall be referred back to the parties for further bargaining.

(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,

January 3, 1978, and, in concurrence, by the Senate, January 3, 1978, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 938. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-EIGHT 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-eight.

MIDDLESEX COUNTY.

Item	Subtotal	Total
1. For interest on county debt		\$1,703,117 00
2. For reduction of county debt		3,396,994 71
3. For county commissioners, salaries and expenses		472,935 37
1. Personal services	\$460,285.37	
2. Contractual services	1,750 00	
4. Current charges and obligations	10,900 00	
4. For transportation and expenses of county and acting commissioners.....		2,700 00
5. For clerk of courts, salaries and expenses		1,077,666 19
1. Personal services	1,018,371 19	
2. Contractual services	3,745 00	
3. Supplies and materials	30,250 00	
4. Current charges and obligations	25,300 00	
6. For county treasurer, salaries and expenses		218,301 63
1. Personal services	155,301 63	
2. Contractual services	49,800 00	

Item	Subtotal	Total
3. Supplies and materials	\$4,050 00	
4. Current charges and obligations	5,150 00	
5. Equipment	4,000 00	
7. For sheriff, salary and expenses		\$21,401 19
1. Personal services	21,101 19	
4. Current charges and obligations	300 00	
8. For registry of deeds, salaries and expenses Northern District		349,276 41
1. Personal services	331,060 61	
2. Contractual services	11,820 00	
3. Supplies and materials	1,334 80	
4. Current charges and obligations	4,761 00	
5. Equipment	300 00	
Southern District		1,666,968 47
1. Personal services	1,513,016 97	
2. Contractual services	76,230 00	
3. Supplies and materials	14,000 00	
4. Current charges and obligations	30,312 50	
5. Equipment	33,409 00	
8a. For registry of probate, salaries and expenses		95,456 00
2. Contractual services	26,050 00	
3. Supplies and materials	38,275 00	
4. Current charges and obligations	28,291 00	
5. Equipment	2,840 00	
9. For law library, salaries and expenses Cambridge		107,122 90
1. Personal services	58,952 90	
2. Contractual services	100 00	
4. Current charges and obligations	48,080 00	
Lowell		73,781 16
1. Personal services	32,759 70	
2. Contractual services	980 53	
3. Supplies and materials	125 00	
4. Current charges and obligations	39,915 93	
10. For highways, including state highways, bridges and land damages		1,020,532 90
1. Personal services	915,342 90	
2. Contractual services	16,000 00	
3. Supplies and materials	13,000 00	
4. Current charges and obligations	900 00	
5. Equipment	290 00	
6. All other	75,000 00	
12. For superior court costs		3,715,006 20
1. Personal services	1,439,471 20	
2. Contractual services	2,268,185 00	
3. Supplies and materials	1,950 00	
4. Current charges and obligations	5,400 00	
13. For civil expenses in probate court		434,347 70
1. Personal services	181,320 80	
2. Contractual services	197,145 00	

Item	Subtotal	Total
3. Supplies and materials	\$38,900 00	
4. Current charges and obligations	14,806 90	
5. Equipment	2,175 00	
14. For district courts, salaries and expenses		
District Court of Lowell		\$898,604 03
1. Personal services	822,324 03	
2. Contractual services	49,800 00	
3. Supplies and materials	21,200 00	
4. Current charges and obligations	5,280 00	
District Court of Somerville		773,981 14
1. Personal services	722,924, 14	
2. Contractual services	36,080 00	
3. Supplies and materials	8,665 00	
4. Current charges and obligations	6,312 00	
District Court of Newton		396,672 82
1. Personal services	363,052 82	
2. Contractual services	17,900 00	
3. Supplies and materials	6,950 00	
4. Current charges and obligations	8,490 00	
5. Equipment	280 00	
District Court of Marlborough		323,125 19
1. Personal services	301,875 03	
2. Contractual services	9,336 70	
3. Supplies and materials	6,450 00	
4. Current charges and obligations	3,018 00	
5. Equipment	2,445 46	
District Court of Natick		250,420 75
1. Personal services	225,285 75	
2. Contractual services	6,675 00	
3. Supplies and materials	2,470 00	
4. Current charges and obligations	15,990 00	
First District Court of Eastern Middlesex		727,676 40
1. Personal services	682,448 64	
2. Contractual services	26,200 00	
3. Supplies and materials	12,825 00	
4. Current charges and obligations	6,202 76	
Second District Court of Eastern Middlesex		523,049 64
1. Personal services	495,856 64	
2. Contractual services	15,550 00	
3. Supplies and materials	7,208 00	
4. Current charges and obligations	4,435 00	
Third District Court of Eastern Middlesex		1,519,672 26
1. Personal services	1,420,323 74	
2. Contractual services	28,225 00	
3. Supplies and materials	13,500 00	
4. Current charges and obligations	57,623 52	
Fourth District Court of Eastern Middlesex		745,524 99
1. Personal services	688,951 91	
2. Contractual services	39,027 00	
3. Supplies and materials	8,550 00	
4. Current charges and obligations	8,996 08	
First District Court of Northern Middlesex		446,830 83
1. Personal services	426,080 83	
2. Contractual services	11,600 00	
3. Supplies and materials	5,500 00	
4. Current charges and obligations	3,650 00	

Item	Subtotal	Total
First District Court of Southern Middlesex		\$780,203 70
1. Personal services	\$738,728 70	
2. Contractual services	21,825 00	
3. Supplies and materials	12,540 00	
4. Current charges and obligations	8,760 00	
5. Equipment	350 00	
District Court of Central Middlesex		593,578 16
1. Personal services	550,058 16	
2. Contractual services	33,850 00	
3. Supplies and materials	4,990 00	
4. Current charges and obligations	4,680 00	
District Court — Juvenile Division		356,384 60
1. Personal services	327,294 60	
2. Contractual services	23,355 00	
3. Supplies and materials	3,280 00	
4. Current charges and obligations	2,455 00	
District Court — Legal Counsel for Indigent Defendants		280,000 00
2. Contractual services	280,000 00	
15. For medical examiners and commitments of insane		150,500 00
16. For jail and house of correction, maintenance and operation Billerica		4,120,856 73
1. Personal services	3,378,681 27	
2. Contractual services	113,100 00	
3. Supplies and materials	580,120 00	
4. Current charges and obligations	39,288 00	
5. Equipment	4,500 00	
6. All other	5,167 46	
17a. For Multi service center		67,909 20
1. Personal services	50,354 20	
2. Contractual services	5,800 00	
3. Supplies and materials	3,250 00	
4. Current charges and obligations	8,505 00	
18. For court houses and registry buildings, maintenance and opera- tion		4,236,604 99
1. Personal services	2,268,346 74	
2. Contractual services	1,577,825 00	
3. Supplies and materials	216,469 00	
4. Current charges and obligations	148,534 00	
5. Equipment	25,430 25	
20. For agricultural school or county cooperative extension service ...		295,747 68
1. Personal services	271,130 98	
2. Contractual services	20,000 00	
3. Supplies and materials	3,500 00	
4. Current charges and obligations	775 00	
5. Equipment	341 70	
25. For contributory retirement system and supervisory expenses ...		1,777,059 46
26. For miscellaneous and contingent expenses		377,350 00
27. For unpaid bills of previous years		627,579 41
28. For reserve fund		125,000 00

Item	Subtotal	Total
28a. For reserve for salary increases		\$2,000,000 00
28b. For reserve special accounts		25,090 60
28d. For reserve for counsel for indigent defendants		50,000 00
28e. For reserve for child care		35,000 00
29. For advertising recreational, industrial and agricultural advantages of the county		23,500 00
45. For central purchasing department		596,810 00
Total amount of appropriations		\$37,480,340 41
Less estimated amount available for reduction of county tax		2,665,000 00
And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in th maner provided by law, the sum of		\$34,815,340 41

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 approval thereof.

Item		
24. For noncontributory pensions		\$462,855 68
39. For group insurance		1,393,400 00
		\$1,856,255 68

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

(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, January 3, 1978, and, in concurrence, by the Senate, January 3, 1978, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)

Chap. 939. AN ACT FURTHER DEFINING THE REQUIREMENTS OF ELIGIBLE BUSINESS FACILITY UNDER THE URBAN JOB INCENTIVE BUREAU PROGRAM OF THE DEPARTMENT OF COMMERCE AND DEVELOPMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow certain corporations to take

advantage of the job incentive credit in the nineteen hundred and seventy-seven taxable year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Clause (b) of section 11 of chapter 23B of the General Laws, as appearing in section 1 of chapter 848 of the acts of 1970, is hereby amended by striking out, in line 4, the words “community affairs” and inserting in place thereof the words:- commerce and development of the executive office of economic development and manpower affairs.

SECTION 2. Said section 11 of said chapter 23B is hereby further amended by striking out clause (e), as so appearing, and inserting in place thereof the following clause:-

(e) “Bureau,” the urban job incentive bureau of the department of commerce and development.

SECTION 3. Section 13 of said chapter 23B is hereby amended by striking out clause (4), as so appearing, and inserting in place thereof the following clause:-

(4) The facility, except where a corporation is displaced by a public land taking or purchase, shall not be a replacement of an existing place of business. The facility must represent an expansion of activities of the corporation in the eligible city or town in which the facility is located and may be either a new place of business or a substantial addition to its existing physical facilities.

SECTION 4. Chapter 63 of the General Laws is hereby amended by striking out section 38F, as appearing in section 2 of said chapter 848, and inserting in place thereof the following section:-

Section 38F. In determining the net income subject to tax under this chapter, a domestic or foreign business corporation may deduct, in addition to any other allowable deduction under this chapter, an amount equal to twenty-five per cent of the compensation paid during the taxable year to individuals domiciled in an eligible section of substantial poverty, as defined in section eleven of chapter twenty-three B, and employed in an eligible business facility, as so defined, provided such corporation has a certificate of eligibility with respect to such facility for the taxable year issued by the urban job incentive bureau of the department of commerce and development and an amount equal to the credit otherwise claimed and allowable on account of such compensation under section forty-four B of the federal Internal Revenue Code of 1954, as amended.

Approved January 5, 1978.

Chap. 940. AN ACT RELATIVE TO THE DISTRIBUTION, POSSESSION, PROCESSING, SALE AND STORAGE OF MILK.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make state standards of identity and labeling requirements for milk and milk products consistent with federal law and to provide for reciprocal agreements between states for the inspection of dairy farms, therefore 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 forty-two of chapter six of the General Laws is hereby repealed.

SECTION 2. Section 1 of chapter 94 of the General Laws, as most recently amended by section 137 of chapter 706 of the acts of 1975, is hereby further amended by striking out the definitions of "Butter", "Cheese", "Cream cheese", "Half-and-half", "Heated milk" and "Pasteurized milk".

SECTION 3. Said chapter 94 is hereby further amended by striking out section 12, as most recently amended by section 1 of chapter 425 of the acts of 1967, and inserting in place thereof the following section:-

Section 12. The term "milk" shall mean the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows. The Massachusetts legal minimum standard for milk that is in final package form for beverage use shall be milk which, upon analysis, is shown to contain not less than eight and one-quarter per cent milk solids not fat and three and one-quarter per cent milkfat. Milk may be adjusted by separating part of the milkfat therefrom, or by adding cream thereto.

The term "cream" shall mean the liquid milk product high in fat separated from milk. The Massachusetts legal minimum standard for cream shall be cream which, upon analysis, is shown to contain not less than eighteen per cent milkfat. Cream may be adjusted by adding thereto milk, skim milk and such other milk products as the commissioner of public health may authorize by rule or regulation as hereinafter provided.

The commissioner of public health shall, subject to the provisions of chapter thirty A, adopt and promulgate rules and regulations establishing other legal standards as well as labeling requirements and sanitary standards for milk, cream and products thereof, including foods containing such ingredients, as sold or offered for sale in final package form, and may, in like manner

and from time to time, amend, modify or repeal the same. Such rules and regulations shall be consistent with all applicable regulations effective from time to time pursuant to issuance by the Food and Drug Administration, Public Health Service, United States Department of Health, Education and Welfare, or any successor agency with like regulatory powers; provided, that requirement by said commissioner of more stringent bacterial and temperature standards shall not be precluded; and provided, further, that said commissioner may modify the application of said federal regulations to such degree as he may determine to be appropriate where only intrastate commerce in such products is involved. No product standard which has been established hereunder shall be subject separately to the provisions of section one hundred and ninety-two. Any person who violates any rule or regulation duly adopted and promulgated by said commissioner pursuant to this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars for each offence.

SECTION 4. Sections twelve A and twelve B of said chapter 94 are hereby repealed.

SECTION 5. Said chapter 94 is hereby further amended by striking out section 13, as amended by section 1 of chapter 104 of the acts of 1965, and inserting in place thereof the following section:-

Section 13. The commissioner shall, subject to the provisions of chapter thirty A, adopt and promulgate rules and regulations governing the production, transportation, receiving, handling, storage, processing, distribution and sale of raw milk for pasteurization and raw products thereof being shipped or offered for shipment into or within the commonwealth, including all pertinent sanitary standards and uniform minimum requirements for the inspection of dairy farms, milk plants and receiving stations, wherever located, and pasteurization plants located outside the commonwealth, and may, in like manner and from time to time, amend, modify or repeal the same. Such rules and regulations shall be consistent with applicable provisions of the Grade "A" Pasteurized Milk Ordinance and related publications of the Food and Drug Administration, Public Health Service, United States Department of Health, Education and Welfare, or any successor agency with like regulatory powers; provided, that requirement by the commissioner of more stringent bacterial and temperature standards shall not be precluded. Any person who violates any rule or regulation duly adopted and promulgated

pursuant to this section shall be subject to a fine of not less than twenty-five nor more than one hundred dollars for each offence.

SECTION 6. Section 13B of said chapter 94, as appearing in chapter 82 of the acts of 1967, is hereby amended by striking out, in line 2, the word "thirteen" and inserting in place thereof the word:- twelve.

SECTION 7. Section 13C of said chapter 94, as so appearing, is hereby amended by striking out, in line 3, the word "thirteen" and inserting in place thereof the word:- twelve.

SECTION 8. Section 13D of said chapter 94, as so appearing, is hereby amended by striking out, in line 4 and in line 9, the word "thirteen" and inserting in place thereof, in each instance, the word:- twelve.

SECTION 9. Said chapter 94 is hereby further amended by striking out section 13E, as amended by chapter 41 of the acts of 1967, and inserting in place thereof the following section:-

Section 13E. Boards of health of cities and towns may adopt bacterial standards for milk which are numerically less but not greater than such standards as may be established therefor under sections twelve and thirteen. Rules and regulations promulgated under said sections shall not be construed to prevent the exercise by such boards of the powers and duties conferred and imposed upon them by section forty-one nor to prevent the sale of milk the production of which is regulated under authority of sections twenty to twenty-five, inclusive, of chapter one hundred and eighty. This section shall not be deemed to authorize the sale or delivery of milk, cream or products thereof which are not in compliance with applicable rules and regulations established pursuant to said sections twelve and thirteen.

SECTION 10. Said chapter 94 is hereby further amended by striking out section 16, as amended by section 138 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 16. For the purposes of sections sixteen to sixteen K, inclusive, the term "dairy farm" shall mean a place or premises where more than two cows are kept and a part or all of the milk produced thereof is sold or delivered for sale to any person. Said sections shall not apply to cream complying with the legal minimum standard for cream established by section twelve.

SECTION 11. Section 16A of said chapter 94, as appearing in section 3 of chapter 305 of the acts of 1932, is hereby amended by striking out, in line 5, the word "director" and inserting in place thereof the word:- commissioner.

SECTION 12. Section 16B of said chapter 94, as so appearing, is hereby amended by striking out, in lines 3, 5 and 16, the word "director" and inserting in place thereof, in each instance, the word:- commissioner.

SECTION 13. Said chapter 94 is hereby further amended by striking out section 16C, as most recently amended by section 1 of chapter 632 of the acts of 1965, and inserting in place thereof the following section:-

Section 16C. The commissioner may issue a certificate of registration for a dairy farm which, upon inspection made by him within thirty days prior to the date of issuance of such certificate, clearly indicates satisfactory compliance with the requirements established pursuant to section thirteen for the approval of dairy farms. The certificates of registration for any given registration year shall be plainly distinguishable by color from those issued during immediately preceding years. Each dairy farm registered by the commissioner shall receive without cost a numbered certificate of registration which shall, while in effect, be posted in a conspicuous place at all times on said farm. Each certificate of registration shall expire on the following June thirtieth, if for a farm located within the commonwealth, and on December thirty-first, if for a farm located without the commonwealth, and an annual application for renewal thereof shall be made to the commissioner not later than the preceding May thirty-first in the first instance, and not later than the preceding November thirtieth, in the second instance, on forms furnished by the commissioner. If a certificate of registration is lost, a duplicate copy may be obtained from the commissioner upon written application and at a cost of fifty cents each. The commissioner may also, from time to time, renew a certificate of registration; provided, that he has determined that continuing compliance is being maintained with requirements established pursuant to section thirteen for the approval of dairy farms. The commissioner may accept, as a basis for the issuance or renewal of certificates of registration, the inspection reports of milk inspectors within the commonwealth with respect to farms within or without the commonwealth which have been inspected by them; provided, that such reports certify that such farms maintain compliance with said requirements. The commissioner may accept, as a basis for the renewal of certificates of registration for farms located outside the commonwealth, inspection reports made by the duly authorized regulatory agency of another state with respect to farms which are located in said state; provided that said state agency:

(a) is certified by the Food and Drug Administration, Public Health Service, United States Department of Health, Education and Welfare; and

(b) certifies with respect to each such report that the farm involved was, upon inspection by said state agency, in compliance with the requirements of said other state for approval of dairy farms; and provided, further, that said state agency has first stipulated in writing to the commissioner that it shall similarly accept inspection reports made by the commissioner with respect to farms located within the commonwealth and approved by him for the issuance and renewal of certificates of registration or like authorization under a dairy farm inspection program of such state; and

(c) accepts the right of the commissioner, based upon reasonable information alleging violation of the rules and regulations adopted pursuant to said section thirteen by a dairy farm located outside the commonwealth to assure correction of such violation by the duly authorized regulatory agency of the state involved; provided, that if the violations are not so corrected within a reasonable time, an inspection of the dairy farm for such purpose may be made by the commissioner.

SECTION 14. Said chapter 94 is hereby further amended by striking out section 16D, as amended by section 2 of said chapter 632, and inserting in place thereof the following section:-

Section 16D. A certificate of registration for any dairy farm may be refused, or, if issued, may be suspended or revoked by the commissioner for failure to maintain compliance with the rules and regulations established pursuant to section thirteen; provided, that the commissioner may, in his discretion, allow the parties concerned a period of not more than thirty days in which to achieve such compliance; and provided, further, that, if compliance is not so achieved, the operator of the dairy farm involved shall be entitled to a hearing before the commissioner, or a person designated by him, prior to the final refusal, suspension or revocation of such certificate, such hearing to be held after reasonable notice specifying the day, hour and place thereof and accompanied by a statement of the alleged failure to comply, or the reasons for such refusal, suspension or revocation.

A certificate of registration which has been suspended shall be plainly stamped:- "Suspended until _____(date)"; and the operator of the dairy farm involved may make written application to the commissioner for reinspection at the expiration of the period of suspension. A certificate of registration which has been revoked shall be plainly stamped:- "Revoked"; and the operator

of the dairy farm involved may make written application to the commissioner for reinspection only after a period of one year from the date of revocation has elapsed. Immediate notice of suspension or revocation of a certificate of registration shall be given by the commissioner to each dealer, receiving station or plant handling milk produced on the dairy farm involved, and to the board of health of each city or town where such milk is sold, offered or exposed for sale. In case of emergency, directly and immediately threatening the public, the commissioner of public health may suspend a certificate of registration, and shall notify the commissioner forthwith of any such suspension. The provisions of this section, when pertinent, shall apply to temporary certificates of registration issued under sections sixteen G and sixteen H.

SECTION 15. Section 16E of said chapter 94, as appearing in section 3 of chapter 305 of the acts of 1932, is hereby amended by striking out, in line 3, the word "director" and inserting in place thereof the word:- commissioner.

SECTION 16. Section 16F of said chapter 94, as amended by chapter 687 of the acts of 1960, is hereby further amended by striking out, in lines 4, 14, 18, 20, and 27, the word "director" and inserting in place thereof, in each instance, the word:- commissioner.

SECTION 17. Section 16G of said chapter 94, as amended by section 3 of chapter 632 of the acts of 1965, is hereby further amended by striking out, in line 1, the word "director" and inserting in place thereof the word:- commissioner.

SECTION 18. Said chapter 94 is hereby further amended by striking out section 16H, as amended by chapter 262 of the acts of 1964, and inserting in place thereof the following section:-

Section 16H. Whenever the quantity of fresh milk available from registered dairy farms is, for each of three consecutive months, less than one hundred and thirty per cent of the quantity disposed of by licensed milk dealers as fluid milk within the commonwealth, the commissioner shall have the authority to approve the temporary receipt, by any licensed milk dealer applying therefor, of milk produced on unregistered dairy farms in such areas as he may approve; provided, that such milk shall not otherwise be exempted from compliance with the rules and regulations established pursuant to section thirteen; and provided, further, that the commissioner may authorize the inspection and registration of such farms under the provisions section sixteen C as may be necessary to assure a continued supply of fresh milk in the commonwealth at a level which shall not be less than

one hundred and thirty per cent of the quantity of fluid milk disposed of within the commonwealth. Nothing in this section shall be construed as preventing the commissioner, for reasons involving the public health, from authorizing the temporary receipt from unregistered farms for such periods and in such volume as he may determine to be necessary.

SECTION 19. Said chapter 94 is hereby further amended by striking out sections 16J and 16K and inserting in place thereof the following two sections:-

Section 16J. Boards of health of cities and towns may establish, amend or repeal rules and regulations for the handling and sale of milk within said cities and towns; provided, that such rules and regulations shall be consistent with those established pursuant to sections twelve and thirteen.

Section 16K. The commissioner may inspect milk plants and receiving stations, wherever located, and pasteurization plants outside the commonwealth, shipping milk into or within the commonwealth and, if the same be found to be in compliance with all applicable rules and regulations adopted pursuant to section thirteen, may approve them and may issue a permit showing such approval. Every such permit shall expire on June thirtieth following its issue, and may be suspended or revoked for the failure of the establishment to which it was issued to comply with rules and regulations relating thereto or for a violation, by such establishment, of any law relating to milk intended for sale within the commonwealth. Upon the application of any city or town, the commissioner may delegate to the inspector of milk thereof his authority to inspect milk plants, receiving stations and pasteurization plants from which milk is shipped to such city or town, and submit inspection reports to him, which reports shall form the basis of his issuance of such permits. A pasteurization plant located outside the commonwealth shall pay a fee of ten dollars for such a permit and each renewal thereof, but permits and renewals thereof shall be issued to milk plants and receiving stations without cost. If any city or town to the milk inspector of which the power of inspection is delegated under any provision of this section fails to enforce rules and regulations adopted pursuant to said section thirteen then in force, said delegation of authority shall forthwith terminate.

Renewal by the commissioner of any permit issued under the provisions of this section may be based upon the inspection reports made by the duly authorized agency of the state in which such permittee is located provided, that the commissioner shall have the authority to evaluate, by random inspection or other in-

vestigation, the adequacy of such inspection and to suspend or revoke a permit determined to have been so renewed on the basis of inadequate or otherwise unsatisfactory inspection by said agency.

SECTION 20. Sections seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, forty-six, forty-seven and forty-eight C of said chapter ninety-four are hereby repealed.

SECTION 21. Said chapter 94 is hereby further amended by striking out section 48D, inserted by section 8 of chapter 757 of the acts of 1955, and inserting in place thereof the following section:-

Section 48D. No person shall blend milk and cream for sale, nor have any such blend in his custody or possession with intent to sell the same, unless the blending has been done in a pasteurization plant licensed under the provisions of section sixteen K or section forty-eight A. Whoever violates any provision of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars for each offense.

SECTION 22. Section forty-eight E of said chapter ninety-four is hereby repealed.

SECTION 23. All orders, rules and regulations promulgated, and all licenses, permits, certificates and approvals granted by the milk regulation board, the powers and duties of which are transferred to the department of food and agriculture or the department of public health by this act 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 appropriate department hereinbefore specified.

Approved January 4, 1978.

Chap. 941. AN ACT ESTABLISHING THE COMMITTEE ON MEDICOLEGAL INVESTIGATION AND THE POSITION OF CHIEF MEDICAL EXAMINER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by adding after section 183, under the caption COMMITTEE ON MEDICOLEGAL INVESTIGATION, the following section:-

Section 184. There shall be a committee on medicolegal investigation, hereinafter called the committee, to consist of the at-

torney general, the commissioner of public safety, the commissioner of public health, the dean of the medical school of the University of Massachusetts, or their designees, and ten persons to be appointed by the governor, one of whom shall be a representative of the Massachusetts Medico-Legal Society, one of whom shall be a representative of the Massachusetts Society of Pathologists, one of whom shall be a physician licensed to practice medicine in the commonwealth, one of whom shall be an attorney licensed to practice law in the commonwealth, one of whom shall be a professor of law licensed to practice law in the commonwealth, one of whom shall be a funeral director licensed in the commonwealth, one of whom shall be a district attorney in the commonwealth, one of whom shall be chief of police of a city or town in the commonwealth, and two representatives of the general public. Each appointed member of the committee shall serve for a term of three years, or until his successor is appointed and qualified, whichever is longer; provided, however, that no appointee shall serve more than two consecutive terms. The members shall serve without compensation, but shall be reimbursed for travel and other expenses actually and necessarily incurred in the discharge of their duties. Said committee shall meet at least twice each year. The governor shall appoint a chairman and said committee shall elect a vice chairman annually. The chief medical examiner, appointed pursuant to section one B of chapter thirty-eight, shall be secretary to the committee. Meetings may be called by the chairman, vice chairman, secretary, or any four members. A quorum for the transaction of business shall be eight members.

Said committee shall adopt such rules and regulations as are necessary or appropriate to effectively carry out the program of medicolegal investigation in the commonwealth under the provisions of chapter thirty-eight, including qualifications for appointment as medical examiners and associate medical examiners. All rules and regulations governing criminal investigations shall be subject to the approval of the attorney general. Said committee shall designate the location of the office of medicolegal investigation and shall establish requirements for personnel, equipment and supplies for the proper function of said office under a budget approved by the committee. Subject to appropriations, the funds needed for the establishment and function of said office shall be provided by the commonwealth.

SECTION 2. Section 1 of chapter 38 of the General Laws is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The governor shall appoint for terms of five years duly qualified persons learned in the science of medicine, to serve as medical examiners in counties hereinafter designated and as associate medical examiners for such districts as are hereinafter designated. Where available, medical examiners and associate medical examiners shall be appointed in counties where they reside or practice medicine. Appointment of medical examiners and associate medical examiners shall be for service in counties divided into districts as hereinafter indicated, except that said medical examiners and associate medical examiners may be authorized to function in other parts of the county and in other counties by the committee on medicolegal investigation as established pursuant to section one hundred and eighty-four of chapter six. Appointments by the governor shall be made in numbers as follows:

SECTION 3. Said section 1 of said chapter 38 is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

Any vacancy in the office of medical examiner or associate medical examiner, occurring prior to the expiration of the term of such officer, shall be filled by appointment by the governor, with the advice and consent of the council, for a full term of five years.

SECTION 4. Said chapter 38 is hereby further amended by inserting after section 1A the following two sections:-

Section 1B. There shall be an office of medicolegal investigation under the supervision and control of the chief medical examiner within the executive office of administration and finance. All salaries and expenses of the office, as a state agency, shall be paid by the commonwealth. All fees and expenses of the medical examiners and associate medical examiners shall be paid by the counties in which their services are performed.

The chief medical examiner shall be a physician who is a diplomate of the American Board of Pathology in Forensic Pathology and registered or qualified as eligible to practice medicine in the commonwealth. The chief medical examiner shall be appointed by the governor for a term of seven years from among a list of not less than three nominees recommended by the committee. The governor shall have the right to request an additional list of three nominees before making the appointment. The chief medical examiner shall devote his full time during ordinary business hours to the duties and functions described in this section and shall not engage in outside employment or professional activities during said hours. He shall receive a salary of thirty-

seven thousand five hundred dollars a year and shall be paid by the commonwealth.

The duties and functions of the chief medical examiner shall include the supervision of the medical examiners and associate medical examiners of the commonwealth and the enforcement of the rules and regulations adopted by the committee; review of the work of the medical examiners and associate medical examiners and the giving of advice and counsel upon request or when necessary; the reception of copies of the medical investigation and autopsy on every case accepted by the medical examiners and associate medical examiners and the keeping of the records and the compilation of annual statistics; the making of recommendations to the governor, after consultation with the appropriate district medical societies, for the appointment and reappointment of medical examiners and associate medical examiners when a termination of appointment occurs or a vacancy exists, and the appointment of all personnel in the office of the chief medical examiner; provided, however, that all professional appointments shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one.

The office of medicolegal investigations shall, in conjunction with a medical school in the commonwealth, conduct appropriate educational, research and training programs, including such programs for forensic pathologists, other physicians, forensic scientists, law enforcement personnel and others which are considered of benefit to medicolegal investigation in general, and within the commonwealth in particular. For such purposes the chief medical examiner may maintain a faculty affiliation with said medical school, provided that any such program conducted in conjunction with said medical school is specifically within the scope of the subject matter of this act and provided, further, that no additional compensation be paid for the conduct of such program.

The chief medical examiner may appoint such associate chief medical examiners as he deems necessary for the statewide operation of the program in order to assist the chief medical examiner, to act for him in his absence or incapacity or to supervise the activities of medical examiners in a specific region. The associate chief medical examiners shall be certified in forensic pathology or have a minimum of five years experience as a medical examiner and shall be registered to practice medicine in the commonwealth. Such associate chief medical examiners may be appointed from among the personnel of the office of medicolegal investigations or may be appointed from among the medical ex-

aminers serving in districts located in other parts of the state. The chief medical examiner may establish regional branches of the office of medicolegal investigations. Such regional branches may be supervised by an associate chief medical examiner.

For the purpose of performing medicolegal autopsies as a part of a public medicolegal investigation the chief medical examiner shall establish a panel of pathologists who shall be available to perform such autopsies. Such medicolegal autopsies may be performed by order of the chief medical examiner or by order of a medical examiner or associate medical examiner, or by order of the attorney general or the district attorney of the district in which a body is found, in an appropriate case in accordance with section six. The chief medical examiner shall select and designate said panel of pathologists which shall be composed of physicians who are certified in anatomic pathology by the American Board of Pathology who shall be designated as associate state pathologists, and pathologists so certified who, in addition thereto, are also certified in forensic pathology by the American Board of Pathology who shall be designated as state pathologists. A state pathologist or associate state pathologist shall be compensated for each autopsy he conducts by the county treasurer of the county in which the body is found as follows: three hundred dollars to state pathologists and two hundred dollars to associate state pathologists, plus travel expenses at the rate of fifteen cents per mile. The work of the pathologists shall be supervised by the chief medical examiner and a report on all cases shall be made to the chief medical examiner.

Any medical examiner or associate medical examiner may be removed by the governor upon recommendation of the committee on the basis of incapacity, incompetence or other serious cause. Prior to any such recommendation the chief medical examiner shall notify such medical examiner or associate medical examiner of such intention to remove him and shall specify the cause. Such examiner shall have thirty days in which to request a hearing before the committee on his removal from office and such hearing shall be held in public if he so requests. If the committee finds on the basis of such hearing that serious cause exists for removal, or no hearing is requested, the committee may, not less than thirty days after such examiner has received notice of the intention to remove him, recommend to the governor that the medical examiner should be removed. Otherwise the committee shall make no such recommendation.

Section 1C. All law enforcement officers, medical examiners and associate medical examiners and other state officials shall

cooperate with the office of medicolegal investigations in the investigation of medicolegal cases. The chief medical examiner, the medical examiners and associate medical examiners shall employ the services of the department of public safety laboratory for the performance of tests, documentation of evidence, investigational procedures and consultation on special problems.

The chief medical examiner, subject to appropriation, may establish and operate a pathology laboratory within the office of medicolegal investigations to meet the needs of that office. If other services required by the office of medicolegal investigation are not available in the department of public safety laboratory, the chief medical examiner may employ the services of other appropriate laboratories.

SECTION 5. Section 2 of said chapter 38 is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 632 of the acts of 1945, and inserting in place thereof the following paragraph:-

The associate medical examiner may assist the medical examiner in investigations or may conduct investigations for the medical examiner when the caseload makes this assistance desirable or for such other reasons as are deemed appropriate by the medical examiner. The committee may authorize a medical examiner or an associate medical examiner to serve on a temporary basis in another district of the same or another county for holidays, weekends, or other periods in the absence or inability to act of the medical examiner or associate medical examiner for that district, or to serve as the medical examiner or as the associate medical examiner for another county or district where a vacancy exists in the position of medical examiner or associate medical examiner. The committee may authorize an associate medical examiner from another district or county who is willing to serve as the medical examiner for a particular district or county if the positions of medical examiner and associate medical examiner for such county or district are vacant. Such temporary designation shall terminate upon an appointment to such position by the governor. The period of such a temporary assignment shall not exceed the remainder of the term to which such person was appointed by the governor as a medical examiner or associate medical examiner. Compensation for such temporary service shall be provided by the county in which the functions as medical examiner or associate medical examiner are performed.

SECTION 6. Section 5 of said chapter 38 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 783 of the acts of 1970, and inserting in place

thereof the following sentence:- In Suffolk county each medical examiner shall receive from the county a salary of twenty thousand dollars and each associate medical examiner a salary of ten thousand five hundred dollars; but if either associate serves more than four months in any year, he shall for such additional service be paid at the same rate as the medical examiner, and the amount so paid shall be deducted from the salary of the medical examiner at whose request he so serves.

SECTION 7. Said section 5 of said chapter 38 is hereby further amended by striking out the last sentence, as most recently amended by section 1 of chapter 670 of the acts of 1967, and inserting in place thereof the following sentence:- Medical examiners and associate medical examiners in other counties shall receive fees as follows: For a view without an autopsy, fifty dollars; for a view with an autopsy, one hundred dollars; and for travel fifteen cents a mile for each mile traveled in the investigation of a death; for attendance as a witness at inquests or as a witness in criminal cases in district courts and in the superior court, one hundred dollars for each day of such attendance; and for travel, fifteen cents a mile to and from the place where such inquest or court trial is held.

SECTION 8. Section 6 of said chapter 38 is hereby amended by striking out the ninth and tenth sentences and inserting in place thereof the following two sentences:- If a medical examiner considers it necessary to have a physician present as a witness at an autopsy, such physician shall receive a fee of fifteen dollars. Other witnesses, except officers named in section fifty of chapter two hundred sixty-two, shall be allowed ten dollars each.

SECTION 9. Said section 6 of said chapter 38 is hereby further amended by adding the following paragraph:-

The medical examiner may perform such autopsy himself or may request a member of the panel of pathologists established under section one B to perform such autopsy. The medical examiner may also consult the office of medicolegal investigations regarding his decision to conduct a further investigation. He may make a request to the chief medical examiner for a medicolegal autopsy to be conducted as determined by the chief medical examiner.

SECTION 10. Section six C of said chapter thirty-eight is hereby repealed.

SECTION 11. Section 16 of said chapter 38 is hereby amended by striking out the word "fifteen", inserted by section 2 of chapter 670 of the acts of 1967, and inserting in place thereof the word:- thirty.

SECTION 12. Said chapter 38 is hereby further amended by adding the following section:-

Section 20. The parent or legal guardian or any police officer or physician knowing of the sudden unexpected death of any child under the age of two years shall immediately notify the medical examiner of the district of the county wherein the body lies of such death. The medical examiner shall notify the parent or legal guardian of such child that, if the parent or legal guardian consents, an autopsy shall be performed on the child by a pathologist from the panel established in section one B, the costs of which shall be borne by the commonwealth. Any parent or legal guardian consenting to such an autopsy shall be notified of the results of said autopsy as to the cause of death. Every pathologist performing an autopsy under this section shall return an account of the expenses of same, including his fees, to the state treasurer who, after certification of the account by the state auditor, shall reimburse said medical examiner.

SECTION 13. Any medical examiner or associate medical examiner holding office on the effective date of this act shall continue to hold such office until the expiration of the term for which he was appointed.

In making his initial appointments to the committee on medicolegal investigations the governor shall designate four members to serve for a term of three years, three members to serve for a term of two years and three members to serve for a term of one year. Upon the expiration of the term of an appointee his successor shall serve for a term of three years.

Approved January 4, 1978.

Chap. 942. AN ACT PROVIDING FURTHER PENALTIES FOR CERTAIN PERSONS WHO FAIL TO REPORT CASES OF CHILD ABUSE OR NEGLECT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to provide that certain persons required to report cases of child abuse and neglect shall suffer a penalty for failing to do so, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

The first paragraph of section 51A of chapter 119 of the General Laws, as appearing in section 5 of chapter 1076 of the acts of 1973, is hereby amended by adding the following

sentence:- Any such person so required to make such oral and written reports who fails to do so shall be punished by a fine of not more than one thousand dollars.

Approved January 5, 1978.

Chap. 943. AN ACT PROVIDING CERTAIN LICENSES TO FILL SOLID OVER CERTAIN TIDE WATERS IN THE MALDEN RIVER BE IRREVOCABLE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide that certain licenses previously issued by the departments of public works and environmental quality engineering over certain tide waters in Malden be irrevocable, therefore 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 following licenses heretofore issued for certain parcels of land and any licenses hereafter issued to fill or maintain fill or to erect or maintain structures on said parcels shall, upon compliance with the provisions of chapter ninety-one of the General Laws, and subject to the provisions of this act, be irrevocable:

1. The license granted by the department of public works to Xaverian Brothers, of Malden, Massachusetts, being license No. 1923, on the twenty-second day of December, nineteen hundred and thirty-seven, and recorded with the southern district registry of deeds in Middlesex county, Book 6179, Page 339, for the purpose of filling solid in Malden river, city of Malden, as more fully set forth in said license.

2. The license granted by the department of environmental quality engineering being license No. 405 on the fifteenth day of November, nineteen hundred and seventy-seven, and recorded with the southern district registry of deeds in Middlesex county, Book No. 13,334, Page No. 594, for the purpose of maintaining, as filled, the premises shown on said plan in and over the tide water of Malden river, city of Malden, as originally set forth in said license.

In the event of a taking of any of said parcels or any part thereof by the commonwealth or any of its political subdivisions within ten years after the effective date of this act, the damages recoverable by reason of such taking shall in no case exceed the actual cost of acquisition of said land by the owner from whom said taking is made together with the cost to such owner of any

buildings or improvements thereon, with interest at four per cent annually from the date of such acquisition.

Approved January 6, 1978.

Chap. 944. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT THE TRANSFER OF ADJACENT SPANS OF VEHICULAR BRIDGES CARRYING PUBLIC WAYS OVER TRACKS OR RIGHTS OF WAY OR RAILROADS WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 1 of chapter 634 of the acts of 1971 is hereby amended by striking out the first paragraph, as amended by chapter 387 of the acts of 1975, and inserting in place thereof the following paragraph:-

The department of public works, hereinafter called the department, acting on behalf of the commonwealth, is hereby authorized and directed to accept the transfer of title to all vehicular bridges carrying public ways over the tracks or right of way of railroads, and adjacent spans which form part of the same structure within the commonwealth title to which is now vested in cities, towns, counties or railroads, and after such transfer the department shall assume all responsibility for the maintenance, repair, reconstruction, replacement or removal of any such bridges as may be necessary for the public safety and convenience.

Approved January 9, 1978.

Chap. 945. AN ACT EXTENDING THE PROVISIONS OF THE DETERMINATION OF NEED LAW TO INCLUDE HEALTH CARE PROVIDERS.

Be it enacted, etc., as follows:

SECTION 1. Clause (2) of the first paragraph of section 35 of chapter 6A of the General Laws, as appearing in section 2 of chapter 1229 of the acts of 1973, is hereby amended by inserting after the word "require", in line 3, the words:- , including such information regarding the costs, if any, of such provider for research in the basic biomedical or health care delivery areas or for the training of health care personnel which are included in its charges to the public for health care services, supplies, and accommodations.

SECTION 2. Section 25B of chapter 111 of the General Laws is hereby amended by striking out the definition of "Substantial capital expenditure", as appearing in section 3 of chapter 776 of the acts of 1972, and inserting in place thereof the following definition:-

"Substantial capital expenditure", the expenditure of a sum of money, including an expenditure for the lease of capital equipment at the purchase value of such equipment, for construction of a health care facility which exceeds, or may reasonably be regarded as leading to an expenditure for construction in excess of, one hundred and fifty thousand dollars for an undertaking sufficiently specific to constitute the subject matter of an application for determination of need under section twenty-five C.

SECTION 3. Section 25C of said chapter 111 is hereby amended by striking out the first paragraph, as so appearing, and inserting in place thereof the following paragraph:-

Notwithstanding any contrary provision of law, no person or agency of the commonwealth or any political subdivision thereof shall make substantial capital expenditures for construction of a health care facility or substantially change the services of such a facility unless there is a determination by the department that there is need therefor; provided, however, that no such determination shall be required whenever any such expenditure in excess of one hundred and fifty thousand dollars or any change in service (1) shall be essential to the conduct of research in the basic biomedical or health care delivery areas or to the training of health care personnel, (2) shall at no time result in any increase in the clinical bed capacity or outpatient load capacity of the facility, and (3) the cost of such expenditure or change shall cause no increase in the total patient care charges of the facility to the public for health care services, supplies, and accommodations, as such charges shall be defined from time to time in accordance with section five of chapter four hundred and nine of the acts of nineteen hundred and seventy-six. Any health care facility undertaking any such expenditure essential to the conduct of such research or training which shall exceed or may reasonably be regarded as likely to exceed one hundred and fifty thousand dollars, or any such change in service essential to the conduct of such research or training, shall give written notice thereof to the department and the rate setting commission at least twenty-one days before undertaking such expenditure or change in service; and any such expenditure or change of service made in violation of this section shall subject the facility to liability for a civil penalty of not more than one thousand dollars for each day of

such violation assessable by the superior court in an appropriate action brought by the attorney general. Said statement shall assure that such expenditure or change (1) shall be essential to the conduct of research in the basic biomedical or health care delivery areas or to the training of health care personnel, (2) shall at no time result in any increase in the clinical bed capacity or outpatient load capacity of the facility, and (3) shall cause no increase in the total patient care charges, as defined in accordance with section five of chapter four hundred and nine of the acts of nineteen hundred and seventy-six, of the facility to the public for health care services, supplies and accommodations.

SECTION 4. Said section 25C of said chapter 111 is hereby further amended by striking out the fifth paragraph, as so appearing, and inserting in place thereof the following two paragraphs:-

The department shall so approve or disapprove in whole or in part each such application for a determination of need within eight months after filing with the department; provided that the department may, on one occasion only, delay such action for up to two months after the applicant has provided information which the department reasonably has requested during such eight month period. Applications remanded to the department by the health facilities appeals board pursuant to the provisions of section twenty-five E shall be acted upon by the department within the same time limits provided in this section for the department to approve or disapprove applications for a determination of need. Any application which has not been acted upon by the department within such time limits shall be deemed to have been approved.

Such determinations of need shall be based on the written record compiled by the department during its review of the application and on such criteria consistent with sections twenty-five B to twenty-five G, inclusive, as were in effect on the date of filing of the application. In compiling such record the department shall confine its requests for information from the applicant to matters which shall be within the normal capacity of the applicant to provide. In each case the action by the department on the application shall be in writing and shall set forth the reasons therefor; and every such action and the reasons therefor shall constitute a public record and be filed in the department.

SECTION 5. Section 25F of said chapter 111, as so appearing, is hereby amended by inserting after the word "inclusive", in line 4, the words:- ; provided, however, that no new promulgated rule or regulation shall take effect before the thirtieth day next

following the date which a copy of the rule or regulation shall have been filed with the joint committee on health care of the general court.

SECTION 6. Said chapter 111 is hereby further amended by inserting after section 25G the following section:-

Section 25H. The provisions of sections twenty-five B to twenty-five G, inclusive, are severable and if any provision shall be in violation of any federal rule or regulation established by the Department of Health, Education and Welfare as a condition for receiving federal funds in connection with any program administered by said department, such provision shall be null and void and such violation shall not affect or impair any of the remaining provisions.

SECTION 7. Section four of this act shall take effect on July first, nineteen hundred and seventy-eight.

Approved January 9, 1978.

Chap. 946. AN ACT INCREASING THE MINIMUM FAIR WAGE RATE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately increase the minimum fair wage in conformance with federal wage standards, therefore 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 2 of chapter 685 of the acts of 1974, and inserting in place thereof the following sentence:- A wage of less than two dollars and sixty-five cents per hour, in any occupation, as defined in this chapter, shall conclusively be presumed to be oppressive and unreasonable, wherever the term "minimum wage" is used in this chapter, unless the commissioner 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 one of this act, and inserting in place thereof the following sentence:- A wage less than two dollars and ninety cents per hour, in any occupation, as defined in this chapter, shall conclusively be presumed to be oppressive and unreasonable, wherever the term "minimum wage" is used in this

chapter, unless the commissioner 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. Said section 1 of said chapter 151 is hereby further amended by striking the second sentence, as most recently amended by section two of this act, and inserting in place thereof the following sentence:- A wage of less than three dollars and ten cents per hour, in any occupation, as defined in this chapter, shall conclusively be presumed to be oppressive and unreasonable, wherever the term "minimum wage" is used in this chapter, unless the commissioner has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven and nine.

SECTION 4. Said section 1 of said chapter 151 is hereby further amended by striking out the second sentence, as most recently amended by section three of this act, and inserting in place thereof the following sentence:- A wage of less than three dollars and thirty-five cents per hour, in any occupation, as defined in this chapter, shall conclusively be presumed to be oppressive and unreasonable, wherever the term "minimum wage" is used in this chapter, unless the commissioner has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven and nine.

SECTION 5. Section one of this act shall take effect on January first, nineteen hundred and seventy-eight, section two of this act shall take effect on January first, nineteen hundred and seventy-nine, section three of this act shall take effect on January first, nineteen hundred and eighty, and section four of this act shall take effect on January first, nineteen hundred and eighty-one.

Approved January 10, 1978.

Chap. 947. AN ACT FURTHER REGULATING ENVIRONMENTAL APPROVAL PROCESSES FOR CERTAIN PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately expedite environmental approvals and rules and regulations thereof under the laws regulating environmental policy in the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 30 of the General Laws is hereby amended by striking out section 62, as most recently amended by sec-

tion 2 of chapter 257 of the acts of 1974, and inserting in place thereof the following nine sections:-

Section 62. For the purposes of sections sixty-one to sixty-two H, inclusive, the following words shall have the following meanings unless the context otherwise requires:-

“Agency”, an agency, department, board, commission or authority of the commonwealth, and any authority of any political subdivision which is specifically created as an authority under special or general law.

“Permit”, a permit determination, order or other action, including the issuance of a lease, license, permit, certificate, variance, approval or other entitlement for use, granted to any person, firm or corporation, including trusts, voluntary association or other forms of business organizations by an agency for a project but shall not include a general entitlement to a person to carry on a trade or profession or to operate mechanical equipment which does not depend upon the location of such trade or operation.

“Person”, a private person, firm or corporation, or any governmental entity which is not an agency.

“Project”, work, project, or activity either directly undertaken by an agency, or if undertaken by a person, which seeks the provision of financial assistance by an agency, or requires the issuance of a permit by an agency but shall not include a grant of aid for medical services or personal support, such as welfare or unemployment funds, to an individual or a third party on behalf of an individual.

Section 62A. A person applying or intending to apply to an agency for a permit or for financial assistance for a project may, at any time prior to, but, in any event, shall no later than ten days after filing the first application for such permit or assistance notify the secretary of environmental affairs of the nature of the project and of such application, if any, on such forms as said secretary shall prescribe and shall transmit copies of said notification forms to such agency from which a permit or financial assistance is or may be sought. Any agency proposing a project may file said notification forms prior to the development of the project and shall file said forms no later than the secretary of environmental affairs shall by regulation prescribe. Within thirty days after issuance of notice of the receipt of such notification, the secretary shall consult with the person or agency proposing the project and the agency, if any, from which a permit or financial assistance is or may be sought and shall issue a certificate stating whether an environmental impact report is required. If a

report is required, the secretary with the cooperation of said person and agency shall, within the above mentioned thirty day period, limit the scope of the report to those issues which by the nature and location of the project are likely to cause damage to the environment. The secretary shall determine the form, content, level of detail and alternatives required for the report. In the case of a permit application to an agency from a private person for a project for which financial assistance is not sought the scope of said report and alternatives considered therein shall be limited to that part of the project which is within the subject matter jurisdiction of the permit. Any finding required by section sixty-one shall be limited to those matters which are within the scope of the environmental impact report, if any, required by this section.

In the case of a major and complicated project, the secretary of environmental affairs, with the agreement of the agencies and persons who are proposing, providing public financial assistance for or issuing permits for a project subject to sections sixty-two to sixty-two H, inclusive, may establish a specific procedure for evaluation and review of the environmental impacts of said project. This section shall not apply to the placing, maintaining, repairing or relocating of poles, wires, conduits, cables, pipes and associated fixtures by public utility companies under section seventy-one of chapter one hundred and sixty-four and sections twenty-one to twenty-two, inclusive, of chapter one hundred and sixty-six.

Section 62B. In the case of projects directly undertaken by an agency, the environmental impact report shall be prepared and submitted by the responsible agency. If two or more agencies are responsible, a joint report shall be prepared and submitted by the agency designated by the secretary of environmental affairs. In the case of projects which require a permit or financial assistance from an agency, said report shall be prepared and submitted by the person or agency seeking the permit or financial assistance.

Public funds made available for the purpose of design of or planning or undertaking a project subject to sections sixty-two to sixty-two H, inclusive, may be expended for the research, preparation, and publication of the report and expenses incidental thereto, and said funds may be transferred or otherwise may be made available to other agencies designated by the secretary of environmental affairs to evaluate the draft or final report.

An environmental impact report shall contain statements describing the nature and extent of the proposed project and its environmental impact; all measures being utilized to minimize

environmental damage; any adverse short-term and long-term environmental consequences which cannot be avoided should the project be undertaken; and reasonable alternatives to the proposed project and their environmental consequences. The secretary shall encourage agencies and persons to commence preparation of reports during the initial planning and design phase of projects. Said report shall be prepared and disseminated to inform the originating or permitting agency, reviewing agencies, the appropriate regional planning commission, the attorney general and the public of the environmental consequences of state actions and the alternatives thereto prior to any commitment of state funds for and prior to the commencement of the project if undertaken by an agency or prior to the issuance of any permit or grant of financial assistance for the project if undertaken by a person.

Section 62C. Any environmental impact report shall be submitted to the secretary of environmental affairs who shall issue public notice of the availability of such report.

A reviewing agency or person, and any agency which has jurisdiction by law or special expertise with respect to any environmental impact involved may submit written comments on any draft or final environmental impact report to the secretary of environmental affairs who shall affix any such comments which are timely received to his statement on such reports. Said reports and any comments submitted in review thereof shall be public documents.

No agency shall undertake a project which is not exempted by the provisions of any law and which may cause damage to the environment or grant a permit or financial assistance for such a project until sixty days after the secretary of environmental affairs issues such notice, provided that an agency or person may undertake research, planning, design and other preliminary work necessary to describe and evaluate such projects for the purposes of sections sixty-two to sixty-two H, inclusive.

There shall be a public and agency review period of thirty days from the notice of availability of any draft or final report, provided that the secretary of environmental affairs may extend the review period for a draft report on a major and complicated project for a period not to exceed thirty days. A statement of the secretary indicating whether or not in his judgment said report adequately and properly complies with the provisions of sections sixty-two to sixty-two H, inclusive, shall be issued within seven days after the public and agency review period. The approval or

disapproval of said secretary of any such report shall not be required.

At least twice per month the secretary shall issue notice of all filings and of the availability of all reports received during the preceding half month, which notice shall be in such form as the secretary shall determine is reasonably suited to informing all interested agencies and persons of the receipt of such filings and the availability of such reports.

Section 62D. Agencies shall act on permit applications within ninety days following issue of notice of availability of the final environmental impact report, within ninety days following issue of notice of the determination that a report is not required, or ninety days following the permit application, whichever is latest, unless otherwise provided by law.

Section 62E. With the approval of the secretary of the executive office having jurisdiction over an agency, or if an agency is not within an executive office, with the approval of such agency, the secretary of environmental affairs shall establish general and special categories of projects and permits which shall or shall not require environmental impact reports based upon the scope and duration of potential impacts from the nature, size and location of said projects or portions thereof which require permits.

Section 62F. A project may commence prior to compliance with sections sixty-two to sixty-two H, inclusive, if emergency action by a person or agency is essential to avoid or eliminate a threat to public health or safety, or a threat to any natural resources; provided, that wherever practicable, the agency or person shall obtain the prior approval of the secretary of environmental affairs. Following commencement of any such project, the agency or person shall promptly, but in any case within sixty days, commence compliance with the provisions of sections sixty-two to sixty-two H, inclusive.

In the case of an urban renewal project proposed under chapters one hundred and twenty-one A or one hundred and twenty-one B, the specific procedure under section sixty-two A may permit land acquisition and other actions required for land acquisition to take place prior to the publication of the final environmental impact report provided that the secretary has issued notice of availability of an interim environmental impact report which demonstrates to the satisfaction of said secretary that an urban renewal project may be carried out on the proposed land with appropriate constraints as may be necessary to minimize and prevent damage to the environment.

Section 62G. In the case of projects for which an environmental impact statement is required under the National Environmental Policy Act of 1969, draft and final federal environmental impact statements may be submitted in lieu of environmental impact reports.

Section 62H. An agency or person intending to commence an action or proceeding alleging an improper determination of whether a project requires the preparation of an environmental impact report under section sixty-two A, shall first provide notice of intention to commence such action or proceeding within sixty days of issuance of notice of such determination. An agency or person intending to commence an action or proceeding alleging that a final environmental impact report fails to comply with the requirements of sections sixty-two to sixty-two G, inclusive, shall first provide notice of intention to commence such action or proceeding within sixty days of issuance of notice of availability of said final environmental impact report pursuant to section sixty-two C. Said notices of intention shall be in such form as the secretary of environmental affairs shall prescribe, shall identify with particularity the issues to be considered in any such action or proceeding, shall be in lieu of the notice and waiting period required by section seven A of chapter two hundred and fourteen, and shall be provided to the attorney general, the agency or person proposing the project and the secretary of environmental affairs.

Any action or proceeding alleging an improper determination that a project requires the preparation of an environmental impact report under section sixty-two A shall commence no later than thirty days following the first issuance of a permit or grant of financial assistance by an agency or no later than sixty days after issuance of notice of such determination, whichever occurs later, for a private project, or no later than one hundred and twenty days after issuance of notice of such determination for a public project. Any action or proceeding alleging that a final environmental impact report fails to comply with the provisions of sections sixty-two to sixty-two G, inclusive, shall commence no later than thirty days following the first issuance of a permit or grant of financial assistance by an agency for a private project or no later than one hundred and twenty days after issuance of notice of availability of said final environmental impact report under section sixty-two C, for a public project.

No allegation shall be made in any action or proceeding under this section unless the matter complained of was raised at the appropriate point in the administrative review procedures; pro-

vided that a matter may be raised upon a showing that it is material and that it was not reasonably possible with due diligence to have raised it during such procedures or that the matter sought to be raised is of critical importance to the environmental impact of the project.

If a court determines that an agency or person proposing a project has knowingly concealed a material fact or knowingly submitted false information in any form or report required under sections sixty-two to sixty-two H, inclusive, limits on the manner and time in which actions or proceedings may be commenced shall not apply and the secretary of environmental affairs may require the preparation and review of such forms or reports as may be necessary to correct any deficient form or report.

The secretary of environmental affairs shall, after consultation with other secretaries of executive offices and with agencies not within executive offices, promulgate reasonable rules and regulations to carry out the purposes of sections sixty-two to sixty-two H, inclusive.

SECTION 2. In the event that the federal government permits delegation of authority for implementation of the National Environmental Policy Act to the states, the secretary of environmental affairs is authorized and directed to seek and to take such actions as may be necessary to secure such delegation to the commonwealth.

SECTION 3. Any agency or person proposing a project for which any filing has been made with the secretary of environmental affairs prior to the effective date of sections sixty-two to sixty-two H, inclusive, of chapter thirty of the General Laws as amended by section one of this act, may elect to have said project reviewed either under the provisions of said sections sixty-two to sixty-two H, inclusive, or under the provisions of section sixty-two of chapter thirty in effect prior to the effective date of this act.

SECTION 4. The provisions of section sixty-two E of chapter thirty of the General Laws, as amended by section one of this act, under which the secretary of environmental affairs is required to establish general and special categories of projects and permits which shall or shall not require environmental impact reports shall take effect on July first, nineteen hundred and seventy-eight. From February fifteenth to June thirtieth, nineteen hundred and seventy-eight, the classes of categorically exempt activities in regulations implementing section sixty-two of chapter thirty of the General Laws in effect prior to February fifteenth, nineteen hundred and seventy-eight, shall remain in full

force and effect and shall govern compliance with sections sixty-two to sixty-two H, inclusive, as so amended.

SECTION 5. Sections sixty-two to sixty-two H of chapter thirty of the General Laws, as amended by section one of this act, shall take effect on February fifteenth, nineteen hundred and seventy-eight.

Approved January 10, 1978.

Chap. 948. AN ACT REQUIRING MONEYS RECEIVED BY CRIMINALS AS A RESULT OF THE COMMISSION OF CRIME TO BE PAID TO THE STATE TREASURER FOR DISTRIBUTION TO THE VICTIMS OF SUCH CRIMES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to require moneys received by criminals as a result of the commission of crime to be paid to the state treasurer for distribution to the victims of such crimes, therefore 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 258A of the General Laws is hereby amended by adding the following section:-

Section 8. Every person, firm, corporation, partnership, association or other legal entity contracting with any person or the representative or assignee of any person, convicted of a crime in this state, with respect to the reenactment of such crime, by way of a movie, book, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of such person's thoughts, feelings, opinions or emotions regarding such crime, shall pay over to the state treasurer any moneys which would otherwise, by terms of such contract, be owing to the person or his representatives. The treasurer shall deposit such moneys in an escrow account for the benefit of and payable to any victim of crimes committed by such person, provided that such person is eventually convicted of the crime and provided, further, that such victim, within three years of the date of the crime, brings a civil action in a court of competent jurisdiction and recovers a money judgment against such person or his representatives.

The treasurer, at least once every six months for three years from the date it receives such moneys, shall cause to have published a legal notice in newspapers of general circulation in each county of the state advising such victims that such escrow

moneys are available to satisfy money judgments pursuant to this section.

Upon disposition of charges favorable to any person convicted of committing a crime, or upon a showing by such person that three years have elapsed from the establishment of such escrow account and further that no actions are pending against such person pursuant to this section the treasurer shall immediately pay over any moneys in the escrow account to such person.

Notwithstanding any inconsistent provision of the civil practice law and rules with respect to the timely bringing of an action, the three year period provided for in subdivision one of this act shall not begin to run until an escrow account has been established.

Notwithstanding the foregoing provisions of this section the board shall make payments from an escrow account to any person convicted of crime upon the order of a court of competent jurisdiction after a showing by such person that such moneys shall be used for the exclusive purpose of retaining legal representation at any stage of the proceedings against such person, including the appeals process.

Any action taken by any person convicted of a crime, whether by way of execution of a power of attorney, creation of corporate entities or otherwise, to defeat the purpose of this section shall be null and void as against the public policy of this state.

Approved January 10, 1978.

Chap. 949. AN ACT AMENDING THE TAX EXEMPT STATUS OF THE MASSACHUSETTS PORT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The general court finds and declares that a serious inequity exists and has been perpetuated as a result of its having previously granted to the Massachusetts Port Authority a complete exemption from taxation. The greatest impact of that exemption is currently being felt in the cities of Boston and Chelsea, where the Authority's operations are centered, and because the exemption was created largely in part to enable the Authority to put its projects on a sound financial footing, and being mindful of the fact that the protection and stability the general court sought to provide the fledgling Authority has now, and for some years past, achieved its essential purpose, a new distribution of privileges and obligations is now deemed fit, necessary, just and proper to benefit the citizens of the com-

monwealth in general and the citizens of the cities of Boston and Chelsea in particular. The general court after long investigation finds that the continued tax exempt operation of the Authority's projects in the cities of Boston and Chelsea has resulted in an erosion of said cities' tax base from which revenues would otherwise be derived in an amount of three to five million dollars to meet the reasonable demands of its citizenry for services. In the absence of those revenues the city of Boston has been forced to turn to the commonwealth for relief through various state aid mechanisms, the granting of which relief has resulted in lesser distributions to the commonwealth's other cities and towns than might otherwise have been possible. Moreover, without the relief provided by the terms of this act, the general court finds it is conceivable that harm of an economic nature could result to the Authority and its bondholders by virtue of the Authority's central location in a community less financially able to provide sound and sure access to and from its projects. The general court feels that the future of the Authority and the capital of the commonwealth are so interrelated that justice and economic self-interest require these modifications to be made. For all the aforementioned reasons the general court finds it necessary and desirable to modify the Authority's tax exempt status for the benefit of the commonwealth and with due regard for the rights and obligations of its communities.

SECTION 2. As used in this act, the following words and terms shall have the following meanings, unless the context shall clearly indicate another or different meaning or intent:-

"Authority", the Massachusetts Port Authority created by section two of chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six.

"Current expenses", the current expenses which are defined and set forth in section one of chapter seven hundred and nineteen of the acts of nineteen hundred and sixty-seven.

"Project", project as defined in section three of chapter seven hundred and nineteen of the acts of nineteen hundred and sixty-seven.

"Revenues", moneys received by the Authority in payment of the tolls, rates, fees, rentals and other charges for the use of and for the services and facilities furnished by the projects of the Authority, any proceeds of use and occupancy insurance and all other income derived by the Authority from the operation or ownership of its properties and also the income from the investment of moneys held for the credit of all funds and accounts created; provided, however, that the word "revenues" as applied

to the properties as defined in section ten of chapter five hundred and ninety-nine of the acts of nineteen hundred and fifty-eight shall not exceed an amount equal to the total of the amount of the current expenses of the properties until payments shall have been made to the state treasurer in the aggregate amounts required by section six of chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six.

“Trust agreement”, the trust agreement made and entered into by and between the Authority and the trustee under section twelve of chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six, as most recently amended.

SECTION 3. For the privilege of conducting its projects in the cities of Boston and Chelsea, the authority shall pay to the city of Boston on the first day of November of each year an excise equal to 4.777 per cent of its revenues from the preceding fiscal year and shall pay to the city of Chelsea an excise equal to .223 per cent of its revenues from the preceding fiscal year. For the purposes of this section the term “revenues” shall not include moneys derived from the operation and maintenance of Bedford Airport.

SECTION 4. The excise imposed herein shall be considered a tax lawfully imposed on the Authority or its income as an exercise of the commonwealth’s reserve taxing power and shall be paid by the Authority as a current expense.

SECTION 5. The excise imposed by this act shall be considered an estimated receipt for the purposes of section twenty-three of chapter fifty-nine of the General Laws.

SECTION 6. The supreme judicial court of Massachusetts is hereby granted exclusive original jurisdiction to hear and settle disputes arising under the provisions of this act.

SECTION 7. The excise imposed herein shall apply to revenues for fiscal years ending June thirtieth, nineteen hundred and seventy-seven and thereafter.

SECTION 8. Section 17 of chapter 465 of the acts of 1956, as most recently amended by section 6 of chapter 719 of the acts of 1967, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The exercise of the powers granted by this act will be in all respects for the benefit of the people of the commonwealth, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of the projects by the Authority will constitute the performance of essential governmental functions, the Authority after the payment of any excise which may be levied upon it or its income for the privilege of operating its projects in the cities of

Boston and Chelsea shall not be required to pay any taxes or assessments upon any project or any property acquired or used, by the Authority under the provisions of this act or upon the income therefrom and the 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 within the commonwealth, and no property of the Authority shall be taxed to a lessee thereof under section three A of chapter fifty-nine of the General Laws; provided, however, that anything herein to the contrary notwithstanding, lands of the Authority, except lands acquired by the commonwealth under the provisions of chapter seven hundred and five of the acts of nineteen hundred and fifty-one situated in that part of the city called South Boston and constituting a part of the Commonwealth Flats, and lands acquired by the Authority which were subject to taxation on the assessment date next preceding the acquisition thereof, shall, if leased for business purposes, be taxed by the city or by any city or town in which the said land may be situated to the lessees thereof, respectively, in the same manner as the lands and the buildings thereon would be taxed to such lessees if they were the owners of the fee, except that the payment of the tax shall not be enforced by any lien upon or sale of the lands, but a sale of the leasehold interest therein and of the buildings thereon may be made by the collector of the city in the manner provided by law in case of nonpayment of taxes for selling real estate, for the purpose of enforcing the payment of the taxes by such lessees to the city or town assessed under the provisions hereof.

SECTION 9. This act shall take effect upon its passage.

Approved January 10, 1978.

Chap. 950. AN ACT ESTABLISHING THE SCHOONER ERNESTINA COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 6 of the General Laws, as appearing in chapter 535 of the acts of 1966, is hereby amended by inserting after the word "Holyoke", in line 6, the words:- , the Schooner Ernestina commission.

SECTION 2. Said chapter 6 is hereby further amended by inserting after section 182 the following two sections:-

Section 182A. There shall be a commission to be known as the Schooner Ernestina commission, consisting of five members to be appointed by the governor, one of whom shall be a resident of

the city of Gloucester, and one of whom shall be a resident of the town of Wareham, and one of whom shall be a resident of the City of New Bedford, who are members of the Committee of the Friends of Ernestina. When first appointed, two of said members shall serve for a term of three years, two for a term of two years, one for a term of one year, as shall be designated by the governor. The successor of each such member shall be appointed for a term of three years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. They shall annually elect from among their members a chairman and a vice-chairman. The members of the commission shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties, not to exceed \$50.00 per meeting. The commission shall meet no more than four times in any one year, except in an emergency to be determined by the chairman.

Section 182B. The Schooner Ernestina commission is hereby authorized and empowered:-

(a) To accept as a gift or a donation, or otherwise acquire from the Cape Verdian Government title to and possession of the Schooner Ernestina, formerly known as the Effie M. Morrissey, one hundred and twenty tons, launched in the town of Essex in the year eighteen hundred and ninety-four, to be permanently berthed in the waters of southeastern Massachusetts;

(b) To hold, administer, control, operate and repair said vessel for educational or training purposes, including training of students or cadets, oceanographic research, exploration, scientific study, display, participation in celebrations and festivals, and to sail said vessel for said purposes upon the oceans, the seas and all navigable waters and to fly the flag of the commonwealth, but said vessel shall not be used for commercial fishing, lobstering or shell fishing, and shall not carry passengers for hire except as herein provided;

(c) To charge fees or tuition to students, trainees, cadets or others who are carried on voyages or trips for educational or training purposes;

(d) To operate a museum or exhibit, either aboard or off said vessel, to illustrate the past history of the vessel or of similar vessels and to charge and receive admission fees from the general public to visit the same;

(e) To receive and accept from any federal agency grants for or in aid of the acquisition or operation of said vessel, and to receive and to accept contributions from any source of either money, property, labor or other things of value, to be held, used,

invested, reinvested, and applied only for the purposes for which such grants and contributions may be made, and which may be expended under the order or the approval of the commission without specific appropriation.

Approved January 10, 1978.

Chap. 951. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to eliminate inconvenience in the issuance of bonds and notes to carry out the purposes of an act passed during the regular annual legislative session in the year nineteen hundred and seventy-seven, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Notwithstanding any provisions of law to the contrary, the bonds which the state treasurer is authorized to issue under section eight A of chapter two hundred and twelve of the acts of nineteen hundred and seventy-five, inserted by section seven of chapter seven hundred and thirty-two of the acts of nineteen hundred and seventy-seven, and providing for the acquisition, holding, protection, maintenance or use of lands by the government land bank and for personal and administrative costs of said bank, shall be issued for maximum terms of twenty years, and, if said bonds are issued with serial maturities, the initial maturities shall be not later than one year from the date of issue and the entire issue of said bonds shall be payable not later than June thirtieth, two thousand, as recommended by the governor in a message to the general court dated November twenty-eighth, nineteen hundred and seventy-seven, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved January 11, 1978.

Chap. 952. AN ACT AUTHORIZING THE TOWN OF ROCKPORT TO ESTABLISH A LAND BANK FUND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the town of Rockport is hereby authorized to establish

a permanent fund, to be known as the Land Bank Fund for use for the acquisition of land for municipal purposes. Funding for said fund may, by town meeting vote, be received from state and federal grants or aid, from gifts, from trusts and foundations and from any other source that the town may vote to appropriate money for said fund.

SECTION 2. The town of Rockport may appropriate money from said fund only for the acquisition of land for municipal purposes by a two-thirds vote in favor of such appropriation at any regular or special town meeting.

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

Approved January 11, 1978.

Chap. 953. AN ACT INCREASING THE MEMBERSHIP ON THE STATE ADVISORY BOARD TO THE DEPARTMENT OF PUBLIC WELFARE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to put into effect forthwith certain provisions of law affecting the state advisory board to the department of public welfare, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 18 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 11 of chapter 1210 of the acts of 1973, and inserting in place thereof the following paragraph:-

There shall be in the department a state advisory board consisting of the commissioner, who shall serve *ex officio*, and twenty-five members to be appointed by the governor, not more than eight of whom shall be providers of assistance, and not more than eight of whom shall be recipients of assistance. The members shall serve for terms of three years. The commissioner shall not be entitled to vote on any matter before the board.

SECTION 2. The members of the state advisory board to the department of public welfare holding office on the effective date of this act shall continue to hold such office until the expiration of the term for which they were appointed. Of the additional members of said board, the governor shall appoint four members for a term of one year, three members for a term of two years and

three members for a term of three years and upon expiration of their term members shall be appointed for a term of three years.

Approved January 11, 1978.

Chap. 954. AN ACT TRANSFERRING THE DEPARTMENT OF PUBLIC WORKS BUILDING POLICE TO THE BUREAU OF STATE BUILDINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to transfer the department of public works building police to the bureau of state buildings, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Sections six, seven, and eight of chapter sixteen of the General Laws are hereby repealed.

SECTION 2. The public works building police is hereby abolished. All persons who were members of the public works building police on the effective date of this act are hereby transferred to the capitol police. Said employees shall be called "capitol police" and shall have all the powers and duties of capitol police granted under section twelve of chapter eight of the General Laws. Said employees shall be subject to all laws, rules, and regulations concerning said capitol police; provided, that, all public works buildings police 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 central services division of the executive office for administration and finance, 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 public works building police who, immediately prior to the effective date of this act, 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 the central services division of the executive office for administration and finance, 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.

Nothing in this section shall be construed to confer upon any officer or employee any rights not held immediately prior to the effective date of this act, 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 the agency to which they are so transferred shall be determined by the commissioner of administration.

SECTION 3. This act shall take effect as of July first, nineteen hundred and seventy-seven.

Approved January 11, 1978.

Chap. 955. AN ACT AUTHORIZING CERTAIN EMPLOYEES TO PARTICIPATE IN THE DEFERRED COMPENSATION PROGRAM OF THE COMMONWEALTH OF MASSACHUSETTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow certain public employees to participate in the deferred compensation program, therefore 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 fifth sentence of section 64 of chapter 29 of the General Laws, as appearing in section 4 of chapter 422 of the acts of 1976, is hereby amended by inserting after the word "thirty-two", in line 4, the words:- ; provided, however, that members of the judiciary and persons whose compensation for services rendered to the commonwealth is derived from the subsidiary account 03 of the appropriation for any department, board, agency or commission of the commonwealth shall for the purposes of this section be deemed to be an employee.

Approved January 11, 1978.

Chap. 956. AN ACT FURTHER REGULATING FEES CHARGED FOR FURNISHING CERTIFICATES OF LIENS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to adequately compensate cities and

towns for the issuance of municipal lien certificates, therefore 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 60 of the General Laws is hereby amended by inserting after section 23 the following section:-

Section 23A. In any city or town accepting the provisions of this section, the collector of taxes shall furnish a certificate of liens as provided in section twenty-three according to the following fee schedule: for land of less than one acre upon which there is no permanent structure a fee of ten dollars; for land upon which is situated no more than a single family residence and outbuildings a fee of ten dollars; for land upon which is situated no more than a two family residence and outbuildings a fee of fifteen dollars; for land upon which is situated no more than a three family residence with outbuildings a fee of twenty dollars; for land upon which is situated a residence for four or more families a fee of forty dollars; for land upon which is situated a commercial, industrial or public utility structure a fee of one hundred dollars; for farms, forest land and all other real property a fee of fifty dollars. In no case shall the fee exceed one half of one per cent of the assessed value of the real estate and the money so received shall be paid into the town treasury.

SECTION 2. The provisions of this act shall apply to a certificate of liens issued after the acceptance of this act by a particular city or town, unless such city or town shall specify a later date.

Approved January 11, 1978.

Chap. 957. AN ACT REGULATING COAL MINING OPERATIONS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 21A the following chapter:-

**Chapter 21B.
Mining Regulation and Reclamation.**

Section 1. This chapter shall be known as the Coal Mining Regulatory and Reclamation Act and shall govern all coal mining operations which are conducted in the commonwealth.

Section 2. As used in this chapter the following words shall have the following meanings unless the context clearly indicates otherwise:-

“Abandoned workings”, excavations either caved or sealed that are deserted and in which no further mining is intended.

“Commissioner”, the commissioner of environmental quality engineering.

“Department”, the department of environmental quality engineering within the executive office of environmental affairs.

“Drift”, horizontal opening through the strata in a coal seam used for same purposes as a shaft.

“Exploration”, any test boring or drilling operation or surface examination designed to determine the amount and extent of coal deposits in the area.

“Legal closing of the mine”, certification by the commissioner that all abandoned workings are sealed and secure and that no public health or safety hazard exists in the mined areas or affected lands.

“Licensee”, any person, corporation or business entity which has been granted a coal mining license by the department.

“Mine Inspector”, any certified person designated by the commissioner to examine coal mining operations or affected lands.

“Mined Area or Affected Lands”, any area of land from which coal is removed by a mining operation and shall include all lands affected by this operation, including but not limited to the construction of all new roads and any removal of land from its natural state.

“Mining”, every operation, both underground and above ground to be used for the purpose of extracting or removing coal or preparing coal or coal products for use outside the mined area.

“Mining Operation”, any shaft, slope, drift or open excavation designed to extract coal to be delivered to points outside the mining area.

“Overburden”, all of the earth and other materials that lie above or around a deposit of coal and which may be disrupted from its natural state in the process of mining.

“Reclamation”, the reconditioning and rehabilitation both during and after the operation of the mine, of any mined area or affected land to a point where the land is usable for purposes similar to those had a mining operation not taken place, and in a manner that will minimize the environmental disruption from the mining operation.

“Secretary”, the secretary of the executive office of environmental affairs.

“Special investigating commission”, shall consist of at least three mining inspectors appointed by the commissioner for the purpose of investigating and reporting on any problem or potential problem in compliance with the provisions of this chapter.

Section 3. The department shall be charged with duties of protecting the citizens and environment of the commonwealth from significant damage or public health hazard that may occur because of the operation of coal mines in the commonwealth. The department shall adopt rules and regulations which shall provide that any coal mining or extraction of coal shall be conducted in a manner that will not significantly damage the environment or the area of land affected by a mining operation. Consistent with the provisions of this chapter, the powers and duties of the commissioner shall include, but not be limited to, the granting of licenses to mine coal, the protection of public health and quality of the environment and the overseeing of all reclamation procedures.

The commissioner shall protect the rights of all landowners and abutters of mined or affected areas or those who would have a legal interest in the land. The commissioner shall further provide for public announcement and information concerning the nature and conduct of any such mining operations and shall provide procedures by which all land or affected areas are rehabilitated to a condition at least fully capable of supporting all practicable uses which it was capable of supporting prior to such operations, or equal or better uses that can reasonably be attained.

Section 4. Any person desiring to conduct an exploration for coal in the commonwealth shall file with the commissioner an application for a license to conduct exploration operations for coal. Each application for said exploration license shall be accompanied by a fee of two thousand dollars. Each application shall specify the exact tract of land to be explored, the right by which the applicant can enter upon the tract, the exact exploration to be conducted and the provisions made to restore the land surface after exploration is completed. Upon review by the commissioner the applicant shall be notified whether or not his application has been accepted. One hundred and eighty days after the conclusion of exploration the results of such exploration shall be made public by the licensee.

Section 5. The commissioner shall issue a license to conduct coal mining operations before any extraction of coal can begin in the commonwealth. The application for a coal mining license shall include the following procedures and requirements:

(a) a detailed description of the type of mining and engineering process to be used;

(b) the names and addresses of the license applicant and all owners and officers of the corporations and companies to be involved with the mining operation;

(c) the names and addresses of all legal owners of record of the land and abutting lands;

(d) the names and addresses of all owners of the coal to be mined;

(e) the total size of the area to be mined and area to be worked at any one time;

(f) the results of test borings and explorations that have been made;

(g) a timetable giving a detailed time period that will govern the operation of the mine and the estimated closing out of mined areas;

(h) a detailed set of maps drawn to a scale of not more than one hundred feet to one inch, delineating the following information: the names and locations of all streams, creeks, above and below ground water systems including all aquifers; a statement describing the quality of the water present in the area to be mined; the location of all buildings, oil and gas wells, all pipelines and communication lines, or any pertinent resource or structure within five hundred feet of the farthest boundary of any extension of the mine or mining operation; the proposed depths and extensions of all tunnels and shafts as well as any excavations and mine workings or any waste disposal or mine refuse areas; the thickness and distribution of the coal deposit, the soil and mineral stratification of the area and any other geological characteristics that would be affected by any coal mining operation; the location of all exploratory drill holes and the remainder of the coal deposit not to be extracted by the mining operation and any other information which the commissioner deems necessary.

(i) an environmental impact report containing detailed statements describing the nature and extent of the proposed work and related activities and its environmental impact, all measures being utilized to minimize environmental damage, any adverse short term and long term environmental consequences which cannot be avoided should the work be performed, alternatives to the proposed action and their environmental consequences. This impact statement shall deal specifically with all of the potential hazards of the proposed mine including coal dust, mine gases, or toxic vapors escaping from the mine, and the potential for mine

fires and water contamination that may result from operation of the mine;

(j) a comprehensive reclamation plan including maps and potential land use patterns and a detailed proposal showing the manner and timetable for backfilling, sealing of tunnels and any other reclamation procedures required by the commissioner;

(k) an advertisement for publication in the newspaper with the largest circulation in the county of the proposed mining site at least once each week for four successive weeks prior to public hearings as hereinafter required in this section. The advertisement shall state the applicant's intention to mine, the mining procedures to be used, the proposed boundaries of the mining operation, a statement that a detailed map of the proposed operation is available from the company upon request and that the application and environmental impact can be inspected at the office of the commissioner;

(l) a license fee of ten thousand dollars, one thousand dollars of which shall accompany the application.

Each applicant for a coal mining license shall submit to the commissioner a certificate issued by an insurance company licensed to do business in the commonwealth certifying that the applicant has a public liability insurance policy in force covering coal mining operations and mine related reclamation procedures in the commonwealth. Such policy shall provide compensation for personal injury and property damage in an amount adequate to compensate any or all persons damaged or injured as the result of a mining operation or reclamation process with the mine. This liability insurance policy shall provide protection from damage caused by mine cave-ins, or sink holes, any leakage or production of mine gases or toxic chemical vapors that might escape or any water damage, including all forms of water pollution or damage to surface waters, drinking water systems, aquifers, underground water systems, or any other damage resulting from the operation of the mine. Such liability insurance policies shall be maintained in full force during the mining operation and for a period of five years after the legal closing of the mine. The amount of the liability policy shall be determined by the commissioner and shall include, but not be limited to, compensation for any public health or public safety hazards that may occur. Termination of these policies shall occur five years after the commissioner has certified the legal closing of the mine.

The commissioner shall require the applicant to file a bond in a form prescribed by the secretary payable to the commonwealth and conditioned upon the applicants' faithful performance of

mining or mining operations in accordance with the provisions of this chapter. Liability under said bond shall continue for the duration of the operation of the mine and for a period of five years after the legal closing of the mine at which time said bond shall have no force and effect, and said bond or any cash securities substituted for it shall be returned to the applicator licensee. Such bond shall be signed by the coal mine operator as principal and by a good and sufficient corporate surety authorized to do business in the commonwealth.

If at any time the corporate surety controlling the bond obligations for the mine operator forfeits the license to operate in the commonwealth, the coal mining license shall be declared invalid until such time as a substitute bond is accepted by the commissioner.

Subject to the provisions of this chapter the commissioner shall institute proceedings to have the bond of the licensee forfeited for violation of the license provisions or any violations of the provisions of this chapter. The commissioner shall notify the licensee in writing of any such alleged violation and shall afford the licensee the right to a hearing before the commissioner within thirty days after issuance of such notice. At the conclusion of the hearing, the commissioner shall either withdraw the notice of violation or shall request the attorney general to institute proceedings to have the bond of the licensee forfeited.

All funds received by the commissioner from fees, forfeiture of bonds and penalties provided under the terms of this chapter, shall be held by the state treasurer in a special fund separate from all other monies in the state treasury, to be known as the Anthracite Coal Mining Reclamation Fund and shall be used by the commissioner for the purpose of administering the provisions of this chapter affected by the coal mining operation.

Before any determination is made as to the granting of a license to mine, the commissioner shall conduct a public hearing regarding the license application to consider all relevant issues pertaining to the application including, but not limited to, impact upon the surrounding lands and environment, and all potential public health and safety hazards that may result from a coal mining operation. Public notification of the hearing shall be made at least sixty days prior to said hearing. No coal mining license shall be granted until such time as the applicant and the commissioner have complied with all of the public information requirements set forth under the provisions of this chapter.

The commissioner shall grant a coal mining license if he determines that the reclamation of the mined area and affected lands

coincides with the requirements set forth in this chapter and are attainable and a reclamation program will be undertaken as contemporaneously as practicable with the extraction of the coal deposit; that the affected lands may be reclaimed to a condition of use at least fully capable of supporting all practicable uses which the land was capable of supporting prior to such coal mining operation or equal or better uses that can reasonably be attained; that the applicant's environmental impact report has dealt with all relevant issues concerning the proposed mine; that there is sufficient quantity of high quality coal to warrant a mining operation; that other resources of the area can be preserved; that the protection of the quality of the air, water and other resources of the commonwealth is assured; that the proposed mine will not pose a danger to the public health and safety of the affected area; that the applicant has agreed to comply with the bonding and public liability insurance requirements as established by the provisions of this chapter; that there has been compliance with all provisions of this chapter, and that any other reasonable requirements established by the commissioner are satisfied.

Section 6. No license to mine shall be granted for a period exceeding eight years, and a license to mine shall be terminated, after a public hearing, if no mining operation has begun within two years of the date of issue of the license. After a public hearing a valid mining license may be suspended or revoked if any public health or safety hazard is determined to exist by the commissioner under the provisions of this chapter.

The operator of the mine shall have the right of renewal of license subject to public hearing. The renewal license shall be valid for a period of eight years and shall be subject to all of the provisions of this chapter. The applicant shall file for a renewal one hundred and eighty days prior to the expiration of the license. This renewal shall contain a statement of intention to remain within the existing boundaries, and if such renewal application addresses any new lands or affects any new lands, that additional portion shall be subject to the full standards applicable to the original licensing procedures of this chapter.

Any attempt to extend mining operations beyond the boundaries set forth in the original application regardless of their depth underground, shall be cause for revocation of the coal mining license. No renewal application shall interfere or forestall the reclamation procedures established under the provisions of this chapter nor in any way extend the two-year completion date for reclamation of a closed mine area.

The commissioner shall require that reclamation of the mining operation is an ongoing process and shall encourage the maximum utilization of all of the overburden unearthed during the coal mining operation. Reclamation of the mined areas and affected lands shall be completed within two years after the legal closing of the mine.

Section 7. The commissioner is hereby authorized to make such examinations and investigations as may enable him to report on the various systems of coal mining in the commonwealth, method of mining, ventilation and machinery employed, the circumstances and responsibilities of mine accidents, and such other matters as may pertain to the general welfare of coal miners and others connected with mining, and the interests of mine owners and operators in the commonwealth.

The commissioner shall monitor air and water quality standards during the course of a mining operation. The commissioner shall keep a journal or record of all monitorings and inspections and shall procure all such materials and tests as may be found necessary to carry out the provisions and requirements of this chapter.

Section 8. The commissioner is authorized to appoint qualified coal mining inspectors to carry out the provisions of this chapter. The commissioner shall establish qualifications that shall include a working knowledge of geology, engineering and anthracite coal mining. Any mining inspector certified by the commissioner shall have the power to enter a coal mine or lands affected by the coal mining operation at any time. It shall be the duty of certified mining inspectors to protect the citizens of the commonwealth by carrying out the provisions of this chapter.

During the operation of a coal mine the operator shall provide the inspector with a detailed set of maps showing all ventilation shafts, airflow currents, shaft construction, pillar placement, all drill holes, excavations, lengths and entrances of all tunnels, locations of any bodies of water dammed or held back in any portion of the mine, or any bodies of water, surface or otherwise, that may have an effect or be affected by the mining operation. These maps shall be drawn to a scale of not more than one hundred feet to one inch.

If, during the course of an inspection of any pit, tunnel, excavation, coal refuse pile or area affected by the mining operation, an inspector determines that a condition of imminent danger exists, he may issue an immediate cease-work order. After having delivered a copy of the cease-work order to the licensee or

served notice on the premises of the mine and having delivered a copy to the commissioner, the inspector shall petition the commissioner to appoint a special investigating commission to accompany the inspector to the part of the mining operation where the condition of imminent danger is alleged to exist.

All mining inspectors shall be required to submit monthly and annual reports to the commissioner concerning all relevant data on coal mining operations in the commonwealth and any questions of mine safety or public health and environmental damage or any possible violation of the provisions of this chapter. Whenever a cease-work order is issued by an inspector he shall make a special report to the commissioner stating the reasons for the cease-work order and the actions taken to remedy the situation.

Section 9. Upon receipt of a cease-work order the commissioner shall immediately appoint a special investigating commission. The commission shall immediately and before the end of the second day after its appointment make a full investigation and make a determination whether to affirm or deny the cease-work order issued by the inspector. If the commission shall agree that there is a condition of imminent danger it shall affirm the cease-work order. If the special investigation commission disagrees with the finding of the mine inspector it shall disaffirm the cease-work order and said order shall be rescinded and be null and void.

If the special investigating commission affirms the cease-work order it shall report such affirmation to the commissioner. The commissioner shall notify the operator of such determination and afford the operator an opportunity to refute the findings of the special investigating commission. If, after hearing, the commissioner affirms the cease-work order, he shall then establish all the necessary requirements to insure that the condition of imminent danger is rectified in accordance with all of the provisions of this chapter.

Section 10. Whenever the commissioner makes a finding of fact that a mine fire, refuse bank fire or subsidence resulting from mining is at a stage where immediate action is necessary and an emergency exists and no other person or agency is acting to control the condition, and the owners of the property upon which entry must be made to control the mine fire, refuse bank fire or subsidence resulting from mining are not known, nor readily available or will not give permission for the commissioner, political subdivisions of the commonwealth or municipalities, their agents, employees or contractors to enter upon such

premises, or the delay entailed in reaching said owners and in securing from them the right to enter upon the premises constitutes a clear and immediate danger to the life or property of others, the commissioner or his agent shall give notice to the owners, if known, or give public notice upon the premises and shall have the right to enter upon the premises to control the mine fire, refuse bank fire or subsidence and to take all action necessary or expedient to do so. As soon as practicable thereafter the commissioner, the political subdivisions of the commonwealth or municipalities so entering the premises and acting as above provided shall restore the premises so entered upon to the condition at the time of such entry to the extent reasonably practical. The monies expended for such work and the benefits accruing to any such premises so entered upon shall be charged against such land to mitigate or offset any claim or any action brought by any owner of any interest in such premises for any alleged damages by virtue of such entry.

Any political subdivision or authorized agent of the commissioner executing orders directed toward correcting dangerous situations resulting from mine fires, refuse bank fires, subsidence or any public health or safety hazards shall be held harmless and shall be indemnified by the mine operator, from any claim for failure to acquire necessary releases from property owners or because of any failure to comply with any other applicable statute.

Section 11. The commissioner shall promulgate rules and regulations which will protect the quality of water and water table throughout the commonwealth. Such rules and regulations shall include a reclamation policy that will maintain reasonable stability of the water level and water table in a area mined; a requirement that the operator of the mine shall fill all auger holes with an impervious and noncombustible material in order to prevent drainage and cave-ins; a provision that the final grading and backfilling operations provide adequate safety and access for water users in the area; a provision that there be minimum disturbance to the prevailing hydrologic balance at the mine site and in associated offsite areas or affected lands and a monitoring and study of the quantity and quality of the water affected; a provision that the operator treat or remove any water contaminated with toxic chemicals and guard against such contamination; monitor and provide that any casing, sealing or otherwise management of boreholes, shafts, tunnels or wells does not cause acid or other toxic drainage materials from entering ground and surface waters; a provision to insure that all debris

and acid forming materials, toxic chemicals or materials constituting a fire, water or public health hazard are treated and disposed of in a manner compatible with sound health policy and good water supply. The operator of the mine, subject to the approval of the commissioner, may divert water from the mining operation in a manner designed to reduce if not eliminate siltation, erosion or major alterations in the natural water courses; the commissioner shall conduct inspections to guarantee compliance with good drainage practice, silt control and protection of ground water.

Violation of the rules and regulations promulgated pursuant to this section shall be considered cause for a cease and desist order and may result in the loss of license.

Section 12. Whenever a mine is abandoned or closed, the owner shall make a final survey of all workings not represented on the maps and plans of such mine, and shall properly enter the results upon the maps of the mine so as to show the exact relations of the most advanced workings to the boundary of the property and shall file a copy of the same with the commissioner.

Section 13. Nothing contained in this chapter shall be construed to supercede any local zoning regulations.

Section 14. Any public official authorized by the commissioner of any municipality in which coal mining is occurring shall have the right to inspect any of the mined or affected areas in the course of the normal performance of his duties.

Section 15. Any person who violates the conditions of sections three, four and five shall be punished by a fine of five thousand dollars plus an additional one thousand dollars per acre for each acre of land affected by such violations.

Any person who violates the provisions of a cease-work order issued under section seven and eight shall be punished by a fine of ten thousand dollars or by imprisonment for a period of not more than one year or both.

Any person who violates the provisions of section ten shall be punished by a fine of not less than one thousand dollars nor more than five thousand dollars for the first offense. For each subsequent offense the person shall be punished by a fine of not less than five thousand dollars or by imprisonment for not more than one year or both.

Any person who extends the mining operation beyond the boundaries agreed to in the coal mining license issued under the provisions of this chapter shall be punished by a fine of five thousand dollars plus one thousand dollars for each acre of land affected.

SECTION 1A. Chapter 10 of the General Laws is hereby amended by adding the following section:-

Section 46. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Anthracite Coal Mining Reclamation Fund. Said fund shall consist of all funds received by the commissioner of environmental quality engineering for the purpose of administering the provisions of chapter twenty-one B and all other monies credited or transferred thereto from any other fund or source pursuant to law.

SECTION 2. Nothing contained in chapter twenty-one B of the General Laws, inserted by section one of this act, shall limit the powers conferred upon the department of public health or the executive office of environmental affairs or the department of environmental quality engineering to control and abate nuisances or public safety hazards or the protection of public health as provided by law.

Approved January 11, 1978.

Chap. 958. AN ACT AUTHORIZING THE GROUP INSURANCE COMMISSION ON BEHALF OF STATE EMPLOYEES, RETIREES AND THEIR DEPENDENTS TO PROVIDE DENTAL COVERAGE INCLUDING ORAL SURGICAL SERVICES PROVIDED IN DENTAL CLINICS AND OFFICES IN LIEU OF INPATIENT HOSPITALIZATION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 32A of the General Laws, as appearing in section 1 of chapter 628 of the acts of 1955, is hereby amended by striking out, in line 5, the words "and medical" and inserting in place thereof the following:- , medical, dental and other health.

SECTION 2. Paragraph (d) of section 2 of said chapter 32A is hereby amended by striking out the fifth and sixth sentences, added by chapter 513 of the acts of 1963, and inserting in place thereof the following two sentences:- The commission shall establish a separate schedule of hospital, surgical, medical, dental and other health insurance benefits for dependent parents, and the claim experience applicable thereto shall be maintained separately from the schedule of hospital, surgical, medical, dental and other health insurance benefits and claim experience applicable to employees insured hereunder. Payment of the premium applicable to the schedule of hospital, surgical,

medical, dental and other health insurance benefits for dependent parents shall be made to the commission without contribution by the commonwealth.

SECTION 3. The first sentence of section 4 of said chapter 32A, as appearing in section 1 of chapter 628 of the acts of 1955 is hereby amended by striking out, in lines 8 and 9, the words “and medical” and inserting in place thereof the words:- , medical, dental and other health insurance.

SECTION 4. The first paragraph of section 5 of said chapter 32A, as appearing in section 2 of chapter 840 of the acts of 1965, is hereby amended by inserting after the word “medical”, in line 4, the word:- , dental.

SECTION 4A. The second paragraph of said section 5 of said chapter 32A, as so appearing, is hereby amended by inserting after the word “medical”, in line 3, the word:- , dental.

SECTION 5. The second sentence of section 6 of said chapter 32A, as amended by section 3 of said chapter 840, is hereby further amended by inserting after the word “medical”, in line 1, the word:- , dental,-and by inserting after the word “health”, in line 2, the word:- insurance.

SECTION 6. The first paragraph of section 10 of said chapter 32A, as amended by section 2 of chapter 794 of the acts of 1974, is hereby further amended by inserting after the word “medical”, in line 7, the word:- , dental.

SECTION 7. Section 10B of said chapter 32A is hereby amended by striking out the first paragraph, as amended by section 6 of chapter 840 of the acts of 1965, and inserting in place thereof the following paragraph:-

The commission shall negotiate with and purchase on such terms as it deems to be in the best interest of the commonwealth, certain political subdivisions that have accepted the provisions of this section, and the elderly governmental retirees and their dependents, from one or more insurance companies or non-profit hospital, medical or other service corporations, a policy or policies of group general or blanket insurance providing hospital, surgical, medical, dental and other health insurance benefits for said retirees and their dependents. Such policy or policies shall consist of a schedule of hospital, surgical, medical, dental and other health insurance benefits for elderly governmental retirees and their surviving spouses which shall be unrelated to the schedule of hospital, surgical, medical, dental and other health insurance benefits purchased by the commonwealth under the provisions of section four, or the schedule of hospital, surgical, medical, dental and other health insurance benefits purchased

by counties, cities, towns and districts under the provisions of section three of chapter thirty-two B. Such schedule of benefits for elderly governmental retirees may include the payment of any premium which may be required by the federal health insurance for the aged act to be paid by the enrollee thereof. The agreement between the carrier and the commission for said policy or policies may provide in addition to agreed, set, or stated monthly premium applicable to the aforementioned schedule a surcharge or subsidiary rate. The commission shall execute all agreements or contracts pertaining to said policy or policies or any amendment thereto for and on behalf and in the name of the commonwealth, for a period not exceeding five years; provided, however, that the portion of the cost of the monthly premium, and surcharge or subsidiary rate applicable to employees retired from the service of the commonwealth as enumerated in paragraph (b) of section two to be borne by the commonwealth shall not exceed the estimated monthly cost for which funds have been appropriated or otherwise made available by the general court for the then current fiscal year.

SECTION 8. Paragraph (c) of said section 10B of said chapter 32A, as amended by section 2 of said chapter 461 of the acts of 1964, is hereby further amended by striking out, in line 7, the words "and medical" and inserting in place thereof the words:- , medical, dental and other health.

SECTION 9. The first sentence of paragraph (e) of said section 10B of said chapter 32A, as appearing in section 2 of chapter 647 of the acts of 1962, is hereby amended by inserting after the word "medical", in line 4, the words:- , dental and other health.

SECTION 10. Said section 10B of said chapter 32A is hereby further amended by striking out paragraph (f), as so appearing, and inserting in place thereof the following paragraph:-

(f) Upon the death of an elderly governmental retiree, the surviving spouse may continue the group hospital, surgical, medical, dental and other health insurance as provided under section eleven.

SECTION 11. The first sentence of section 11 of said chapter 32A, as appearing in chapter 791 of the acts of 1971, is hereby amended by inserting after the word "medical", in lines 4 and 14, in each instance, the word:- , dental.

SECTION 12. The first paragraph of section 12 of said chapter 32A is hereby amended by inserting after the word "medical", in line 12, as appearing in section 4 of chapter 763 of the acts of 1972, the word:- , dental.

SECTION 13. Nothing in this act shall be construed as requiring the group insurance commission to purchase coverage for any dental procedures beyond that in force on the effective date of this act.

Approved January 11, 1978.

Chap. 959. AN ACT PROVIDING FOR THE APPOINTMENT OF DESIGNEES TO COUNTY ADVISORY BOARDS.

Be it enacted, etc., as follows:

Section 28B of chapter 35 of the General Laws is hereby amended by striking out the first and second sentences, as appearing in chapter 1166 of the acts of 1973, and inserting in place thereof the following sentence:- In every county other than Suffolk and Nantucket, there shall be an advisory board to the county commissioners consisting of the city manager in a Plan D or Plan E city, or the mayor of each other city, or the chairman of the board of selectmen of each town, or the town manager or administrator in a town which does not have a board of selectmen, or their designee; provided, however, that when a designee has been named, each city and town shall annually in writing file with the county commissioners the name of such designee.

Approved January 11, 1978.

Chap. 960. AN ACT FURTHER DEFINING THE CIVIL SERVICE STATUS OF EMPLOYEES OF THE STATE RACING COMMISSION LABORATORY.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 48 of chapter 6 of the General Laws, as amended by chapter 328 of the acts of 1975, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:-The following positions shall be exempt from the provisions of chapter thirty-one:- One semisenior accountant, the junior accountants, the senior bookkeepers, the senior chemists, the assistant chemists, one head clerk, the principal clerks, the senior clerks, the junior clerks, the chief of laboratory, the laboratory technicians, the supervisors of licenses and registration, and one head administrative assistant.

SECTION 2. The provisions of section forty-eight of chapter six of the General Laws, as amended by section one of this act shall take effect on January first, nineteen hundred and seventy-nine.

Approved January 11, 1978.

Chap. 961. AN ACT TRANSFERRING THE LICENSING OF PUBLIC WAREHOUSEMEN TO THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 105 of the General Laws is hereby amended by striking out the first sentence, as amended by section 17 of chapter 684 of the acts of 1972, and inserting in place thereof the following sentence:- The commissioner of public safety or his designee, in this chapter hereinafter called the commissioner, may license suitable persons, or corporations established under the laws of and having their places of business within the commonwealth, to be public warehousemen, upon the payment of a license fee of two hundred fifty dollars.

SECTION 2. Said first paragraph of said section 1 of said chapter 105 is hereby further amended by striking out the fifth sentence, as appearing in section 1 of chapter 310 of the acts of 1935, and inserting in place thereof the following sentence:- They shall give bond to the state treasurer for the faithful performance of their duties in an amount and with sureties approved by the commissioner, and may appoint one or more deputies, for whose acts they shall be responsible.

SECTION 3. Section 2A of said chapter 105, inserted by section 1 of chapter 122 of the acts of 1935, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

A surety upon a bond given by a public warehouseman as a condition of holding a license issued pursuant to section one, who desires to be discharged from liability thereunder shall give written notice to that effect to the commissioner and to the state treasurer, in such form as the commissioner may prescribe, specifying a date, not earlier than sixty days after the giving of such notice, upon which his liability is to terminate in respect to further deposits for storage with such warehouseman. The commissioner shall, upon receipt of such notice, forthwith notify such warehouseman that his license will be revoked on the date specified unless prior thereto a new bond, approved as provided in section one, is given by him to the state treasurer. Failure to give a new bond as aforesaid shall operate as a revocation of the license of such warehouseman, effective on said date, and the state treasurer shall forthwith notify the commissioner thereof in writing. The notification required to be sent by the commissioner shall be deemed sufficient if sent by registered mail, postage prepaid, to the last business or residence address of the licensee

appearing in the records of the office of the commissioner; and the affidavit of the commissioner or of any person authorized by him to give notice that such notice has been sent in accordance with the section shall be prima facie evidence that such notice was duly given.

SECTION 4. Section 6 of said chapter 105, as amended by section 2 of said chapter 122, is hereby amended by striking out, in line 1, the words "state secretary" and inserting in place thereof the word:- commissioner.

SECTION 5. This act shall not affect the validity of any license issued before the effective date of this act. Upon said effective date all records in the offices of the governor, the executive council, and the state secretary relating to the licensing of warehousemen pursuant to said chapter one hundred and five shall be transferred to the commissioner of public safety or his designee.

Approved January 11, 1978.

Chap. 962. AN ACT REQUIRING THE INSTALLATION OF AUTOMATIC SMOKE OR HEAT DETECTORS IN CERTAIN APARTMENT HOUSES.

Be it enacted, etc., as follows:

Section 26C of chapter 148 of the General Laws, inserted by chapter 710 of the acts of 1975, is hereby amended by inserting after the word "section", in line 1, the words:- , apartment houses containing six or more dwelling units.

Approved January 11, 1978.

Chap. 963. AN ACT CLARIFYING THE RENT WITHHOLDING LAWS.

Be it enacted, etc., as follows:

Chapter 239 of the General Laws is hereby amended by striking out section 8A, as most recently amended by section 3 of chapter 467 of the acts of 1975, and inserting in place thereof the following section:-

Section 8A. In any action under this chapter to recover possession of any premises rented or leased for dwelling purposes, brought pursuant to a notice to quit for nonpayment of rent, or where the tenancy has been terminated without fault of the tenant or occupant, the tenant or occupant shall be entitled to raise, by defense or counterclaim, any claim against the plaintiff

relating to or arising out of such property, rental, tenancy, or occupancy for breach of warranty, for a breach of any material provision of the rental agreement, or for a violation of any other law. The amounts which the tenant or occupant may claim hereunder shall include, but shall not be limited to, the difference between the agreed upon rent and the fair value of the use and occupation of the premises, and any amounts reasonably spent by the tenant or occupant pursuant to section one hundred and twenty-seven L of chapter one hundred and eleven and such other damages as may be authorized by a law having as its objective the regulation of residential premises.

Whenever any counterclaim or claim of defense under this section is based on any allegation concerning the condition of the premises or the services or equipment provided therein, the tenant or occupant shall not be entitled to relief under this section unless: (1) the owner or his agents, servants, or employees, or the person to whom the tenant or occupant customarily paid his rent knew of such conditions before the tenant or occupant was in arrears in his rent; (2) the plaintiff does not show that such conditions were caused by the tenant or occupant 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; (3) the premises are not situated in a hotel or motel, nor in a lodging house or rooming house wherein the occupant has maintained such occupancy for less than three consecutive months; and (4) the plaintiff does not show that the conditions complained of cannot be remedied without the premises being vacated.

Proof that the premises are in violation of the standard of fitness for human habitation established under the state sanitary code, the state building code, or any other ordinance, by-law, rule or regulation establishing such standards and that such conditions may endanger or materially impair the health, safety or well-being of a person occupying the premises shall create a presumption that conditions existed in the premises entitling the tenant or occupant to a counterclaim or defense under this section. Proof of written notice to the owner or his agents, servants, or employees, or to the person to whom the tenant or occupant customarily paid his rent, of an inspection of the premises, issued by the board of health, or in the city of Boston by the commissioner of housing inspection, or by any other agency having like powers of inspection relative to the condition of residential

premises, shall create a presumption that on the date such notice was received, such person knew of the conditions revealed by such inspection and mentioned in such notice. A copy of an inspection report issued by any such agency, certified under the penalties of perjury by the official who inspected the premises, shall be admissible in evidence and shall be *prima facie* evidence of the facts stated therein.

There shall be no recovery of possession pursuant to this chapter pending final disposition of the plaintiff's action if the court finds that the requirements of the second paragraph have been met. The court after hearing the case may require the tenant or occupant claiming under this section to pay to the clerk of the court the fair value of the use and occupation of the premises less the amount awarded the tenant or occupant for any claim under this section, or to make a deposit with the clerk of such amount or such installments thereof from time to time as the court may direct, for the occupation of the premises. In determining said fair value, the court shall consider any evidence relative to the effect of any conditions claimed upon the use and occupation of residential premises. Such funds may be expended for the repair of the premises by such persons as the court after a hearing may direct, including if appropriate a receiver appointed as provided in section one hundred and twenty-seven H of chapter one hundred and eleven. When all of the conditions found by the court have been corrected, the court shall direct that the balance of funds, if any, remaining with the clerk be paid to the landlord. Any tenant or occupant intending to invoke the provisions of this section may, after commencement of an action under this chapter by the landlord, voluntarily deposit with the clerk any amount for rent or for use and occupation which may be in dispute, and such payments shall be held by the clerk subject to the provisions of this paragraph.

There shall be no recovery of possession under this chapter if the amount found by the court to be due the landlord equals or is less than the amount found to be due the tenant or occupant by reason of any counterclaim or defense under this section. If the amount found to be due the landlord exceeds the amount found to be due the tenant or occupant, there shall be no recovery of possession if the tenant or occupant, within one week after having received written notice from the court of the balance due, pays to the clerk the amount due the landlord, together with interest and costs of suit, less any credit due the tenant or occupant for funds already paid by him to the clerk under this section. In such event, no judgment shall enter until after the expiration of

the time for such payment and the tenant has failed to make such payment. Any such payment received by the clerk shall be held by him.

Any provision of any rental agreement purporting to waive the provisions of this section shall be deemed to be against public policy and void. The provisions of section two A and of section eighteen of chapter one hundred and eighty-six shall apply to any tenant or occupant who invokes the provisions of this section.

Approved January 11, 1978.

Chap. 964. AN IACT AUTHORIZING THE EXEMPTION FROM REAL ESTATE TAXES OF CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

Section 5 of chapter 59 of the General Laws is hereby amended by adding the following clause:-

Forty-sixth, Real estate, owned by an economic development corporation whose purpose is to retain and expand job opportunities and which is organized under chapter one hundred and eighty, from the date of said real estate's acquisition until such real property is leased, rented, or otherwise disposed of; provided said exemption for such real property should not extend beyond a total period of seven years; and provided, further, that if the whole or any part of any such real estate is used for other than the purpose of said corporation and derives any income from such use, such real estate or part thereof, as the case may be, shall not be exempt.

Approved January 11, 1978.

Chap. 965. AN ACT PROVIDING FOR UNIFORM RULES OF ADJUDICATORY PROCEDURE.

Be it enacted, etc., as follows:

Chapter 30A of the General Laws is hereby amended by striking out section 10, as appearing in section 1 of chapter 681 of the acts of 1954, and inserting in place thereof the following section:-

Section 10. The commissioner of administration shall file with the state secretary prior to July first, nineteen hundred and seventy-eight, rules and regulations for the conduct of adjudicatory proceedings which shall be promulgated pursuant to the rule making procedures of this chapter and which shall be in effect for all state agencies within the executive offices except as

provided in this section. Rules established by the commissioner of administration pursuant to the provisions of this section shall be referred to as the "standard rules". Said standard rules shall include, but not be limited to, provisions relating to the keeping of records of adjudicatory proceedings, the form of a pleading and answer, the form and service of motions, the rights of intervention of persons, procedures for taking depositions, conducting hearings, providing transcripts, submission of oral and written testimony to the agency, and administrative review of the agency's decision. Said standard rules shall take effect ninety days after they are published by the secretary in accordance with the provisions of section six, and shall govern adjudicatory proceedings commenced after said ninety days except as otherwise provided in this section.

Agencies within each of the executive offices may with the approval of the commissioner of administration, file with the secretary rules for the conduct of adjudicatory proceedings in said agency which substitute in whole or in part, or are additions to the standard rules filed by the commissioner. Such substitute rules shall be promulgated pursuant to the rule making procedures of this chapter and shall be filed with the state secretary within sixty days of the publication of the standard rules which shall govern adjudicatory proceedings commenced after ninety days from the publication thereof by the secretary, and shall take effect at the same time as the standard rules.

Thereafter, at any time the commissioner may file amendments to the standard rules. Agencies within any of the executive offices may subject to the approval of the commissioner of administration file substitute rules. Such amendments to the standard rules and such substitute rules shall take effect in accordance with section six.

Approved January 11, 1978.

Chap. 966. AN ACT PROVIDING THAT A CERTAIN LICENSE GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO MAINTAIN EXISTING SOLID FILL, TIMBER BULKHEADS AND SEAWALLS IN THE MYSTIC RIVER IN THE CITY OF MEDFORD SHALL BE IRREVOCABLE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, license number 4152 granted by the department of public works on September twenty-second, nineteen hundred

and fifty-eight to Benjamin Brown and Stephen P. Mugar, trustees of B & M Realty Trust to maintain existing solid fill, timber bulkheads and seawalls in the Mystic river in the city of Medford in conformity with license plan number 4152, said plan entitled "Plan accompanying petition of the Trustees of B & M Realty Trust to maintain existing solid fill with seawalls and bulkheads in the Mystic River in Medford, dated August, 1958," recorded with southern district registry of deeds in Worcester county, Book 9248, Page 556 shall be irrevocable.

In the event of a taking of any land referred to in this act by the commonwealth or any of its political subdivisions, within ten years after the effective date of this act, the damages recoverable by reason of such taking shall not exceed the fair value of such land on the effective date of this act together with the cost of any buildings or improvements thereon, with interest at six per cent annually from such effective date or date such cost was incurred, as the case may be.

Approved January 11, 1978.

Chap. 967. AN ACT INCREASING PROPERTY TAX EXEMPTION FOR CERTAIN PERSONS OVER SEVENTY YEARS OF AGE.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Forty-first and inserting in place thereof the following clause:-

Forty-first, Real property, to the amount of four thousand 1
dollars valuation or the sum of five hundred dollars, whichever 2
would amount in an abatement of the greater amount of taxes 3
due, of a person who has reached his seventieth birthday prior to 4
the fiscal year for which an abatement is sought and occupied by 5
said person as his domicile, or of a person who owns the same 6
jointly with his spouse, either of whom has reached his seventieth 7
birthday prior to the fiscal year for which an abatement is sought 8
and occupied by them as their domicile, or of a person who has 9
reached his seventieth birthday prior to the fiscal year for which 10
an abatement is sought who owns the same jointly or as a tenant 11
in common with a person not his spouse and occupied by him as 12
his domicile; provided; (A) that such person (1) has been domi- 13
ciled in the commonwealth for the preceding ten years (2) has so 14
owned and occupied such real property or other real property in 15
the commonwealth for five years, or (3) is a surviving spouse who 16
inherits such real property and has occupied such real property 17

18 or other real property in the commonwealth for five years and
19 who otherwise qualifies under this clause; (B) that such person
20 had, in the preceding year, gross receipts from all sources of less
21 than six thousand dollars, or, if married, combined gross receipts
22 with his spouse of less than seven thousand dollars, provided,
23 however, that in computing the gross receipts of an applicant
24 under this clause ordinary business expenses and losses may be
25 deducted, but not personal or family expenses, and provided,
26 further, that there shall be deducted from the total amount
27 received by the applicant under the federal social security or
28 railroad retirement and from any annuity, pension, or retire-
29 ment plan established for employees of the United States govern-
30 ment, the government of the commonwealth, or the government
31 of any city, town, county, or special district, included in such
32 gross receipts, an amount equivalent to the minimum payment
33 then payable under said federal social security law, as deter-
34 mined by the state tax commission, to a retired worker seventy
35 years of age or over, if the applicant is unmarried, or to a retired
36 worker and spouse, both of whom are seventy years of age or
37 over, if the applicant is married; and (C) that such person had a
whole estate, real and personal, not in excess of seventeen thou-
sand dollars, or if married, not in excess of twenty thousand
dollars, provided that real property occupied as his domicile shall
not be included in computing the whole estate except for any
portion of said property which produces income, provided
however that a taxpayer may, at his option, elect to include the
value of real property occupied as his domicile in computing the
value of his whole estate. If such real property is included in the
whole estate, the value of the whole estate shall not exceed forty
thousand dollars, or if married, forty-five thousand dollars.
Household furnishings and property already exempt under the
twelfth, twentieth, twenty-first, and thirty-fifth clauses of this
section shall not be included in computing the whole estate. In
the case of real estate owned by a person jointly or as a tenant in
common with a person not his spouse, the amount of his exemp-
tion under this clause shall be that proportion of four thousand
dollars valuation or the sum of five hundred dollars, whichever
would result in an abatement of the greater amount of taxes due,
which the amount of his interest in such property bears to the
whole tax due; provided that no exemption shall be granted to
any joint tenant or tenant in common unless the gross receipts
from all sources whatsoever of each joint tenant or tenant in
common is less than six thousand dollars or, if married, the com-
bined gross receipts from all sources whatsoever of each joint ten-

ant or tenant in common and his spouse is less than seven thousand dollars and unless the combined whole estate, real and personal, of each joint tenant or tenant in common is less than twelve thousand dollars or, if married, the combined whole estate, real and personal of each joint tenant in common and his spouse does not exceed fifteen thousand dollars; and provided, further, that no proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. In determining the total period of 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. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. Any person who receives an exemption under the provisions of this clause shall not receive an exemption on the same property under any other provision of this section except clause Eighteen.

SECTION 2. The commonwealth, commencing in fiscal year nineteen hundred and seventy-nine, shall annually appropriate a sum not to exceed six million dollars for the purpose of reimbursing municipalities for taxes abated under clause forty-first of section five of chapter fifty-nine of the General Laws. The commissioner of corporations and taxation shall divide said sum by the number of clause forty-first exemptions granted in the preceding year and distribute to each city and town a pro rate share of said sum based on the number of exemptions granted in each city and town.

SECTION 3. This act shall apply to taxes levied for the fiscal year beginning July first, nineteen hundred and seventy-eight and thereafter.

Approved January 11, 1978.

Chap. 968. AN ACT PROVIDING UNIFORMITY IN THE PREPARATION OF SPECIFICATIONS AND PLANS FOR PUBLIC PROJECTS.

Be it enacted, etc., as follows:

The first paragraph of section 44A of chapter 149 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 692 of the acts of 1960, and inserting in place thereof the following sentence:- The awarding authority shall prepare for bidding purposes a sufficient number of sets of plans and specifications so that there will be available without cost or charge, except for a fully refundable deposit for return of the same in good condition, two complete sets of specifications and plans which have not been mechanically reduced, for each general bidder, requesting the same and one complete set of specifications and plans drawn on a scale not less than one-eighth inch to one foot except for site plans and which have not been mechanically reduced, for each sub-bidder requesting the same.

Approved January 11, 1978.

Chap. 969. AN ACT RELATIVE TO THE APPOINTMENT AND REMOVAL OF EMPLOYEES AND TECHNICAL PERSONNEL IN THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 16 of the General Laws is hereby amended by striking out section 4, as most recently amended by section 16 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 4. The commissioner shall appoint and may remove all employees in the department under the public works commission. Unless otherwise provided by law, all such appointments and removals shall be made in accordance with the provisions of chapter thirty-one. From time to time the commissioner may, subject to appropriation and regulation, employ such consultants as he may deem necessary.

The commissioner may appoint and remove without regard to chapter thirty-one, but with the approval of the governor, a chief engineer; five deputy chief engineers, each to serve in one of the following five divisions or bureaus: highway engineering, highway construction, highway maintenance, project development, and traffic operation; an assistant chief engineer; a highway and structures engineer; a bridge engineer; highway

engineers; district highway engineers; a chief counsel to serve in the office of the commissioner; a director to serve in the division of administrative services; two executive assistants to the commissioner; a personnel director; a director of the right of way bureau; and a director of public information. The total number of appointments to be made by the commissioner under this paragraph shall not exceed thirty-three. No person holding an appointment under this paragraph shall be subject to the provisions of chapter thirty-one or section nine A of chapter thirty.

So far as practicable in the judgment of the commissioner, appointments to positions not classified under chapter thirty-one, shall be made by promoting employees of the commonwealth serving in positions so classified, except that any person appointed to the position of chief engineer, deputy chief engineer, assistant chief engineer, highway and structures engineer, bridge engineer or highway engineer, district engineer, shall be a person of experience and skill as an engineer in the activities of the department and shall be chosen from the employees who are registered professional engineers and hold an office or position with permanent status of principal civil engineer higher in the department, classified under said chapter thirty-one, and in every such instance, upon termination of his service in such unclassified position, the employee shall be restored to the position from which he was promoted, or to a position equivalent thereto in the salary grade in the same state agency or if he had been promoted in accordance with said chapter thirty-one during his promotion in the unclassified position to the position to which he was so promoted, or to a position equivalent thereto in salary grade in the same state agency. In every instance of an employee promoted from a position in which at the time of promotion he has tenure by reason of section nine A of chapter thirty, upon termination of his service in such unclassified position the employee shall be restored to the position from which he was promoted or to a position equivalent thereto in salary grade in the same state agency. In cases of restoration under said chapter thirty-one, or under said section nine A of said chapter thirty, such restoration shall be without impairment of civil service status or his tenure under said section nine A, and without loss of the seniority, retirement and other rights to which uninterrupted service in the position would have entitled him, 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 section forty-three of said chapter thirty-one. During the period of such appointment the person so appointed

shall be eligible to take any competitive promotional examination to which he would otherwise have been eligible. Nothing in this section shall be deemed to exempt the positions named herein from the provisions of sections forty-five to fifty, inclusive, of chapter thirty.

SECTION 1A. Chapter 21A of the General Laws is hereby amended by inserting after section 7 the following section:-

Section 7A. The commissioner of environmental quality engineering may appoint and remove a director of the division of waterways and a professional geologist, who shall be the state geologist, and neither position shall be subject to chapter thirty-one or to section nine A of chapter thirty.

SECTION 2. Section four of chapter sixteen and section seven A of chapter twenty-one A of the General Laws, as amended by sections one and one A, respectively, of this act, shall apply only to persons appointed to positions in the department of public works and the executive office of environmental affairs after the effective date of this act.

Approved January 11, 1978.

Chap. 970. AN ACT REQUIRING COMPETITIVE BIDDING STATUTES GOVERNING CONSTRUCTION CONTRACTS TO INCLUDE CERTAIN ADDITIONAL AWARDING AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (a) of section 39M of chapter 30 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 842 of the acts of 1963, and inserting in place thereof the following sentence:- Every contract for the construction, reconstruction, alteration, remodeling or repair of any public work, or for the purchase of any material, as hereinafter defined, by the commonwealth, or political subdivision thereof, or by any county, city, town, district, or housing authority, and estimated by the awarding authority to cost more than five thousand dollars in the case of the commonwealth, or political subdivision thereof, and more than two thousand dollars in the case of any other such awarding authority, shall be awarded to the lowest responsible and eligible bidder on the basis of competitive bids publicly opened and read by such awarding authority forthwith upon expiration of the time for the filing thereof; provided, however, that such awarding authority may reject any and all bids, if it is in the public interest so to do.

SECTION 2. Section 19 of chapter 161A of the General Laws, as appearing in section 18 of chapter 563 of the acts of 1964, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- The provisions of general or special laws relative to rates of wages, hours of employment and working conditions of public employees, shall not apply to the authority nor to the employees thereof, but the authority and its employees shall be governed with respect to hours of employment, rates of wages, salaries, hours, working conditions, health benefits, pensions and retirement allowances of its employees by the laws relating to street railway companies.

Approved January 11, 1978.

Chap. 971. AN ACT RELATIVE TO THE COMMERCIAL HARVEST OF EELS IN THE WATERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 17B of chapter 130 of the General Laws, inserted by section 1 of chapter 931 of the acts of 1973, is hereby amended by striking out the words "and seventy-two", in line 3, and inserting in place thereof the words:- seventy-two and one hundred D.

SECTION 2. Said chapter 130 is hereby further amended by inserting after section 100C the following section:-

Section 100D. No person shall take or attempt to take eels, *Anguilla rostrata*, by any contrivance other than by nets, pots, spears, or angling. The director is hereby authorized to establish rules and regulations governing the size, shape, mesh size, and manner of marking such nets or pots.

It shall be unlawful for a person to take or possess elvers or eels of a size less than four inches total length.

Whoever violates any provision of this section shall be punished by a fine of not less than one hundred dollars or by imprisonment for not more than thirty days, or both.

SECTION 3. Chapter 131 of the General Laws is hereby amended by inserting after section 52 the following section:-

Section 52A. Eels may be taken commercially in inland waters except ponds having a diked opening to the sea by a licensed fisherman possessing a license to do so for the purpose of sale. The director of fisheries and wildlife is hereby authorized to establish rules and regulations relative to harvest, limit methods of taking, waters where eels may be taken, seasons, time and method of reporting harvest and all other matters pertaining to

said fishing deemed necessary and expedient. The director may issue an annual license upon receipt of a fee of twenty-five dollars authorizing a person to take eels commercially in inland waters.

No person shall take for commercial purposes or attempt to take, with or by the use of an artificial lure, any fish of the species *Anguilla rostrata*, the North American eel. An artificial lure for the purposes of commercial harvesting of eels shall include but not be limited to, magnetic lures or devices, chemical attractants and tranquillizers, thermal lures, explosives and any other means not authorized under rules and regulations promulgated under the provisions of this section. The permitted commercial taking of eels in inland waters shall be allowed by a pot fishery as specified in rules and regulations promulgated under the provisions of this section.

The commercial taking of elvers, or eels less than four inches in length, shall not be permitted in inland waters of the commonwealth.

Whoever violates any provision of this section shall be punished by a fine of not less than one hundred dollars or by imprisonment for not more than thirty days, or both.

Approved January 11, 1978.

Chap. 972. AN ACT ESTABLISHING THE MASSACHUSETTS NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. Chapter 33 of the General Laws is hereby amended by adding the following section:-

Section 137. There is hereby established a Massachusetts national guard education assistance program. Said program shall be administered by the board of higher education which shall have the authority to issue a certificate of exemption from fifty per cent of the matriculation fee and tuition to any member of the Massachusetts army or air national guard who is enrolled at any state institution of higher education in a program the cost of which is borne by the commonwealth and who is qualified as hereinafter provided. Said certificate shall remain in effect one full academic year and shall be renewed after the student has completed a full academic year of work equal to thirty semester hours, in accordance with regulations prescribed by said board: one certificate may therefore be in effect for more than one year.

To receive benefits from the program, the member shall be a member in good standing of the active Massachusetts army or air

national guard at the beginning of each semester that benefits are payable and shall remain a member in good standing of the active Massachusetts army or air national guard throughout the entire semester for which benefits are payable.

Assistance shall continue for the benefit of said member only during such time as he remains a student in good standing at the institution in which he is enrolled and in no event shall any student receive the benefits for more than one hundred and thirty semester hours.

Enrollment of a member in a course at said institutions shall be dependent on the availability of seats. Availability of seats for the purposes of this section shall mean vacancies that exist in a course after the enrollment of all tuition paying students, and all students who are enrolled under any scholarship or tuition waiver provisions.

SECTION 2. The provisions of this act shall cease to be operative on July first, nineteen hundred and eighty-three.

Approved January 11, 1978.

Chap. 973. AN ACT RELATIVE TO CERTAIN CONTEMPT PROCEEDINGS IN THE PROBATE COURT.

Be it enacted, etc., as follows:

Chapter 215 of the General Laws is hereby amended by inserting after section 34A the following section:-

Section 34B. A judge of the probate court who has found a party to be in civil or criminal contempt for failure to obey any judgement of the probate court relative to support of a spouse or children or relative to the custody of children shall, before ordering such person to be confined in a jail, review such judgement and such judge may modify or terminate such judgement without petition.

Approved January 11, 1978.

Chap. 974. AN ACT AUTHORIZING THE TOWN OF ACUSHNET TO PLACE JOSEPH FRANCIS, A POLICE OFFICER 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 Joseph Francis as a full-time police officer for the town of Acushnet shall be unlimited, subject, however, to

the provisions of the civil service law and rules, notwithstanding any law or rule relative to the maximum age for appointment as a police officer in said town; provided that he shall be certified from the intermittent police list for said office and shall be deemed to be permanently appointed thereto without serving any probationary period.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the board of selectmen of the town of Acushnet.

Approved January 11, 1978.

Chap. 975. AN ACT INCREASING THE PENALTY FOR ATTEMPTED ARSON OR FOR ASSISTING AN ATTEMPT TO COMMIT ARSON.

Be it enacted, etc., as follows:

Section 5A of chapter 266 of the General Laws, inserted by section 5 of chapter 192 of the acts of 1932, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Whoever wilfully and maliciously attempts to set fire to, or attempts to burn, or aids, counsels or assists in such an attempt to set fire to or burn, any of the buildings, structures or property mentioned in the foregoing sections, or whoever commits any act preliminary thereto or in furtherance thereof, shall be punished by imprisonment in the state prison for not more than ten years, or by imprisonment in a jail or house of correction for not more than two and one half years or by a fine of not more than one thousand dollars.

Approved January 11, 1978.

Chap. 976. AN ACT PROVIDING THAT CERTAIN EMPLOYEES OF THE TOWN OF NANTUCKET SHALL BE CLASSIFIED IN GROUP 4 OF THE BARNSTABLE COUNTY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the retirement board of the Barnstable county retirement system is hereby authorized and directed to classify Harry E. Clute, Paul C. Droz, sprayer and tree climbers and Charles W. Pearl Jr., sprayer, all employees of the department of public works of the town of Nantucket, as members of Group 4 in said retirement system.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the board of selectmen of the town of Nantucket.

Approved January 11, 1978.

Chap. 977. AN ACT ESTABLISHING COMMEMORATION DAYS AND SETTING ASIDE MARCH FIFTEENTH IN HONOR OF PETER FRANCISCO, MAY TWENTY-NINTH IN HONOR OF THE BIRTHDAY OF PRESIDENT JOHN F. KENNEDY AND MAY TWENTIETH IN HONOR OF GENERAL MARQUIS DE LAFAYETTE.

Be it enacted, etc., as follows:

Section 7 of chapter 4 of the General Laws is hereby amended by striking out clause Eighteenth, as most recently amended by chapter 130 of the acts of 1977, and inserting in place thereof the following two clauses:-

Eighteenth, "Legal holiday" shall include January first, January fifteenth, July fourth, November eleventh, and Christmas Day, or the day following when any of said days occur on Sunday, and the third Monday in February, the third Monday in April, the first Monday in September, the second Monday in October, and Thanksgiving Day. "Legal holiday" shall also include, with respect to Suffolk county only, March seventeenth and June seventeenth, or the day following when said days occur on Sunday; provided, however, that the words "legal holiday" as used in section forty-five of chapter one hundred and forty-nine shall not include March seventeenth, or the day following when said day occurs on Sunday.

Eighteenth A, "Commemoration day" shall include March fifteenth, in honor of Peter Francisco day, May twentieth, in honor of General Marquis de Lafayette and May twenty-ninth, in honor of the birthday of President John F. Kennedy. The governor shall issue a proclamation in connection with each such commemoration day.

Approved January 11, 1978.

EMERGENCY LETTER — January 30, 1978 @ 10:12 A. M.

Chap. 978. AN ACT REGULATING THE SALE OF HEARING AIDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 93 of the General Laws is hereby amended by adding under the caption REGULATION OF THE SALE OF HEARING AIDS, the following five sections:-

Section 71. As used in sections seventy-two to seventy-five, inclusive, the following words shall have the following meanings:-

“Audiologist”, a person who has at a minimum a master’s degree in audiology and a minimum of three hundred hours of supervised practical training, and meets the requirements of the American Speech and Hearing Association certificate of clinical competence in audiology.

“Hearing aid”, an electronic instrument or device worn on the human body for or offered for the purpose of aiding or compensating for impaired human hearing and any parts, attachments or accessories, but excluding batteries, cords and earmolds; provided, that equipment devices and attachments offered by a public utility company and used in conjunction with its services shall not be included within this definition.

“Hearing test evaluation”, a written statement from a physician, audiologist or otolaryngologist, prepared in triplicate, based on testing conducted by such physician, audiologist, or otolaryngologist that includes information regarding the ear or ears to be fitted and the date of the hearing test.

“Person”, an individual, partnership, association, organization or corporation.

“Physician”, a person licensed in the commonwealth in accordance with the provisions of section two of chapter one hundred and twelve.

“Otolaryngologist”, a physician licensed in the commonwealth who specializes in medical problems of the ear, nose and throat, and who is eligible for qualification by the American Board of Otolaryngology as an otolaryngologist.

“Sell” or “sale”, a transfer of title to a hearing aid or transfer of the right to possession of a hearing aid by sales contract, lease, bailment, loan or any other means, excluding wholesale transactions of dealers and distributors.

“Medical clearance”, a written statement, from a physician or otolaryngologist, prepared in triplicate, based on a medical examination by such physician or otolaryngologist, that concludes that the prospective purchaser has been examined, that the physician or otolaryngologist has determined that the prospective purchaser is a candidate for a hearing aid and that there are no

medical conditions to contraindicate the use of a hearing aid. Such statement shall include the date of the medical clearance, and whether or not the person, at the time of the medical examination, owns or uses a hearing aid for the designated ear.

Section 72. No person shall enter into a contract for the sale of or sell a hearing aid unless within the preceding six months the prospective purchaser has obtained a medical clearance, and a hearing test evaluation.

No person shall sell a hearing aid not conforming to the hearing test evaluation required by this section without written approval from the physician, audiologist or otolaryngologist involved.

No person except a person whose religious beliefs preclude consultation with a physician may waive the requirement of either a medical clearance or a hearing test evaluation.

This section shall not apply to the replacement of an identical hearing aid within three years of the date that the purchaser received the hearing aid.

Section 73. No physician, otolaryngologist or audiologist shall sell hearing aids or have a direct or indirect membership, employment, co-ownership, or proprietary interest in or with a business which fits and sells hearing aids; provided, that this restriction shall not apply to a nonprofit or charitable organization, clinic, hospital or health care facility.

No person directly or indirectly shall give or offer to give or permit or cause to be given money or anything of value to a physician, otolaryngologist or audiologist as an inducement to influence the recommendation of the purchase of a hearing aid.

Nothing in this section shall prevent a physician, audiologist, or otolaryngologist from suggesting a specific make and model of a hearing aid.

Section 74. Every person who sells a hearing aid shall accompany such sale with a receipt that shall include: the name, address and signature of the purchaser; the date of consummation of the sale; the name and address of the regular place of business and the signature of the seller; the make, model, serial number and purchase price of the hearing aid; a statement whether the hearing aid is new, used or reconditioned; the terms of the sale, including an itemization of the total purchase price, including but not limited to the cost of the hearing aid, the earmold, any batteries or other accessories, and any service costs; a clear and precise statement of any guarantee or trial period; and shall also include the following printed statement in ten point type or larger: "This hearing aid will not restore normal hearing nor will

it prevent further hearing loss. According to state law, no hearing aid may be sold to you without first a prior medical examination, and than a hearing test evaluation."

A copy of the medical clearance statement and hearing test evaluation, where required, for the hearing aid shall be attached to the receipt.

Upon the date that the purchaser receives the hearing aid, the seller shall provide a delivery receipt signed by the seller and the purchaser which states the date of delivery to the purchaser of the hearing aid.

The seller shall keep records for every customer to whom he renders services or sells a hearing aid including a copy of such receipt, a copy of the medical clearance and the hearing test evaluation, a copy of the delivery receipt, a record of services provided, and any correspondence to or from the customer. Such records shall be preserved for at least four years after the date of the last transaction.

Section 75. Violations of the provisions of sections seventy-two to seventy-four, inclusive, in the course of a sale of a hearing aid shall void such sale.

Violations of any of the provisions of sections seventy-two to seventy-four, inclusive, shall constitute an unfair and deceptive trade practice under the provisions of chapter ninety-three A. Such violations may be reported to the office of the attorney general or the secretary of the executive office of consumer affairs. The office of the attorney general may make such rules and regulations as are necessary to carry out the purposes of sections seventy-one to seventy-five, inclusive.

SECTION 2. A person over eighteen years of age who, on the effective date of this act, owns or is using a hearing aid for a designated ear shall not be required to obtain a hearing test evaluation pursuant to section seventy-two of chapter ninety-three of the General Laws, added by section one of this act.

Approved January 11, 1978.

Chap. 979. AN ACT REGULATING SECURITY DEPOSITS FOR RESIDENTIAL REAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 186 of the General Laws is hereby amended by striking out section 15B, as most recently amended by chapter 154 of the acts of 1975, and inserting in place thereof the following section:-

Section 15B. (1) (a) No lease relating to residential real property shall contain a provision that a lessor may, except to inspect the premises, to make repairs thereto or to show the same to a prospective tenant or purchaser, enter the premises before the termination date of such lease. A lessor may, however, enter such premises:-

- (i) in accordance with a court order;
- (ii) if the premises appear to have been abandoned by the lessee; or
- (iii) to inspect, within the last thirty days of the tenancy or after either party has given notice to the other of intention to terminate the tenancy, the premises for the purpose of determining the amount of damage; if any, to the premises which would be cause for deduction from any security deposit held by the lessor pursuant to this section.

At the commencement of any tenancy, no lessor may require a tenant to pay any amount in excess of the following:

- (i) rent for the first full month of occupancy; and,
- (ii) rent for the last full month of occupancy calculated at the same rate as the first month; and,
- (iii) a security deposit equal to the first month's rent provided that such deposit is deposited in escrow as required by subsection (3) and that the tenant is given the statement of condition as required by subsection (2); and,
- (iv) the purchase or installation cost for a key and lock.

No lease shall impose any interest or penalty for failure to pay rent until thirty days after such rent shall have been due.

No lessor or successor in interest shall at any time subsequent to the commencement of a tenancy demand rent in advance in excess of the current month's rent or a security deposit in excess of the amount allowed by this section.

The payment in advance for occupancy pursuant to this section shall be binding upon all successors in interest.

A security deposit shall continue to be the property of the tenant making such deposit, shall not be commingled with the assets of the lessor, and shall not be subject to the claims of any creditor of the lessor or of the lessor's successor in interest, including a foreclosing mortgage or trustee in bankruptcy.

Any lessor, or any agent of a lessor, who receives a security deposit from a tenant or prospective tenant shall give said tenant or prospective tenant at the time of receiving such security deposit a receipt indicating the amount of the security deposit received, the name of the person receiving it and, in the case of an agent, the name of the lessor for whom the security deposit is

received, the date on which it is received, and a description of the premises leased or rented. Said receipt shall be signed by the person receiving the security deposit.

(2) (a) Any lessor, or any agent of a lessor, who receives the last month's rent paid in advance from a tenant or prospective tenant shall give said tenant or prospective tenant at the time of receiving it a receipt indicating the amount of rent, the date on which it was received, its intended application as rent for the last month, the name of the person receiving it and, in the case of an agent, the name of the lessor for whom the rent is received, and a description for the rented or leased premises.

Any lessor of residential real property, or any agent of a lessor of such property, who accepts a security deposit from a tenant or prospective tenant shall, upon receipt of such security deposit, furnish to such tenant or prospective tenant a separate written statement of the present condition of the premises to be leased or rented. Such written statement shall also contain a comprehensive listing of any damage then existing in the premises, including, but not limited to, any adjudicated violations of the state sanitary or state building codes certified by a local board of health or building official or adjudicated by a court and then existing in the premises. Such written statement shall be signed by the lessor or his agent and contain the following notice in twelve point bold face type at the top of the first page thereof: "You should read this statement of condition of the premises you have leased or rented for the purpose of ascertaining its accuracy. You must either sign this statement of condition, thus indicating your agreement with the statements contained herein, or you must attach a separate signed list of any damage you believe exists in the premises. This statement must be returned to the lessor or his agent within fifteen days of commencement of tenancy." If the tenant submits to the lessor or his agent a separate list of damages, the lessor or his agent shall, within fifteen days of receiving said separate list, return a copy of said list to the tenant with either his signed agreement with the content thereof or a clear statement of disagreement attached.

(b) Every lessor who accepts a security deposit shall maintain a record of all such security deposits received which contains the following information:-

(i) A detailed description of any damage done to each of the dwelling units or premises for which a security deposit has been accepted, returned to any tenant thereof or for which the lessor has brought suit against any tenant;

(ii) The date upon which the occupancy of the tenant or tenants charged with such damage was terminated; and

(iii) Whether repairs were performed to remedy such damage, the dates of said repairs, the cost thereof, and receipts therefor.

Said record shall also include copies of any receipt or statement of condition given to a tenant or prospective tenant as required by this section.

Said record shall be available for inspection upon request of a tenant or prospective tenant during normal business hours in the office of the lessor or his agent. Upon a wrongful failure by the lessor or his agent to make such record available for inspection by a tenant or prospective tenant, said tenant or prospective tenant shall be entitled to the immediate return of any amount paid in the form of a security deposit together with any interest which has accrued thereon.

The lessor or his agent shall maintain said record for each dwelling unit or premises for which a security deposit was accepted for a period of two years from the date upon which the tenancy or occupancy upon which the security deposit was conditioned was terminated.

(3) Any security deposit shall be held in a separate, interest-bearing account in a bank, located within the commonwealth under such terms as will place such deposit beyond the claim of creditors of the landlord, including a foreclosing mortgagee or trustee in bankruptcy, and as will provide its transfer to a subsequent owner of said property. A receipt shall be given to the tenant within thirty days after such deposit is received by the lessor which receipt shall indicate the name and location of the bank in which the security deposit has been deposited and the amount and account number of said deposit. Failure to comply with this paragraph shall entitle the tenant to immediate return of the security deposit.

A lessor of residential real property who holds a security deposit pursuant to this section for a period of one year or longer from the commencement of the term of the tenancy shall, beginning with the first day of the tenancy, pay interest at the rate of five per cent per year, payable to the tenant at the end of each year of the tenancy. Such interest shall actually be paid over to the tenant each year as provided in this clause, provided, however, that in the event that the tenancy is terminated before the anniversary date of the tenancy, the tenant shall receive all accrued interest within thirty days of the lease termination. Such interest shall be beyond all claims of the lessor, except as provided for in this section. At the end of each year of a tenancy, each

lessor shall give or send to the tenant from whom a security deposit has been received a statement which shall indicate the name and address of the bank in which the security deposit has been placed, the amount of the deposit, the account number, and the amount of interest payable by the lessor to the tenant. The lessor shall give or send to each such tenant the interest which is due or shall include with the statement required by this notice a notification that the tenant may deduct the interest from the tenants next rental payment. If, after thirty days from the end of each year of the tenancy, the tenant has not received such notice or payment, the tenant may deduct from his next rent payment the interest due.

(4) The lessor shall, within thirty days after the termination of the occupancy, return to the tenant the security deposit or any balance thereof, provided, however, that the lessor may deduct from such security deposit for the following:-

(a) Any unpaid rent which has not been validly withheld or deducted pursuant to the provisions of any special or general law.

(b) Any unpaid increase in real estate taxes which the tenant is obligated to pay pursuant to a tax escalation clause which conforms to the requirements of section fifteen C;

(c) A reasonable amount necessary to repair any damage caused to the dwelling unit by the tenant or any person under the tenant's control or on the premises with the tenant's consent, reasonable wear and tear excluded. In the case of such damage, the lessor shall provide the tenant within such thirty days with an itemized list of damages, sworn to by the lessor or his agent under pains and penalties of perjury, itemizing in precise detail the nature of the damage and of the repairs necessary to correct it, and written evidence, such as estimates, bills invoices or receipts, indicating the actual or estimated cost thereof. No amount shall be deducted from the security deposit due to any damage to the dwelling unit which was listed in the separate written statement of the present condition of the premises which was required to be given to the tenant prior to the execution of the lease or creation of the tenancy pursuant to clause (a) of subsection (2) or any damages listed in any separate list submitted by the tenant and signed by the lessor or his agent pursuant to said clause (a), unless the lessor subsequently repaired or had repaired said damage and can prove that the renewed damage was entirely unrelated to the prior damage and was caused by the tenant or by any per-

son under the tenant's control or on the premises with the tenant's consent.

No deduction of any amount may be made from the security deposit for any purpose other than those set forth in this section.

(5) Whenever a lessor who receives a security deposit transfers his interest the dwelling unit for which the security deposit is held, whether by sale, assignment, death, appointment of a receiver or trustee in bankruptcy, or otherwise, the lessor shall transfer such security deposit together with any interest which has accrued thereon for the benefit of the tenant who made such security deposit to his successor in interest, and said successor in interest shall be liable for the retention and return of said security deposit in accordance with the provisions of this section from the date upon which said transfer is made. The successor in interest shall, within forty-five days from the date of said transfer, notify the tenant who made such security deposit of the fact that the security deposit was transferred to him, that he is holding said security deposit, his name, business address, and business telephone number, and the name, business address, and business telephone number of his agent, if any. Said notice shall be in writing.

Upon such transfer, whether by sale, assignment, death, appointment of a receiver or trustee in bankruptcy, or otherwise, the lessor or his agent shall continue to be liable with respect to the provisions of this section until:

(a) There has been a transfer of the amount of the security deposit so held to the lessor's successor in interest and the tenant has been notified in writing of the transfer and of the successor in interest's name, business address, and business telephone number;

(b) There has been compliance with this clause by the successor in interest; or

(c) The security deposit has been returned to the tenant.

In the event that the lessor fails to transfer said security deposit to his successor in interest as required by this subsection the successor in interest shall, without regard to the nature of the transfer, assume liability for payment of the security deposit to the tenant in accordance with the provisions of this section, provided, however, that if the tenant still occupies the dwelling unit for which the security deposit was given, said successor in interest may satisfy such obligation by granting the tenant free occupation and use of the dwelling unit for a period of time equivalent to that period of time for which the dwelling unit

could be leased or occupied if the security deposit were deemed to be rent provided, however, that the liability imposed by this paragraph shall not apply to a city or town which acquires title to property pursuant to chapter sixty or to a foreclosing mortgagee which is a financial institution chartered by the commonwealth or the United States. The term "rent", as used in the preceding sentence, shall mean the periodic sum paid by the tenant for the use and occupation of the dwelling unit in accordance with the terms of his lease or other rental agreement.

(6) The lessor shall forfeit his right to retain any portion of the security deposit for any reason or to sue the tenant for any money owed for unpaid rent, due under a valid tax escalation clause, or for any damage to the premises if he:

(a) Fails to deposit such funds in an escrow account as required by subsection (3); or

(b) Fails to furnish to the tenant within thirty days after the termination of the occupancy the itemized list of damages, if any, in compliance with the provisions of this section;

(c) Uses in any lease signed by the tenant any provision which conflicts with any provision of this section and attempts to enforce such provision or attempts to obtain from the tenant or prospective tenant a waiver of any provision of this section;

(d) Fails to transfer such security deposit to his successor in interest or to otherwise comply with the provisions of subsection (5) after he has succeeded to an interest in residential real property; or,

(e) Fails to return to the tenant the security deposit or balance thereof to which the tenant is entitled after deducting therefrom any sums in accordance with the provisions of this section, together with any interest thereon, within thirty days after termination of the tenancy.

(7) If the lessor or his agent fails to comply with clauses (a), (d) or (e) of subsection 6, the tenant shall be awarded damages in an amount equal to three times the amount of such security deposit or balance thereof to which the tenant is entitled plus interest at the rate of five per cent from the date when such payment became due, together with court costs and reasonable attorney's fees.

(8) Any provision of a lease which conflicts with any provision of this section and any waiver by a tenant or prospective tenant of any provision of this section shall be deemed to be against public policy and therefore void and unenforceable.

SECTION 2. The first paragraph of section 23 of said chapter 218 is hereby amended by inserting after the word "thereof", in

line 19, as appearing in section 2 of chapter 748 of the acts of 1973, the words:- ; provided, that in any action brought by a tenant of residential premises pursuant to the provisions of section fifteen B of chapter one hundred and eighty-six, bond shall be given in an amount equal to three times the amount of the security deposit or balance thereof to which the tenant is entitled, plus interest at the rate of five per cent from the date when such payment became due, together with court costs and an amount equal to a reasonable attorney's fee for service which had been performed by an attorney, if any, or which may be expected to be performed by an attorney during the pendency of the appeal.

SECTION 3. Paragraph (2) of section 30 of chapter 266 of the General Laws, as amended by section 1 of chapter 153 of the acts of 1966, is hereby further amended by inserting after the word "thereto", in line 8, the words:- a security deposit received pursuant to section fifteen B of chapter one hundred and eighty-six.

SECTION 4. This act shall take effect on September first, nineteen hundred and seventy-eight and shall apply to all security deposits held by a lessor on said date; provided, however, the prohibition against commingling of assets under subsection one, of section fifteen B of chapter one hundred and eighty-six of the General Laws, inserted by section one of this act, the escrow requirements of subsection six of said section fifteen B, the requirements of subsection two and the penalties provided for in subsection six of said section fifteen B shall apply to all security deposits received on or after said date.

SECTION 5. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Approved January 11, 1978.

Chap. 980. AN ACT FURTHER REGULATING 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 5 of chapter 140C of the General Laws is hereby amended by striking out subsection (e), as appearing in section 1 of chapter 517 of the acts of 1969, and inserting in place thereof the following subsection:-

(e) If at the time disclosures are to be made, an amount or other item of information required to be disclosed, or needed to determine a required disclosure, is unknown or unavailable to the creditor, and the creditor has made a reasonable effort to ascertain it, the creditor may use an estimated amount or an approximation of the information, provided the estimate or approximation is clearly identified as such, is reasonable, is based on the best information available to the creditor and is not used for the purpose of circumventing or evading the disclosure requirements of this chapter. The creditor shall give accurate information previously estimated to the customer as soon as practicable after it is available, and shall give such information in writing on or before the due date of the first instalment; provided, however, that such information need not be given relative to multiple advance loans if the finance charge and annual percentage rate are calculated pursuant to regulations or interpretations promulgated by the commissioner or official interpretations issued by the board and adopted by the commissioner.

Approved January 11, 1978.

Chap. 981. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY MAY BORROW FOR THE CONSTRUCTION OF A CERTAIN COURT HOUSE BUILDING AND OTHER MATTERS RELATED THERETO.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 781 of the acts of 1963, as most recently amended by chapter 4 of the acts of 1972, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- For the purposes set forth in section one, and for the further purpose of satisfying claims, awards or judgments, and expenses incidental thereto, arising from or relating to the construction of the Middlesex county court house building in the city of Cambridge, the treasurer of Middlesex county, with the approval of the county commissioners, may borrow from time to time on the credit of the coun-

ty, such sums as may be necessary, not exceeding, in the aggregate, forty-eight million two hundred thousand dollars and may issue bonds or notes of the county therefor which shall bear on their face the words Middlesex County Court House Building Loan, Act of 1963.

SECTION 2. Section three of chapter four of the acts of nineteen hundred and seventy-two is hereby repealed.

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

Approved January 13, 1978.

Chap. 982. AN ACT RELATIVE TO CERTAIN SICK LEAVE CHARGED TO EDWARD L. FRIEL, JR.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, Edward L. Friel, Jr., an employee of the commonwealth who was charged for the usage of two hundred and thirty-five days of sick leave erroneously, is hereby credited with the aforementioned days as being unused. The commissioner of administration is hereby directed to implement the necessary corrective changes in the personnel record of the employee.

Approved January 13, 1978.

Chap. 983. AN ACT REDUCING THE FEE FOR HUNTING AND FISHING LICENSES FOR CERTAIN PERSONS OVER SIXTY-FIVE YEARS OF AGE.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 11 of chapter 131 of the General Laws, as appearing in section 1 of chapter 706 of the acts of 1972, is hereby amended by inserting after the second sentence the following sentence:- The fee to be charged for the following classes of licenses to any person who has reached his sixty-fifth birthday and who has not reached his seventieth birthday shall be as follows: a sporting license, six dollars and seventy-five cents; a hunting license, four dollars and ten cents; a fishing license, four dollars and ten cents; a trapping license, five dollars and seventy-five cents.

SECTION 2. The Fish and Game Fund shall be reimbursed from the General Fund for any loss of revenue caused by the enactment of this legislation.

SECTION 3. This act shall take effect on January first, nineteen hundred and seventy-nine.

Approved January 13, 1978.

Chap. 984. AN ACT FURTHER REGULATING FACTORS WHICH MAY BE CONSIDERED IN DETERMINING ORDERS FOR SUPPORT.

Be it enacted, etc., as follows:

SECTION 1. Section 32 of chapter 209 of the General Laws is hereby amended by adding the following two paragraphs:-

In determining the amount of a support order, if any, to be made, the court shall consider, but is not limited to, the following factors, to the extent pertinent and raised by the parties: (a) the net income, assets, earning ability, and other obligations of the obligor; (b) the number and ages of the persons to be supported; (c) the expenses incurred by the obligor and the persons to be supported for the necessities of life, and the usual standard of living of the persons to be supported; (d) the assets and net earnings, including a deduction for the provision for childcare, of the persons to be supported; (e) the marriage or remarriage of any person being supported; and (f) the capacity of any person being supported or having custody of supported children, except persons under eighteen years of age, to work or to make reasonable efforts to obtain employment, including the extent of employment opportunities in fields in which such person is suited for employment, the necessity for and availability to said person of job training programs, and the extent to which said person is needed during business hours by members of the family and the availability to said person of child care services and the extent to which such person needs to attend school to obtain skills necessary for employment.

No order shall leave an obligor with less money than is required to provide him minimum subsistence, including food, shelter, utilities, clothing and the reasonable expenses necessary to travel to or obtain employment.

SECTION 2. Said chapter 209 is hereby further amended by inserting after section 32D the following section:-

Section 32E. If the court finds after a hearing that the obligor is in the aggregate more than four weeks in arrears in support payments, the court may as a condition of disposition order the obligor to assign a portion of his periodic earnings to the person entitled to receive said support and to notify the employer of the obligor to forward such portion periodically to the supported

persons. Such voluntary assignment shall take effect on the next payment of earnings after the employer of the obligor receives notice thereof. The employer may deduct from said earnings a sum not exceeding one dollar as reimbursement for costs incurred. The voluntary assignment shall specify the amount of earnings to be paid to the person supported and the amount of earnings exempted from such payment, which the court shall fix at an amount not less than the minimum sum which the obligor requires for the necessities of life, including food, shelter, utilities, clothing and reasonable expenses necessary to travel to or obtain employment. The obligor may move to terminate or modify the amount of such assignment at any time for good cause. If the employment of the obligor is terminated, the obligor shall promptly notify the court and the court may, on its own motion or upon motion of the complainant, order a voluntary assignment of earnings from any subsequent employer.

SECTION 3. This act shall apply to actions filed on or after July first, nineteen hundred and seventy-eight.

Approved January 13, 1978.

Chap. 985. 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 the word "seventy-eight", inserted by chapter 391 of the acts of 1974, and inserting in place thereof the word:-eighty.

Approved January 13, 1978.

Chap. 986. AN ACT AUTHORIZING AND DIRECTING THE COMMISSIONER OF MENTAL HEALTH TO CONVEY CERTAIN LAND OF THE MEDFIELD STATE HOSPITAL IN DOVER TO THE DOVER-SHERBORN REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

The commissioner of mental health is hereby authorized and directed to convey to the Dover-Sherborn Regional School District for fair market value as determined by three independent appraisals, by deed approved as to form by the attorney general, provided, that said deed shall provide that all right, title and interest in and to said land shall revert to and revest in the

commonwealth whenever it shall cease to be used for school purposes, certain unused land of the Medfield State Hospital located in Dover, bounded and described as follows:

A certain parcel of land off Farm Street in Dover, Norfolk County, Massachusetts, being bounded and described as follows:

Easterly by land of the Dover-Sherborn Regional School District in four courses totalling 902.09 feet;

Southerly by land of Eliot L. Richardson et als. 165.29 feet;

Easterly by said Richardson land 274.17 feet; southerly by land of Joy E. Rosengarten in two courses totalling 535.68 feet;

Easterly by said Rosengarten land in three courses totalling 786.92 feet;

Southerly by said Rosengarten land 630.92 feet;

Westerly by land of the Massachusetts Department of Natural Resources in three courses totalling 1450.13 feet;

Northerly by the said land of the said department 521.75 feet;

Westerly by the said land of the said department 472.19 feet; and northerly by land formerly of Henry L. Shattuck in two courses totalling 1077.20 feet; containing 35.778 acres. Being the same premises conveyed to the commonwealth by Alexander E. Wight by deed dated June 30, 1925 and recorded in the Norfolk Registry of Deeds in vol. 1655, page 222.

Approved January 13, 1978.

Chap. 987. AN ACT INCREASING THE AUTHORITY OF A SINGLE MEMBER OF THE APPELLATE TAX BOARD.

Be it enacted, etc., as follows:

Section 1 of chapter 58A of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 3 of chapter 400 of the acts of 1937, and inserting in place thereof the following paragraph:-

No member of the board shall, while he remains a member, act as attorney, counsellor or accountant in any contested matter of taxation before the department of corporations and taxation, before any board of assessors or before the courts of the commonwealth; but the foregoing shall not be construed to prevent a member of the board from acting outside of office hours of the board as attorney, counsellor or accountant in any tax matters other than those dealing with taxes levied by the commonwealth or by a subdivision thereof. Not more than three members of the board shall be members of the same political party. The majority of the members of the board shall constitute a quorum for the

transaction of its business, except that the board may provide by rule for the decision by a single member on appeals from a board of assessors where the assessed value of the property involved in the appeal does not exceed fifty thousand dollars, and also in cases where the assessed value exceeds fifty thousand dollars but does not exceed one hundred thousand dollars when the appellant gives written consent to a decision by a single member. In any such appeal upon the filing of such written consent the appeal shall be advanced for speedy hearing. A vacancy in the board shall not impair its powers nor affect its duties. The board shall have a seal which shall be judicially noticed.

Approved January 13, 1978.

Chap. 988. AN ACT PROVIDING THAT CERTAIN LICENSES GRANTED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING TO PLACE AND MAINTAIN FILL AND STRUCTURES IN CERTAIN TIDEWATERS OF SOUTH BAY FLATS IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON BE IRREVOCABLE.

Be it enacted, etc., as follows:

Notwithstanding any provision of general or special law to the contrary, license number 270 as issued by the department of environmental quality engineering, through its division of waterways, to fill or maintain structures or do other work on the following described parcel of land is hereby made irrevocable.

All that certain parcel of land being situated on the southerly side of Southampton Street and the southwesterly side of the Southeast Expressway in the city of Boston, being shown on a plan entitled, "Plan accompanying petition of Harold Widett on behalf of Providence Produce Warehouse Company To Maintain Existing Drainage Structures and Solid Fill South Bay Flats, Boston, (Dorchester) Mass. Boston Survey Consultants, 263 Summer Street, Boston, Mass.," being more particularly bounded and described as follows:

NORTHWESTERLY by land now or formerly of Penn Central Transportation Company, 405.80 feet;

NORTHEASTERLY by Commonwealth of Massachusetts Gen. Casmir Pulaski Skyway by several lines measuring 149.84 feet, 53.61 feet, 270.89 feet, 122.08 feet and 111.99 feet, more or less respectively;

SOUTHEASTERLY by land of John C. and Thomas Pappas, 220.18 feet, more or less;

SOUTHWESTERLY by land now or formerly of Penn Central Transportation Company, 725.42 feet.

The above described parcel of land is the same parcel conveyed to Providence Produce Warehouse Company by deeds of The New York, New Haven and Hartford Railroad Company recorded with registry of deeds in Suffolk county Book 6932, Page 256 and Book 7087, Page 133, excepting therefrom so much thereof as was taken by the commonwealth for the construction of the Southeast Expressway.

Approved January 13, 1978.

Chap. 989. AN ACT EXEMPTING CERTAIN ENERGY SYSTEMS FROM THE TAX ON RETAIL SALES.

Be it enacted, etc., as follows:

Section 6 of chapter 64H of the General Laws is hereby amended by adding after paragraph (cc), added by section 47 of chapter 363A of the acts of 1977, the following paragraph:-

(dd) Sales of equipment directly relating to any solar, wind-powered, or heat pump system, which is being utilized as a primary or auxiliary power system for the purpose of heating or otherwise supplying the energy needs of an individual's principal residence in the commonwealth.

Approved January 13, 1978.

EMERGENCY LETTER — January 30, 1978 @ 10:12 A. M.

Chap. 990. AN ACT ESTABLISHING A BUREAU OF PIPEFITTERS AND REFRIGERATION TECHNICIANS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by inserting after section 10 the following section:-

Section 10A. There shall be in the department of public safety a bureau, to be known as the bureau of pipefitters and refrigeration technicians. The bureau shall consist of ten members, one of whom shall be the commissioner of public safety or his designee, and nine members to be appointed by the governor, one of whom shall be a representative of the public, one of whom shall be a member of the Air Conditioning and Refrigeration Contractors of Boston who shall be in business not less than ten years as a refrigeration contractor, one of whom shall be a refrigeration

technician with a minimum of ten years experience, one of whom shall be a member of the New England Mechanical Contractors Association Inc., one of whom shall be a member of the Massachusetts Building and Construction Trades Council, one of whom shall be a member of the Massachusetts Masters Plumbers Association, one of whom shall be a pipefitter with a minimum of ten years experience, one of whom shall be a mechanical engineer and one of whom shall represent a user. Said members shall be designated in groups of two in their initial appointments to serve for one, two, three and four years, respectively. Upon the expiration of the term of office of a member, his successor shall be appointed in the manner aforesaid for four years. The commissioner of public safety or his designee shall be designated the chairman.

The members of the bureau shall serve without compensation.

SECTION 2. Chapter 146 of the General Laws is hereby amended by striking out sections 81 to 85, inclusive, and inserting in place thereof the following eight sections:-

Section 81. As used in this section and in sections eighty-two to eighty-eight, inclusive, the following words shall have the following meanings:-

“Apprentice pipefitter”, a person who is learning or working at the business of pipefitting under the direct supervision of a master or journeyman pipefitter.

“Bureau”, the bureau of pipefitters and refrigeration technicians as established by section ten A of chapter twenty-two.

“Journeyman pipefitter”, a person who himself does any work in pipefitting subject to inspection under any law, ordinance, by-law, rule or regulation.

“Master pipefitter”, a person having a regular place of business and who, by himself, or journeymen pipefitters in his employ, performs pipefitting work.

“Pipefitting”, the installation, repair, replacement, maintenance, or alteration of any apparatus for piping appliances, devices or accessories for heating systems having a rating greater than three million British Thermal Units including apparatus and piping for the general use of conveyance of steam and associated pumping equipment but excluding sheet metal work, air conditioning and refrigeration systems and boilers, and plumbing as defined under the rules and regulations of the board of state examiners of plumbers promulgated under sections four and thirteen of chapter one hundred and forty-two.

“Refrigeration contractor”, a person having a regular place of business, or has refrigeration technicians in his employ, performs refrigeration work.

“Refrigeration”, the installation, repair, replacement, maintenance of any refrigerant containing part of any refrigerant system in excess of a twenty ton capacity.

“Refrigeration technician”, any person who has completed a four year apprenticeship program, and who has successfully passed a refrigeration technician’s examination, and who by himself does any work in refrigeration, subject to the provisions of this chapter.

“Refrigeration trainee”, any person at least eighteen years of age and who is in a refrigeration apprenticeship program.

Section 82. The bureau shall promulgate rules and regulations for the examining and licensing of pipefitters and refrigeration technicians.

Section 83. The district engineering inspectors of the division shall act as examiners of applicants for pipefitter, and refrigeration technician licenses. For the examination of pipefitters the division shall use the rules and regulations of sections, I, II, III, IV, VIII, and IX of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, hereinafter referred to as the ASME Code, the ANSI B-31 Codes, and rules and regulations formulated and adopted by the bureau for the examination of pipefitters.

For the examination of refrigeration technicians the division shall use the rules and regulations from national codes as may be necessary to effectuate the licensing provisions or this chapter, including codes resulting from recommendations of the National Academy of Science for the safe handling and storage of chlorofluorocarbon materials to protect the earth’s ozone layer, codes relative to the energy efficiency of refrigeration systems designed to meet national conservation goals, and the rules and regulations formulated and adopted by the bureau.

Section 84. No person shall engage in the business of a master pipefitter, or work as a journeyman or apprentice pipefitter or work as a refrigeration technician unless he is lawfully licensed under the provisions of section eighty-five.

Section 85. Each application for a license under this section shall be filed with the division on a blank furnished by the division. The division shall hold examinations in such cities and at such times as may be necessary.

The fee for the first license of a master pipefitter shall be twenty-five dollars; for any biennial renewal thereof twenty

dollars; and for examination therefor twenty-five dollars. The fee for the first license of a journeyman pipefitter shall be fifteen dollars; for any biennial renewal thereof ten dollars; and for an examination therefor, fifteen dollars. The fee for the first license of an apprentice pipefitter shall be five dollars and for any renewal thereof three dollars. No examination shall be required for a renewal.

The fee for the first license of refrigeration contractor shall be fifty dollars; for an biennial renewal thereof ten dollars; and for examination thereof twenty-five dollars. The fee for the first license of a refrigeration technician shall be twenty-five dollars; for any biennial renewal thereof ten dollars; and for the examination thereof twenty-five dollars. No examination shall be required for a renewal.

Section 86. A license for a refrigeration technician, refrigeration contractor or a refrigeration trainee shall be classified and limited as to the definite size of the refrigerating system with which the applicant is familiar in installing or servicing, and the applicant shall be licensed for that particular size of system; provided, however, that any person may make application for and, if found to be qualified, receive a license to engage in the installation and servicing of all sizes of refrigerating systems.

Section 87. The provisions of sections eighty-one to eighty-six, inclusive, relative to the examining and licensing of pipefitters shall not apply to pipefitting performed by a person regularly in the employ of an industrial plant, firm corporation, college, gas company, electric company engaged in the generation, sale, transmission or distribution of electricity, or a utility steam distribution system as may be required on the premises and property of such industrial plant, firm corporation, hospital, school, college, gas company, electric company or utility steam distribution system, nor shall such provisions apply to such pipefitting performed by an engineer or fireman, licensed under section forty-six, in a place where he is regularly employed.

Section 88. The provisions of sections eighty-one to eighty-six, inclusive, relative to the examining and licensing of refrigeration technicians, contractors or trainees shall not apply to the installation, replacement, maintenance or alteration of any air conditioning or refrigeration systems, including apparatus or equipment, covered under the provisions of this act as are found on the premises or property of such industrial plant, public or private utility company, firm, corporation, hospital, school or college, by a person regularly in the employ of such industrial plant,

public or private utility company, firm, corporation, hospital, school or college.

SECTION 3. Any person employed as a refrigeration contractor, technician or trainee on the effective date of this act shall be granted a license subject to the provisions of section eighty-six of chapter one hundred and forty-six of the General Laws, inserted by section two of this act, without an examination upon filing of an application on a form pursuant to section eighty-five of said chapter one hundred and forty-six, provided that if applying for a technician's license the applicant shall have worked as a technician for a minimum of three years prior to the date of this act and if applying for a contractor's license, the applicant shall have worked as a contractor for at least four years prior to the effective date of this act.

SECTION 4. Any person employed as a pipefitter on the effective date of this act shall be granted a license as a master pipefitter or journeyman pipefitter, as the case may be, without being required to take an examination, upon his filing an application on a form prescribed by the department of public safety, and the payment of the fee prescribed under section eighty-four of chapter one hundred and forty-six of the General Laws; provided, that, if applying for a journeyman pipefitter's license, he shall have been working as a journeyman pipefitter for three years prior to the date of his application and if applying for a master pipefitter's license, he shall have been engaged in the business of pipefitting for four years prior to the date of his application. The provisions of this section shall expire on April first, nineteen hundred and seventy-eight.

Approved January 13, 1978.

EMERGENCY LETTER — January 30, 1978 @ 10:12 A. M.

Chap. 991. AN ACT MAKING MEETINGS OF THE BOARD OF TRUSTEES AT THE UNIVERSITY OF MASSACHUSETTS SUBJECT TO THE PROVISIONS OF THE OPEN MEETING LAW.

Be it enacted, etc., as follows:

Chapter 75 of the General Laws is hereby amended by striking out section 3, as appearing in section 1 of chapter 648 of the acts of 1962, and inserting in place thereof the following section:-

Section 3. Notwithstanding any other provision of law to the contrary, except as herein provided, the trustees may adopt, amend or repeal such rules and regulations for the government of

the university, for the management, control and administration of its affairs, for its faculty, students and employees, and for the regulation of their own body, as they may deem necessary, provided that such rules and regulations shall be subject to the provisions of sections eleven A and eleven A $\frac{1}{2}$ of chapter thirty A.

The trustees shall publish such rules and regulations and shall file copies thereof with the clerk of the senate who shall forward said copies to the governor, the commissioner of administration and finance, and the joint committee on ways and means.

The trustees may impose reasonable penalties for the violation of the rules and regulations provided for in this section.

Said chapter 75 is hereby further amended by striking out section 4, as so appearing, and inserting in place thereof the following section:-

Section 4. The trustees shall determine the time and place of their meeting. Nine members shall constitute a quorum. Meetings of the board of trustees shall be subject to the provisions of said sections eleven A and eleven A $\frac{1}{2}$ of said chapter thirty A; provided, that in addition to the purposes enumerated in said section eleven A $\frac{1}{2}$, the trustees may hold an executive session for the following purposes:-

- (1) to consider the award of honorary degrees;
- (2) to consider the award of tenure to a member of the faculty.

Approved January 13, 1978.

Chap. 992. AN ACT RELATIVE TO THE DETERMINATION OF THE ELIGIBILITY OF CHARITABLE ORGANIZATIONS FOR PROPERTY TAX EXEMPTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 58 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 32 of chapter 684 of the acts of 1975, and inserting in place thereof the following paragraph:-

The commissioner shall annually, on or about January first, furnish to each board of assessors all the information relative to the assessment; valuation and ownership of property taxable in their town that has come into possession of his department, particularly under chapters sixty-five, sixty-five A and sixty-five C. He shall annually prepare a manual outlining, in detail, procedures whereby said assessors may secure uniform assessment of real property and personal property and just taxation of such

property. Said manual shall include regulations promulgated in accordance with the provisions of chapter thirty A as to the information necessary and criteria to be used to determine the eligibility of literary, educational, temperance, benevolent, charitable or scientific organizations for the exemptions of their property or portions thereof under section five of chapter fifty-nine. Said regulations shall ensure that no athletic property of such organizations shall be exempt for any part of a taxable year in which such property is used for purposes other than the literary, educational, temperance, benevolent, charitable, or scientific purposes in direct competition with a person engaged in the same activity and subject to the tax imposed by chapter fifty-nine on properties so used. In the case of the exemption of property from tax for a part of the year, the tax imposed shall bear the same proportion to the tax which would be applicable to such property if it were subject to tax for the entire year as the time such property is employed in such use bears to the total time during which such property is available for use during the year.

Such necessary information and criteria to be set forth in said regulations shall include, but shall not be limited to, information and criteria bearing on whether the organization is the direct user of the athletic property or each subpart thereof and if not (a) whether the direct user is conducting thereon a literary, educational, temperance, benevolent, charitable, or scientific activity and (b) the nature of any agreements or leases between the organization and such direct user; the manner in which such organization or such literary, educational, temperance, benevolent, charitable, or scientific direct user manages and conducts its activity on such property or each subpart thereof and the degree to which the administration and promotion of such activity is integrated into such organization's direct user's primary program for administration and promotion; and as to each activity conducted on such property or subpart thereof whether the activity is similar to an activity conducted for profit in the same general area, whether such activity is open to the public and if so whether such activity serves basic public needs, whether there are membership requirements for participation in such activity, whether fees charged the public or others for participation in such activity cover operating expenses and overhead, and whether the persons participating in such activity receive instruction or merely use and enjoy the facilities situated on the property. He shall furnish said assessors one copy thereof and any addendum thereto for a fee established by him. Addi-

tional copies and addenda may be furnished at such charge as may be determined by the state purchasing agent.

SECTION 2. Clause Third of section 5 of chapter 59 of the General Laws is hereby amended by striking out subsection (b) as amended by section 1 of chapter 219 of the acts of 1970, and inserting in place thereof the following subsection:-

(b) A corporation coming within the foregoing description of a charitable organization or trust established by a declaration of trust executed in the commonwealth and coming within said description of a charitable organization shall not be exempt for any year in which it omits to bring in to the assessors the list, statements and affidavit required by section twenty-nine and a true copy of the report for such year required by section eight F of chapter twelve to be filed with the division of public charities in the department of the attorney general, nor shall it be exempt for that athletic property or portion thereof for the part of the year which the assessors have determined to be utilized for other than literary, educational, benevolent, temperance, charitable, or scientific purposes in direct competition with a person engaged in the same activity and subject to the tax imposed by this chapter on properties so used. In the case of the exemption of property from tax for a part of the year, the tax imposed shall bear the same proportion to the tax which would be applicable to such property if it were subject to tax for the entire year as the time such property is employed in such use bears to the total time during which such property is available for use during the year.

SECTION 3. Said chapter 59 is hereby further amended by inserting after section 5A the following section:-

Section 5B. Any person of a city or town aggrieved by a determination of the board of assessors as to the eligibility or noneligibility of a corporation or trust for the exemption granted pursuant to the clause Third of section five may appeal therefrom by filing a petition with the clerk of the appellate tax board in accordance with the provisions of section seven of chapter fifty-eight A within three months of Said determination. As used in this section the term "person" shall mean the corporation or trust applying for the exemption or an individual, corporation, or trust engaged in a business activity in direct competition with an activity conducted by the charitable corporation or trust.

SECTION 4. Section 29 of said chapter 59 is hereby amended by striking out the third sentence, as appearing in section 34 of chapter 254 of the acts of 1933, and inserting in place thereof the following sentence:- It shall also require all persons, except cor-

porations making returns to the commissioner of insurance as required by section thirty-eight of chapter one hundred and seventy-six, to bring in to the assessors before a date therein specified, which shall not be later than March first following, unless the assessors for cause shown extend the time to April first, true lists, similarly itemized, of all real and personal estate held by them respectively for literary, educational, temperance, benevolent, charitable or scientific purposes on January first preceding, or at the election of any such corporation on the last day of its fiscal year preceding said January first, together with such information as may be required to comply with regulations promulgated by the commission pursuant to section three of chapter fifty-eight and the amount of receipts and expenditures for said purposes during the year together with copies of federal tax returns containing unrelated business income taxable under section five hundred and eleven of the Internal Revenue Code.

SECTION 5. This act shall apply to exemptions granted for the fiscal years commencing July first, nineteen hundred and seventy-eight and thereafter.

Approved January 13, 1978.

Chap. 993. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO SELL A CERTAIN PARCEL OF LAND ADJACENT TO ROUTE 9 IN THE TOWN OF SOUTHBOROUGH TO FRANK J. ROSSI, SR.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to sell and convey in the name and on behalf of the commonwealth to Frank J. Rossi of the town of Southborough, for commercial use by a quitclaim deed approved as to form by the attorney general, and the price to be negotiated between the parties, a certain parcel of land under the control of said commission located in the town of Southborough, on the south side of route 9, Turnpike road, bounded and described as follows:-

Beginning at the intersection of the boundary line between land now or formerly of Frank J. Rossi and land of the Commonwealth of Massachusetts with the southerly sideline of Turnpike Road (Rt. 9) which point is S 84° - 18' - 0" W, measuring along said sideline 537.07 feet from a Massachusetts Highway Bound as shown on the plan hereinafter mentioned. Thence the line runs N 84° - 18' - 00" E, 232.99 feet to a point.

Thence the line runs N 47° - 07' - 50" W, 259.90 feet along said sideline of land now or formerly of Rossi to the point of beginning; said parcel containing twenty two thousand seven hundred (22,700) square feet more or less and being shown on plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Water Division land in Southborough to be conveyed to Frank J. Rossi, Sr."

The department of public works shall have the right to pass and repass over any portion of the said parcel reasonably necessary to maintain, repair, and/or replace a twenty-four (24") inch culvert located at station 123-10 on said Route 9 in the town of Southborough.

Approved January 13, 1978.

Chap. 994. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO LEASE CERTAIN LAND ALONG THE CHARLES RIVER IN THE TOWN OF NEEDHAM TO DAMON CORPORATION FOR PARKING PURPOSES.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to lease a certain parcel of park land located in the town of Needham, for private purposes, to Damon Corporation, a corporation incorporated under the laws of the state of Delaware, upon such terms and conditions as may be agreed upon by said commission and said Corporation, said land being bounded and described as follows:-

Beginning at a point in the westerly side line of Fourth Avenue at land of the Commonwealth of Massachusetts, as shown on the aforesaid plan;

Thence the line runs northwesterly by said land of the Commonwealth of Massachusetts and land now or formerly of International Equipment Company, six hundred eighty-five (685) feet more or less to a point at land of the Commonwealth of Massachusetts;

Thence southeasterly sixty (60) feet more or less to a point;

Thence southeasterly five hundred thirty (530) feet more or less to a point;

Thence southeasterly, easterly and northeasterly by a line curving to the left with a radius of ten (10) feet, twenty-five (25) feet more or less to Park Drive; the last three (3) courses and distances being by said land of the Commonwealth of Massachusetts;

Thence southwesterly by said Park Drive and Fourth Avenue, one hundred twenty (120) feet more or less to the point of beginning, containing thirty thousand (30,000) square feet more or less.

Approved January 13, 1978.

Chap. 995. AN ACT RELATIVE TO ASSISTANT DISTRICT ATTORNEYS IN THE NORTHERN DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 12 of the General Laws is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 1117 of the acts of 1971, and inserting in place thereof the following paragraph:-

For the northern district, twenty-two assistant district attorneys.

SECTION 2. Said chapter 12 is hereby further amended by striking out section 16, as most recently amended by section 2 of chapter 542 of the acts of 1976, and inserting in place thereof the following section:-

Section 16. Assistant district attorneys shall devote their time during ordinary business hours to their duties, shall neither directly nor indirectly engage in the practice of law and shall receive from the commonwealth salaries as follows: for Suffolk district, two assistants, a sum equivalent to ninety per cent of the salary of the district attorney; eight assistants, a sum equivalent to eighty per cent of the salary of the district attorney; seven assistants, a sum equivalent to seventy per cent of the salary of the district attorney; ten assistants, a sum equivalent to sixty per cent of the salary of the district attorney, six assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistants, a sum equivalent to forty per cent of the salary of the district attorney; for the northern district, two assistants, a sum equivalent to ninety per cent of the salary of the district attorney; five assistants, a sum equivalent to eighty per cent of the salary of the district attorney, six assistants, a sum equivalent to seventy per cent of the salary of the district attorney; five assistants, a sum equivalent to sixty per cent of the salary of the district attorney; four assistants, a sum equivalent to fifty per cent of the salary of the district attorney, all other assistant district attorneys not otherwise covered by another section of this chapter, a sum equal to forty per cent of the salary of the district attorney; for the middle district, one assistant, a sum

equivalent to ninety per cent of the salary of the district attorney; two assistants, a sum equivalent to eighty per cent of the salary of the district attorney; four assistants, a sum equivalent to seventy per cent of the salary of the district attorney; four assistants, a sum equivalent to sixty per cent of the salary of the district attorney; three assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other district attorneys a sum equivalent to forty per cent of the salary of the district attorney; for the eastern district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to eighty per cent of the salary of the district attorney; two assistants, a sum equivalent to seventy per cent of the salary of the district attorney; three assistants, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys a sum equivalent to forty per cent of the salary of the district attorney; for the Norfolk district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; two assistants, a sum equivalent to eighty per cent of the salary of the district attorney; two assistants, a sum equivalent to seventy per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the western district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to eighty per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; three assistants, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Bristol district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; two assistants, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Cape and Islands district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; one assistant, a sum equivalent to sixty per cent of the salary of the district attorney;

one assistant, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; for the Plymouth district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; two assistants, a sum equivalent to eighty per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; two assistants, a sum equivalent to sixty per cent of the salary of the district attorney; one assistant, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney; and for the northwestern district, one assistant, a sum equivalent to ninety per cent of the salary of the district attorney; one assistant, a sum equivalent to seventy per cent of the salary of the district attorney; one assistant, a sum equivalent to sixty per cent of the salary of the district attorney; two assistants, a sum equivalent to fifty per cent of the salary of the district attorney; all other assistant district attorneys, a sum equivalent to forty per cent of the salary of the district attorney.

SECTION 3. Section 14 of chapter 12 of the General Laws, as appearing in section 1 of chapter 659 of the acts of 1977, is hereby amended by striking out the line reading "For the northern district, fifteen assistant district attorneys." and inserting in place thereof the line:- For the northern district, twenty-two assistant district attorneys.

Approved January 13, 1978.

EMERGENCY LETTER — January 30, 1978 @ 10:12 A. M.

Chap. 996. AN ACT PROVIDING FOR ELDERLY AND HANDICAPPED HOUSING.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 4 of the acts of 1976 is hereby amended by striking out, in line 2, the word "six" and inserting in place thereof the word:- seven.

SECTION 2. Section 10 of said chapter 4 is hereby amended by striking out, in line 9, the word "six" and inserting in place thereof the word:- seven.

SECTION 3. Chapter 694 of the acts of 1970 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 477 of the acts of 1976, and inserting in place thereof the following section:-

Section 1. The department of community affairs is hereby authorized to expend a sum not exceeding seventy-seven million five hundred thousand 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 five 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 twelve million dollars; and provided further, that under the authorization provided for in this section the department shall give priority to bringing existing state-aided projects into compliance with the state sanitary code; and provided further, that at least two and one half million five hundred thousand dollars of the authorization be used to eliminate architectural barriers and to provide for structural changes that will accommodate handicapped residents of existing state-aided projects.

SECTION 4. The first paragraph of section 39 of chapter 121B of the General Laws, as amended by section 6 of chapter 689 of the acts of 1974, is hereby further amended by adding the following three sentences:- The power to provide such housing shall include the provision of facilities for congregate living, either in separate projects or as a definite portion of any other projects so undertaken. A housing authority with the approval of the department may in addition to, and to the extent not inconsistent with this section or section forty-one provide that on project sites which include convenience stores or ancillary commercial facilities housing projects may be planned and designed so as to permit the continued operation of such stores or facilities. Such stores or facilities may be rented or leased by such housing authorities.

SECTION 5. Clause (f) of section 40 of said chapter 121B is hereby amended by striking out the second sentence, added by section 5 of chapter 812 of the acts of 1970, and inserting in place thereof the following sentence:- Such rules and regulations shall provide that handicapped persons and their families, who are eligible under the provisions of paragraph (a), shall receive priority in placement in not less than five per cent of all dwelling units provided under any authorization for housing of elderly

persons of low income approved after January first, nineteen hundred and seventy-seven.

SECTION 6. Said chapter 121B is hereby further amended by striking out section 41, as most recently amended by section 6 of chapter 4 of the acts of 1976, and inserting in place thereof the following section:-

Section 41. The commonwealth, acting by and through the department, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a grant by the commonwealth for the development cost of a housing project or projects or a part or parts of a housing project or projects for elderly persons of low income. The total amount of grants so contracted for shall not exceed six hundred and thirty-four million dollars, provided that the amount expended pursuant to this section during any one fiscal year shall not exceed thirty-three million three hundred thousand dollars. The contract or contracts for financial assistance may provide for additional state financial assistance in the form of a guarantee by the commonwealth of notes of the housing authority issued to temporarily finance the development cost of such a project but the amount guaranteed on account of any project shall not exceed the amount of grant for that project. The total amount of all notes guaranteed pursuant to this section shall not exceed six hundred and thirty-four million dollars, exclusive of notes which may be issued for refunding purposes. Any excess between the completed cost of a project as determined by the department and the notes outstanding therefore may be retired from the proceeds of such notes and if so retired, shall not be used in computing the total amount of notes guaranteed by the commonwealth under this section. The provisions of sections thirty-four, thirty-four B and thirty-five shall, so far as apt, be applicable to contracts, grants, guarantees and notes authorized by this section.

SECTION 7. Said chapter 121B is hereby further amended by inserting after section 43 the following section:-

Section 43A. If a person resides in a private dwelling unit leased by a local housing authority under any federal or state rent subsidy program and if that unit does not meet reasonable standards of human habitation, provided that the tenant shall not have caused such conditions, and the authority has terminated the lease as to said substandard unit then the resident may vacate the substandard unit and may relocate in another unit. The housing authority shall assist the resident in locating another unit. The rental subsidy shall be withdrawn from the vacated substandard unit and shall be transferred to the unit in which the

resident may relocate. If the alternate dwelling unit is standard or if the owner of said unit agrees to make the unit standard and if the rental thereof is reasonable and acceptable to the housing authority in accordance with section forty-three, and if the owner of said unit is willing to enter into a leasing agreement with said authority, said authority shall expeditiously execute a lease for occupancy of said unit by said resident under the guidelines of the rent subsidy program affected.

Whenever a local housing authority determines that a unit leased by it under a federal or state rent subsidy program is going to be withdrawn from such program by termination or expiration of the rental agreement with the owner of said unit, the occupant of said unit may relocate to another unit. Such unit shall be leased by the Authority, provided that it meets all the requirements of the subsidy program under which the original unit was leased.

Approved January 13, 1978.

Chap. 997. AN ACT RELATIVE TO THE COMMISSION FOR THE BLIND AND THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 872 of the acts of 1977 is hereby amended by striking out sections 17 and 18 and inserting in place thereof the following section:-

Section 17. Said second sentence of said second paragraph of said section 129 of said chapter 6 is hereby further amended by striking out the words "twenty-one thousand two hundred and fifty-six", inserted by section 16, and inserting in place thereof the words:- twenty-seven thousand five hundred.

SECTION 2. Said chapter 872 is hereby further amended by striking out sections 98 and 99 and inserting in place thereof the following section:-

Section 98. Said chapter 23 is hereby further amended by striking out section 15, as most recently amended by section 97, and inserting in place thereof the following section:-

Section 15. The industrial accident board shall consist of twelve members. Not more than six members of the board shall be members of the same political party. The governor shall designate one of the members as chairman of the board and he shall serve as chairman during the term of said governor unless his term as a member expires sooner. Upon the expiration of the term of office of a member, his successor shall be appointed for a

term of twelve years by the governor with the advice and consent of the council. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the unexpired portion of such term.

The chairman shall receive a salary of thirty-one thousand seven hundred and thirty-eight dollars, and each of the other members shall receive a salary of thirty thousand one hundred and sixty-eight dollars. The chairman and members shall devote their full time during ordinary business hours to their respective duties assigned to them and shall not engage in outside employment or business activities during said hours.

SECTION 3. Section 204 of said chapter 872 is hereby amended by inserting after the first paragraph the following paragraph:-

Sections seventeen and ninety-eight of this act shall take effect as of July first, nineteen hundred and seventy-eight.

SECTION 4. The second paragraph of said section 204 of said chapter 872 is hereby amended by striking out the words "seventeen," and "ninety-eight,".

SECTION 5. The third paragraph of said section 204 of said chapter 872 is hereby amended by striking out the words "eighteen," and "ninety-nine," the first time it appears.

Approved January 13, 1978.

Chap. 998. AN ACT PROVIDING THAT THE POSITIONS OF AREA DIRECTOR AND ASSOCIATE AREA DIRECTOR IN THE DEPARTMENT OF MENTAL HEALTH SHALL NOT BE SUBJECT TO CIVIL SERVICE.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 2 of chapter 19 of the General Laws is hereby amended by inserting after the word "responsibility", in line 8, as appearing in section 1 of chapter 735 of the acts of 1966, the words:- to community mental health and retardation area directors and associate area directors, appointed under the provisions of section eighteen,.

SECTION 2. Said section 2 of said chapter 19 is hereby further amended by striking out the fourth paragraph.

SECTION 3. The third paragraph of section 18 of said chapter 19, as most recently amended by section 26A of chapter 835 of the acts of 1974, is hereby further amended by striking out the fifth, sixth and seventh sentences and inserting in place thereof the following sentence:- An area director who serves concurrently as head of a designated comprehensive center or as head of any

other facility of the department shall not thereby become subject to the provisions of section fourteen C regarding removal from office.

SECTION 4. Clause (c) of section 23 of said chapter 19, as appearing in chapter 735 of the acts of 1966, is hereby amended by striking out, in lines 8 to 10, inclusive, the words “; and provided, further, that all such appointments shall be made subject to the provisions of chapter thirty-one”.

Approved January 13, 1978.

Chap. 999. AN ACT GRANTING AN EASEMENT TO THE WAREHAM HISTORICAL SOCIETY, INC.

Be it enacted, etc., as follows:

The town of Wareham is hereby authorized to grant to the Wareham Historical Society, Inc., a corporation organized and existing under the laws of the commonwealth, an easement for the installation, maintenance, replacement and use of an underground electric line in Mary Wing park, so called, on state highway route 28, for the purpose of providing electricity to the Reverend Roland Thatcher house so called, located on the premises of said Wareham Historical Society, Inc.

Such easement deed to be in such form and on such terms as the selectmen of said town may approve and deem proper.

Approved January 13, 1978.

Chap. 1000. AN ACT RELATIVE TO LICENSING FEE FOR EXAMINATION AND RE-EXAMINATION OF INSURANCE AGENTS AND BROKERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by striking out section 14, as most recently amended by section 79 of chapter 684 of the acts of 1975, and inserting in place thereof the following section:-

Section 14. He shall collect from the applicant and pay to the commonwealth charges and fees as follows:-

For each examination prior to granting a license or a certificate of authority to issue policies of insurance or annuity or pure endowment contracts as provided in sections four and thirty-two, one hundred dollars;

For the valuation of life policies of a domestic company as provided in section nine, four mills for each thousand dollars of insurance;

For each certificate issued under section sixteen, five dollars; provided, that such certificates shall be issued without charge for the use of the commonwealth;

For each certificate under section thirty-two, five dollars;

For the valuation of each outstanding group annuity contract issued by a domestic company including all annuity benefits evidenced by certificates issued thereunder, four cents, and a like sum for the valuation of each annuity contract other than a group annuity contract;

For each special license under clause (g) of section fifty-one or of section fifty-four, twenty-five dollars;

For each certificate issued by the commissioner under section seventy or section seventy-one, five dollars;

For filing copy of charter or deed of settlement of each foreign company under section one hundred and fifty-one, one hundred dollars;

For filing copy of charter, amendment, or amended charter or deed of settlement of each foreign company, twenty-five dollars;

For filing financial statement with the application for admission of a foreign company under section one hundred and fifty-one, and for the filing of each annual statement of a foreign company under section twenty-five, and for the auditing of each financial statement of an unadmitted foreign company filed for the purpose of qualifying as a reinsurer under clause (b) of section twenty, one hundred dollars;

For each service of legal process upon him as attorney for a foreign company under section one hundred and fifty-one and section one hundred and fifty-four, five dollars; provided, that such fee shall not be required for the service of process in any criminal proceeding;

For each license or renewal thereof to an insurance agent of any company under section one hundred and sixty-three, fifty dollars payable at the rate of ten dollars annually on or before July first during the licensed period;

For each license or renewal thereof to an insurance broker under section one hundred and sixty-six, fifty dollars;

For each license or renewal thereof to a special insurance broker under section one hundred and sixty-eight, one hundred dollars;

For each license or renewal thereof to an adjuster of fire losses under section one hundred and seventy-two, one hundred dollars;

For each license or renewal thereof to an insurance adviser under section one hundred and seventy-seven B, one hundred dollars;

For each license or renewal thereof to a voluntary association under section one hundred and seventy-two A, to a partnership under section one hundred and seventy-three or to a corporation under section one hundred and seventy-four, the fees hereinbefore prescribed for like licenses issued to individuals under section one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-eight or one hundred and seventy-two, for each trustee, partner or officer to be covered by the license;

For each certificate of the valuation of life policies or annuity contracts, or both, of any life company issued under section nine for each certificate of the examination, condition or qualification of a company, five dollars;

For each copy of any paper on file in the office of the commissioner, twenty cents a page and for copies of tabulations, forty cents a page and five dollars for certifying the same; and

For each policy form submitted for approval, including endorsements, applications and riders filed therewith, ten dollars;

For each certificate endorsement, application or rider filed for approval separate from a policy form, ten dollars;

For each license issued or renewed in accordance with the provisions of the fifth clause of section one hundred and fifty-one, one hundred dollars; and

All other fees and charges due the commonwealth for any official act of service of the commissioner.

SECTION 2. The first paragraph of section 163 of chapter 175 of the General Laws, as amended by section 3 of chapter 968 of the acts of 1971, is hereby further amended by striking out the sixth and seventh sentences and inserting in place thereof the following two sentences:- A license issued hereunder shall expire three years from its date of issue or after such period in excess of three years as the commissioner shall deem appropriate, unless sooner revoked or suspended as aforesaid, or unless the company by a written notice filed with the commissioner cancels the authority of the agent to act for it. Such license may in the discretion of the commissioner and upon payment by the company of said fee, be renewed for any succeeding period by a renewal certificate

without requiring anew the detailed information hereinbefore specified.

SECTION 3. Section 163A of said chapter 175 is hereby amended by striking out the third paragraph, as appearing in section 4 of said chapter 968, and inserting in place thereof the following paragraph:-

The commissioner shall require satisfactory evidence that the course of study actually taken or duties actually performed by the appointee were in substantial compliance with the requirements established by him, which evidence shall be attached to the written notice of appointment required under section one hundred and sixty-three; and every appointee so qualified shall appear at a time and place designated by the commissioner and take a written examination prepared and administered by the commissioner or an independent testing service designated by the commissioner, under the direction of the commissioner, who shall fix a passing grade, which in his judgement indicates the appointee's ability to perform in a satisfactory manner his duties under the license for which he has been appointed. The commissioner shall determine or approve any charges to be paid by applicants for the services of any independent testing service designated by the commissioner.

SECTION 4. Section 166 of said chapter 175, as amended by section 5 of said chapter 968, is hereby further amended by striking out the fifth and sixth sentences and inserting in place thereof the following two sentences:- If the commissioner is satisfied that the applicant is trustworthy and competent and if a resident of the commonwealth meets the requirements of section one hundred and sixty-six A, or, if a resident in any other state granting brokers' licenses or like privileges to residents of the commonwealth, meets the requirements of such other state for a license therein and intends to hold himself out and carry on business in good faith as an insurance broker, he shall issue the license, which shall expire in three years from its date, unless sooner revoked or suspended as provided herein. The license may, in the discretion of the commissioner, be renewed, upon payment of the fee prescribed by section fourteen, for any succeeding three year period without requiring anew the detailed information hereinbefore specified.

SECTION 5. Section 166A of said chapter 175 is hereby amended by striking out the third paragraph, as appearing in section 6 of said chapter 968, and inserting in place thereof the following paragraph:-

The commissioner shall require satisfactory evidence that the course of study actually taken or duties actually performed by the appointee were in substantial compliance with the requirements approved, which evidence shall be attached to the application required under section one hundred and sixty-six; and every applicant so qualified shall appear at a time and place designated by the commissioner and take a written examination prepared and administered by the commissioner or an independent testing service designated by the commissioner, under the direction of the commissioner, who shall fix a passing grade, which in his judgement indicates the applicant's ability to perform in a satisfactory manner his duties under the license for which he has applied. The commissioner shall determine or approve any charges to be paid by applicants for the services of any independent testing service designated by the commissioner.

SECTION 6. Section 172 of said chapter 175 is hereby amended by striking out the third and fourth sentences, as appearing in chapter 703 of the acts of 1941, and inserting in place thereof the following two sentences:- If the commissioner is satisfied that the applicant is trustworthy and competent, he shall issue the license, which shall expire in three years from its date, unless sooner revoked or suspended as provided herein. The license may, in the discretion of the commissioner and upon the payment of the fee prescribed by section fourteen, be renewed for any succeeding three year period without requiring anew the detailed information specified by section one hundred and sixty-six. and by adding the following paragraph:-

The commissioner may require that any applicant for any license as an adjuster of fire losses take a written examination prepared and administered by the commissioner or an independent testing service designated by the commissioner under the direction of the commissioner who shall fix a passing grade which in his judgement indicates the appointee's ability to perform in a satisfactory manner his duties under the license for which he has been appointed. The commissioner shall determine or approve any charges to be paid by applicants for the services of any independent testing service designated by the commissioner.

SECTION 7. The first paragraph of section 177B of said chapter 175 is hereby amended by striking out the third and fourth sentences, as appearing in section 1 of chapter 395 of the acts of 1939, and inserting in place thereof the following two sentences:-If the commissioner is satisfied that the applicant is trustworthy and competent he shall issue the license, which shall expire in three years from the date, unless sooner revoked or suspended as provided herein. The license may, in the discretion

of the commissioner and upon the payment of the fee prescribed by section fourteen, be renewed for any succeeding three year period without requiring anew the detailed information specified by section one hundred and sixty-six. and by adding the following paragraph:-

The commissioner may require that any applicant for a license to act as an insurance advisor take a written examination prepared and administered by the commissioner or an independent testing service designated by the commissioner under the direction of the commissioner who shall fix a passing grade which in his judgement indicates the appointee's ability to perform in a satisfactory manner his duties under the license for which he has been appointed. The commissioner shall determine or approve any charges to be paid by applicants for the services of any independent testing service designated by the commissioner.

Approved January 13, 1978.

EMERGENCY LETTER — January 17, 1978 @ 12:53 P. M.

Chap. 1001. AN ACT AUTHORIZING THE TOWN OF ASHBURNHAM TO ACQUIRE BY PURCHASE OR OTHERWISE, LAND IN THE CITY OF GARDNER AND TO LAY SEWAGE MAINS OVER SAID LAND AND TO CONNECT THE SAME WITH THE SEWAGE DISPOSAL SYSTEM OF THE CITY OF GARDNER.

Be it enacted, etc., as follows:

For the purpose of tying into the sanitary sewer system of the city of Gardner, the town of Ashburnham is hereby authorized to construct, lay and maintain an interceptor sanitary sewer line and necessary appurtenances thereto, and in furtherance thereof said town is hereby authorized to acquire by eminent domain, or otherwise, such easements or land as may be necessary for such purpose, pursuant to an intermunicipal agreement entered into between the said municipalities.

Approved January 13, 1978.

Chap. 1002. AN ACT PROVIDING PAYMENT OF CERTAIN COMPENSATION TO EMPLOYEES OF JAILS OR HOUSES OF CORRECTION OF A COUNTY FOR INJURIES RESULTING FROM ACTS OF VIOLENCE OF PATIENTS OR PRISONERS.

Be it enacted, etc., as follows:

Chapter 126 of the General Laws is hereby amended by striking out section 18A, inserted by chapter 355 of the acts of 1953, and inserting in place thereof the following section:-

Section 18A. An employee in a jail or house of correction of a county who, while in the performance of duty, receives bodily injuries resulting from acts of violence of patients or prisoners in his custody, and who as result of such injury is entitled to benefits under chapter one hundred and fifty-two, shall be paid, in addition to the benefits of said chapter one hundred and fifty-two, the difference between the weekly cash benefits to which he is entitled under said chapter one hundred and fifty-two and his regular salary, without such absence being charged against available sick leave credits, even if such absence may be for less than eight calendar days duration.

Approved January 13, 1978.

RESOLVES.

Chap. 1. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASSACHUSETTS PORT AUTHORITY RELATIVE TO AIDING THE STABILITY AND EXPANSION OF THE MASSACHUSETTS SEAFOOD INDUSTRY.

Resolved, That the Massachusetts Port Authority is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1796, providing for aid to the stability and expansion of the Massachusetts seafood industry. Said Authority shall, in the course of its investigation and study, consult with the secretary of environmental affairs, the secretary of commerce and development, the secretary of transportation and such other secretariats as may be necessary.

Said Authority shall consider but not be limited to the following: the effects the proposed two hundred mile fishing limitation will have on the fisheries usually fished by Massachusetts fishermen, particularly those servicing the Boston Fish Pier, the effect of the demand for new boats and the number to be expected over the next five years, and the training of a sufficient number of persons to work as fishermen, deck hands, and various other occupations. Said Authority shall also consider an examination of various species and where they are landed to determine the effects that such species would have if landed at the Boston Fish Pier or various other Massachusetts ports. Said Authority shall also consider the demand for processing facilities both new and rehabilitated, to accommodate the increased fresh fish to be landed at the Boston Fish Pier as well as available trained personnel to process it, unload it and prepare it for shipment. Said Authority shall also consider the economic impact that the two hundred mile limit may have on the increased distribution of fresh fish out of the various Massachusetts ports as well as the distribution techniques presently employed and what form such techniques may take in the future. Said Authority shall also consider the possible effect and impact of any oil spills or related damages within the two hundred mile limit upon the fishery facilities located at the various ports of the commonwealth. Said Authority shall also consider chapter eleven hundred and four of the acts of nineteen hundred and seventy-one, relative to extending the lateral boundaries of the commonwealth drawn seaward to a distance of two hundred miles. Said Authority shall also consider any issues it deems necessary in order to properly evaluate the impact of the new federal two hundred mile fishing limit. Said

Authority 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 from time to time, but shall file an annual report no later than the last Wednesday of December, nineteen hundred and seventy-seven.

Approved February 22, 1977.

Chap. 2. RESOLVE DIRECTING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO POLICE PROTECTION IN THE AUTHORITY'S RAPID TRANSIT STATIONS.

Resolved, That the Massachusetts Bay Transportation Authority is hereby authorized and directed to make an investigation and study relative to the adequacy of the protection provided by the Authority's police force for the users of the Authority's rapid transit stations.

Said Authority shall, in the course of its investigation and study, examine the incidence of crimes occurring in each of the Authority's rapid transit stations, the number of police officers assigned to each station, the facility protection and roving patrols, the system by which the Authority's police officers are assigned to stations, the facilities and local service routes, the availability of other personnel with railway police powers in the Authority's stations, the availability of federal funds for police purposes, the cost of present police protection, the cost of providing increased police protection for each of the Authority's rapid transit stations, and such other matters as the Authority deems necessary.

Said Authority 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 May first, nineteen hundred and seventy-seven.

Approved February 22, 1977.

Chap. 3. RESOLVE, IN FAVOR OF ELEANOR M. KUSS, WIDOW OF MATTHEW J. KUSS.

Resolved, That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to Eleanor M. Kuss, the widow of the late Matthew J. Kuss, who died while a member of the house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

Approved February 25, 1977.

Chap. 4. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING ADVISORY JURIES IN JUVENILE COURTS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2402, relative to establishing advisory juries in juvenile courts, 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 2, 1977.

Chap. 5. RESOLVE DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE CONSTRUCTION OF A BYPASS ON UNITED STATES HIGHWAY ROUTE 20 IN THE TOWN OF LEE.

Resolved, That the department of public works is hereby authorized and directed to make a site location and environmental study relative to the construction of a bypass on United States highway route 20 in the town of Lee. Said department shall consider the feasibility of construction, reconstruction, alteration and the relocation of said route 20 in said town. 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-seven.

Approved May 13, 1977.

Chap. 6. RESOLVE IN FAVOR OF THE GREATER BOSTON YOUNG MEN'S CHRISTIAN ASSOCIATION.

Resolved, For the purpose of discharging a moral obligation of the commonwealth there be allowed and paid out of the state treasury, subject to appropriation, the sum of eighteen thousand nine hundred and ninety-nine dollars to the Greater Boston Young Men's Christian Association, a nonprofit, charitable corporation chartered under chapter one hundred and eighty of the General Laws for the cost of repairs of property damage arising out of use of the facilities of said association by the division of youth services.

Approved May 13, 1977.

Chap. 7. RESOLVE REVIVING AND CONTINUING CERTAIN SPECIAL COMMISSIONS.

Resolved, That the special commissions established by chapter eighty-eight of the resolves of nineteen hundred and sixty-five, chapter seventy-seven of the resolves of nineteen hundred and sixty-nine, chapter nineteen of the resolves of nineteen hundred and seventy, chapters forty-four and seventy-eight of the resolves of nineteen hundred and seventy-one, chapters six and forty of the resolves of nineteen hundred and seventy-two, chapters sixty-three, one hundred and thirty-six and one hundred and fifty-seven of the resolves of nineteen hundred and seventy-three, chapters six, fifty-two and eighty-eight of the resolves of nineteen hundred and seventy-four, and chapters fifty-four, fifty-eight, sixty and sixty-five of the resolves of nineteen hundred and seventy-five are hereby revived and continued.

Approved May 16, 1977.

Chap. 8. RESOLVE REVIVING AND CONTINUING 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 under the provisions of

chapter one of the resolves of nineteen hundred and seventy-six is hereby revived and continued.

Approved May 26, 1977.

Chap. 9. RESOLVE AUTHORIZING THE CONTINUANCE OF THE STUDY BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY RELATIVE TO POLICE PROTECTION IN THE AUTHORITY'S RAPID TRANSIT STATIONS.

Resolved, That the Massachusetts Bay Transportation Authority, authorized and directed under chapter two of the resolves of nineteen hundred and seventy-seven to make an investigation and study relative to the police protection in the Authority's rapid transit stations, shall continue its investigation and study until the first Wednesday in September of the current year, at or before which time said Authority shall report to the general court, by filing a report with the clerk of the house of representatives, the result of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect.

Approved July 6, 1977.

Chap. 10. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR STANDARD CLAUSES FOR WILLS AND TRUSTS AND OTHER MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 1648, to provide for optional short form standard clauses for wills and trusts and for statutory custodianship trusts; 2006, to discourage cruelty to animals in the production of commercial visual entertainment materials; 2018, providing for standards in contested child placements; and 3752, establishing a uniform eminent domain code, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved July 18, 1977.

Chap. 11. RESOLVE AUTHORIZING AND DIRECTING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO MAKE A STUDY AND INVESTIGATION OF THE LAWS RELATIVE TO FLOOD PLAINS.

Resolved, That the department of environmental management is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 355, relative to local approval of flood plain areas. The commissioner of said department may appoint a review board or task force to assist the department with its investigation and study. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December, nineteen hundred and seventy-seven.

Approved August 22, 1977.

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE REORGANIZATION OF PUBLIC HIGHER EDUCATION IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of five members of the senate, ten members of the house of representatives, the chancellor of the board of higher education, and nine persons to be appointed by the governor is hereby established for the purpose of making an investigation and study of the laws and provisions of the constitution of the commonwealth pertaining to public higher education, and of the institutions of public higher education of the commonwealth and their organization, with a view to reorganizing and improving the structure of public higher education in the commonwealth while maintaining and improving the educational goals of those institutions. Said investigation and study shall include the subject matter of current house documents numbered 619, relative to reorganizing the board of higher education; 1379, providing for an investigation and study by an unpaid special commission relative to reorganizing and improving public higher educational facilities in the commonwealth; 2342, providing for a study of the public higher education system; 5756, relative to improving statewide oversight, coordination and planning for higher education; 5775,

regulating the membership of the board of trustees of state colleges.

Said commission may involve in advisory roles such persons, organizations, or public and private institutions as it may determine as appropriate and may travel within and without the commonwealth. Said commission may call upon officials of the commonwealth or its various subdivisions and may also call upon officials of the federal government and its various agencies and departments for such information as it may desire in the course of its investigation and study. Said commission shall file its initial report to the general court containing the results of its investigation and study, and its recommendations, if any, together with drafts of legislation and proposals for amendments to the constitution of the commonwealth necessary to carry its recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December, nineteen hundred and seventy-seven, and shall file its final report with such drafts on or before the last Wednesday of March, nineteen hundred and seventy-eight.

Approved September 1, 1977.

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO DETERMINING THE ADEQUACY OF THE WATER SUPPLY 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 proper and necessary functions of the commonwealth in the planning and implementation of a continuing water supply program to meet the current and future water-related needs of the commonwealth and to make such investigations, studies and recommendations relative to the most urgent statewide water supply priority issues with the intention of establishing a definitive water supply policy. Said commission is also directed to assess and to make recommendations relative to the identification of water supply needs throughout the commonwealth, and the means for meeting these identified needs. Said commission shall file its final report with the clerk of the house of representatives on or before the last Wednesday in December, nineteen hundred and seventy-eight.

Approved September 12, 1977.

- Chap. 14.** RESOLVE DIRECTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FEASIBILITY OF CONSTRUCTING OR RECONSTRUCTING AND MAINTAINING A GENERAL PURPOSE CARGO SHED, AND OTHER RELATED ACTIVITIES AT THE STATE PIER IN THE CITY OF NEW BEDFORD.

Resolved, That the department of environmental quality engineering, acting through its division of waterways, is hereby authorized and directed to make an investigation and study relative to the feasibility and advisability of constructing or reconstructing and maintaining a general purpose cargo shed and other related activities at the state pier in the city of New Bedford. Said department may enter into agreements with any agency of the commonwealth or political subdivisions thereof or, subject to appropriation, enter into agreements with private consultants for the purpose of carrying out the aforementioned investigation and study. Said department shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before June thirtieth, nineteen hundred and seventy-eight.

Approved September 14, 1977.

-
- Chap. 15.** RESOLVE REVIVING AND CONTINUING AND INCREASING THE SCOPE AND MEMBERSHIP 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 under the provisions of chapter one of the resolves of nineteen hundred and seventy-six shall, in the course of its investigation and study, consider the subject of marine tanker traffic to and from Massachusetts ports, and along the coast of the commonwealth and actions the commonwealth might take to improve the safety of such marine tanker operations.

The membership of said commission is hereby increased by two members of the senate and four members of the house of

representatives. Said commission is hereby revived and continued.

Approved September 23, 1977.

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO FOREST MANAGEMENT AND LUMBER OPERATIONS IN THE COMMONWEALTH.

Resolved, That a special commission to consist of two members of the senate, three members of the house of representatives, the commissioner of environmental management or his designee, and two persons to be appointed by the governor, one of whom shall represent the Massachusetts forest products industry and one of whom shall be a private woodland owner who resides in the commonwealth, is hereby established for the purpose of making an investigation and study relative to forest management and lumber operations in the commonwealth. Said commission shall consider the effect of sections forty to forty-six, inclusive, of chapter one hundred and thirty-two of the General Laws and the necessity of any revision thereof, the effect of lumbering operations on both public and private lands as it relates to the environment including without limitation watersheds and water quality, soils and erosion, quality of timber stands, wildlife habitat, fire hazards and slash disposal, recreational uses, aesthetics and restoration; and evaluation of present public and private woodcutting operations. Said commission shall review silvicultural operations with respect to planting, weeding, thinning and harvesting in terms of their impacts on future lumber operations in the commonwealth and timber as a renewable resource.

Said commission shall also consider the economic potential of the lumber industry in the commonwealth including the potential for increased job opportunities, and the creation of new markets for forest products from the commonwealth.

Said commission may travel throughout the commonwealth.

Approved September 23, 1977.

Chap. 17. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS CONCERNING ARSON.

Resolved, That the special commission established by chapter four of the resolves of nineteen hundred and seventy-six is hereby revived and continued.

Approved September 23, 1977.

- Chap. 18.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SUCH CHANGES IN THE LAWS AS MAY BE DESIRABLE REGARDING THE EXTENT AND IMPACT OF STATE LAWS MANDATING LOCAL EXPENDITURES, THE EXTENT OF STATE FUNDING PROVIDED, AND THE IMPACT ON THE PROPERTY TAX BURDEN.

Resolved, That a special commission, to consist of three members of the senate, seven members of the house of representatives, and five persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the extent and impact of state laws mandating local expenditures, the extent of state funding provided, and the impact on the property tax burden. Said commission shall consider, among other appropriate aspects, but not limited to, the following:- an inventory of local expenditures currently mandated by law or regulation; state reimbursement formulas for mandated programs; the financial impact on the commonwealth of such mandated programs; the impact on the local property tax of mandated programs; and possible changes in the constitution, general laws, or joint rules of the general court which may be desirable to implement the findings of the commission. Said commission may report from time to time and shall file its final report not later than the first Wednesday in December, nineteen hundred and seventy-eight.

Approved October 4, 1977.

-
- Chap. 19.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A FIREMEN AND POLICE-MEN PHYSICAL FITNESS ADVISORY BOARD.

Resolved, That a special commission, to consist of the commissioner of public health or his designee, the chairperson of the governor's council on physical fitness and sports or his designee, and twelve persons to be appointed by the governor, two of whom shall be practicing physicians selected from a list of six physicians submitted by the Massachusetts Medical Society, two of whom shall be fire chiefs, one of whom shall be a fire chief of a part-time call fire department and one of whom shall be a fire chief from a city with a population of greater than fifty thousand, two of whom shall be police chiefs, one of whom shall be a police chief from a city with a population of less than fifty thousand, and one of whom shall be a police chief from a city with a

population of greater than fifty thousand, two of whom shall be firefighters, one of whom shall serve in a fire department in a city with a population of less than fifty thousand, one of whom shall serve in a fire department in a city with a population greater than fifty thousand, both of whom shall be members of a union, two of whom shall be uniformed regular members of a police department, one of whom shall serve in a police department in a city with a population of less than fifty thousand, and one of whom shall serve in a police department in a city with a population greater than fifty thousand, both of whom shall be members of a union, and two taxpaying residents of the commonwealth, one of whom shall be female, is hereby established to make an investigation and study relative to the feasibility, financing and establishment of a firemen and policemen physical fitness advisory board.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, by filing the same with the clerk of the house of representatives on or before July first, nineteen hundred and seventy-eight.

Approved October 7, 1977.

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SPECTATOR VIOLENCE AT SPORTING EVENTS.

Resolved, That a special commission, to consist of two members of the senate, five members of the house of representatives, the commissioner of public safety, or his designee, and five persons to be appointed by the governor, two of whom shall be representatives of the professional sports teams based in the commonwealth, one of whom shall be a representative of the Schoolboy Athletic Association, one of whom shall be a representative of the Chiefs of Police Association and one of whom shall be an expert on crowd control. Said commission shall investigate and study the cause and effects of recent mob violence at sports events within the commonwealth and formulate a coordinated plan for the removal of causes of such violence and effective remedies and methods of control when such violence occurs.

Approved October 14, 1977.

Chap. 21. RESOLVE IN FAVOR OF ANTHONY L. TEDESCO ADMINISTRATOR OF THE ESTATE OF ANTONIO TEDESCO.

Resolved, That, for the purpose of discharging a moral obligation, there shall be allowed and paid out of the state treasury to Anthony L. Tedesco, Administrator of the Estate of Antonio Tedesco the sum of two thousand and eleven dollars and ten cents, with interest and a tax apportionment, representing an award made by the department of public works pursuant to a taking of land of said Antonio Tedesco, deceased, during the year nineteen hundred and fifty-six.

Approved October 14, 1977.

Chap. 22. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION TO INVESTIGATE AND STUDY THE EFFECT OF THE PRISONER FURLOUGH PROGRAM ON THE CITIZENS OF THE COMMONWEALTH.

Resolved, That the special commission, established by chapter fifty-two of the resolves of nineteen hundred and seventy-four and most recently revived and continued under the provisions of chapter seven of the resolves of nineteen hundred and seventy-seven, shall, in the course of its investigation and study, consider the effect of prisoner parole permits, prisoner community based facilities, prisoner educational release programs and prisoner work release programs on the citizens of the commonwealth.

Approved October 28, 1977.

Chap. 23. RESOLVE IN FAVOR OF ANN T. CAIN, WIDOW OF FRED F. CAIN.

Resolved, That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to Ann T. Cain, the widow of the late Fred F. Cain, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

Approved October 28, 1977.

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO MASSACHUSETTS UNEMPLOYMENT.

Resolved, That a special commission, to consist of five members of the senate, seven members of the house of representatives, the secretary of the executive office of human services or his designee, the commissioner of labor and industries or his designee, the commissioner of education or his designee, knowledgeable about occupational or vocational education, a representative of the state manpower services council, and ten members to be appointed by the governor, including a representative of Associated Industries of Massachusetts, a representative of the National Alliance of Businessmen, a representative from the Association of Secondary School Principals, a representative from the public trade union movement, a representative from the private trade union movement, a representative from the guidance counseling profession, a representative from adult and continuing education, a representative from cooperative education, an individual knowledgeable about job creation incentives, and one individual drawn from the affected population is hereby established for the purpose of making an investigation and study relative to the employment difficulties of young persons twenty-six years of age or younger.

In particular, the special commission shall study and make recommendations relative to existing summer job programs, job creation programs for youth, the question of wage laws relating to youth employment, the interrelationship of existing federal, state, and local programs concerning youth employment, and related topics. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-eight.

Approved November 29, 1977.

Chap. 25. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND MATERIALS BY COUNTIES, TOWNS AND DISTRICTS.

Resolved, That the membership of 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 seven of the resolves of nineteen hundred and seventy-seven, is hereby increased by three persons one of whom shall be the legal counsel to the department of labor and industries, and two persons to be appointed by the governor, one of whom shall be a representative of Construction Industries of Massachusetts, Inc., and one of whom shall be the chief engineer or a licensed engineer in the department of public works.

Approved December 5, 1977.

Chap. 26. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO HUMAN CLINICAL INVESTIGATION AND EXPERIMENTAL THERAPY AND SUCH OTHER MATTERS RELATIVE THERETO.

Resolved, That the special legislative commission on human clinical investigation and experimental therapy, established by chapter eighty-eight of the resolves of nineteen hundred and seventy-four and most recently revived and continued by chapter seven of the resolves of nineteen hundred and seventy-seven, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 449, relative to extending the requirements of informed consent to the treatment of mental illness and to provide for certain other procedural safeguards; 450, guaranteeing the least drastic setting for a person's treatment and security needs; 451, further protecting the civil rights of patients; and 452, guaranteeing that persons are properly hospitalized under an emergency hospitalization procedure; and of current house documents numbered 3719, increasing the rights of mental patients; 3720, restricting the involuntary commitment of persons to mental institutions; and 3346, relative to repealing the voluntary surrender of custody of children to the department of public welfare.

Approved December 15, 1977.

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO HEALTH PROBLEMS, PUBLIC ACCESS AND RECREATIONAL USES OF THE SPICKET RIVER IN THE CITY OF LAWRENCE AND THE TOWN OF METHUEN.

Resolved, That a special commission, to consist of one member of the senate, two members of the house of representatives,

the city engineer of the city of Lawrence or his designee, the superintendent of the public works department for the town of Methuen or his designee, and seven persons to be appointed by the governor, one of whom shall be a member of the board of public health in the city of Lawrence, one of whom shall be a member of the board of public health from the town of Methuen, one of whom shall be a representative of the department of environmental quality engineering, one of whom shall be a representative of the division of water pollution control in the department of environmental quality engineering, one of whom shall be a representative of the department of public works, one of whom shall be a representative of the public access board in the department of fisheries, wildlife and recreational vehicles, and one of whom shall be a representative of the Merrimack Valley Planning Council, is hereby established for the purpose of making an investigation and study relative to the condition of the Spicket river in the city of Lawrence and the town of Methuen. Said commission shall, in the course of its investigation and study consider the problems of pollution, health hazard, flood plain protection, low flow augmentation, public access, and future recreational potential of said river and proximate areas, including bicycle paths. Said commission shall also study possible sources of funding proposed recommendations. 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 June, nineteen hundred and seventy-eight.

Approved December 16, 1977.

Chap. 28. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE LAWS OF THE COMMONWEALTH PERTAINING TO ELEMENTARY AND SECONDARY EDUCATION AS THEY RELATE TO UNEQUAL EDUCATIONAL OPPORTUNITY AND SERVICES.

Resolved, That the special commission, established by chapter one hundred and fifty-seven of the resolves of nineteen hundred and seventy-three and most recently revived and continued under the provisions of chapter seven of the resolves of nineteen hundred and seventy-seven, shall, in the course of its investiga-

tion and study, consider the subject matter of current senate documents numbered 234, making the lunch program for kindergarten students optional; and 238, further defining the words "School Committee".

Approved December 23, 1977.

Chap. 29. RESOLVE IN FAVOR OF WILLIAM KJERSGARD OF THE CITY OF CHELSEA.

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 the sum of nine hundred and fifty dollars to William Kjersgard of the city of Chelsea as reimbursement for medical expenses incurred and wages lost by him as a result of injuries sustained by him on June tenth, nineteen hundred and seventy-three while he was effecting the rescue of a drowning person at Breakheart reservation in the city of Melrose, a facility under the control of the metropolitan district commission.

Approved December 23, 1977.

Chap. 30. 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, and revived and continued under the provisions of chapter sixty-six of the resolves of nineteen hundred and seventy-five, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 106, establishing a procedure for preparing economic impact reports on certain works, projects and activities of state agencies and certain authorities; and of current house documents numbered 2500, providing that public works construction priorities shall be determined on the basis of the effect on increasing or retaining permanent jobs; and 3269, providing for economic impact disclosure.

Approved December 27, 1977.

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE SECRETARY OF ENVIRONMENTAL AFFAIRS RELATIVE TO THE QUALITY OF LIFE OF THE FLORA AND FAUNA OF THE COMMONWEALTH.

Resolved, That the secretary of environmental affairs is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 4494, directing the secretary of environmental affairs to develop a plan for the enhancement of the quality of life of the flora and fauna of the commonwealth. Said secretary shall report to the general court the results of his investigation and study, and his recommendations, if any, together with drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of August, nineteen hundred and seventy-eight.

Approved December 29, 1977.

Chap. 32. RESOLVE REVIVING AND CONTINUING 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 and most recently revived and continued under the provisions of chapter sixty-six of the resolves of nineteen hundred and seventy-five is hereby revived and continued. 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 June thirtieth, nineteen hundred and seventy-eight.

Approved December 30, 1977.

Chap. 33. 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 five persons to be appointed by the governor, two of whom shall be associated with university gerontology centers, 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 December 30, 1977.

Chap. 34. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF MEDICAL PROFESSIONAL LIABILITY INSURANCE AND THE NATURE AND CONSEQUENCES OF MEDICAL MALPRACTICE.

Resolved, That the special commission established by section twelve of chapter three hundred and sixty-two of the acts of nineteen hundred and seventy-five shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 566, relative to standardizing and increasing the availability of health insurance coverage in the commonwealth.

Approved January 3, 1978.

Chap. 35. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE EFFECTS OF TELEVISION AND MOVIE VIOLENCE.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the effects of television and movie violence. Said commission shall, during the course of its investigation and study, consider whether such violence has deleterious effect upon the children of the commonwealth and whether there are effective means for controlling the exhibition of television and movie violence.

Approved January 3, 1978.

Chap. 36. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING A DIVISION OF ADULT EDUCATION IN THE DEPARTMENT OF EDUCATION.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 175, establishing a division of adult education in the department of education; and of current house document numbered 1188, establishing a division of adult education in the department of education.

Approved January 3, 1978.

Chap. 37. RESOLVE IN FAVOR OF ROBERT J. DEAN.

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 Robert J. Dean of Worcester county, the sum of sixty thousand three hundred and fifty-six dollars in full settlement and satisfaction of an execution issued by the superior civil court of said county on a judgment issued March fourteenth, nineteen hundred and seventy-seven to said Robert J. Dean in an action of tort against Reed T. Hillman for personal injuries sustained by him resulting from an accident which occurred on April twenty-third, nineteen hundred and seventy-five on route 31 in said county, while the said Reed T. Hillman was in the performance of his official duties as an employee of the commonwealth. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by the said Robert J. Dean 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 January 11, 1978.

Chap. 38. RESOLVE REVIVING AND CONTINUING 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 under the provisions of chapter one of the resolves of nineteen hundred and seventy-six, is hereby revived and continued until the last Wednesday of December, nineteen hundred and seventy-eight.

Approved January 11, 1978.

Chap. 39. RESOLVE PROVIDING FOR A STUDY AND EVALUATION BY A SPECIAL COMMISSION RELATIVE TO HOUSING, HOUSING PRODUCTION AND NEIGHBORHOOD REVITALIZATION.

Resolved, That a special commission, to consist of four members of the house of representatives, two members of the senate, the secretary of the executive office of communities and development or his designee, the executive director of the Massachusetts Housing Finance Agency or his designee, the executive director of the Massachusetts Home Mortgage Finance Agency or his designee, the commissioner of insurance or his designee, and seven persons to be appointed by the governor, one of whom shall be a representative of the Massachusetts State Building Trades Council AFL-CIO, one of whom shall be president of the Massachusetts Savings Bank Association or his designee, one of whom shall be a representative of a state-wide housing advocacy organization, one of whom shall be an instructor in graduate urban studies, one of whom shall be a broker of residential property, one of whom shall have had experience as a non-profit developer of a rehabilitation project, and one of whom shall be from the field of tenant services management, is hereby established for the purpose of making a study and evaluation relative to existing and potential housing policies and programs within the commonwealth. Said commission shall consider the effectiveness of current housing programs and such new programs as may be deemed necessary during its consideration of the long-range housing needs of the commonwealth.

Said commission shall further consider the impact of the commonwealth's housing effort on neighborhoods. Such consideration shall include, but not be limited to, the impact of federal, state and local policies, programs and laws on neighborhood survival and revitalization, evaluate existing citizen-initiated neighborhood revitalization efforts and a determination of how public policy can best support such efforts.

Said commission shall further consider and recommend appropriate governmental actions necessary to stimulate private

housing production and to promote neighborhood revitalization in the commonwealth. Such recommendations may encompass:

1. new mechanisms to promote reinvestment in existing city neighborhoods;
2. more effective means of community participation;
3. policies to encourage the survival of economically and socially diverse neighborhoods;
4. policies to make maintenance and rehabilitation of existing structures at least as attractive from a tax viewpoint as demolition and development of new structures;
5. The possibility of reorientation of existing housing and community development programs and other tax and subsidy policies that affect neighborhoods, to better support neighborhood preservation efforts.

Said commission may consult with federal or state agencies.

Said commission may, subject to appropriation, hire staff or consultants to assist it in its study and in making its recommendations.

Said commission may travel within and without the commonwealth.

Said commission shall report to the general court the results of its study, and its recommendations, if any, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-eight.

Approved January 11, 1978.

Chap. 40. RESOLVE IN FAVOR OF PETER BESHARA OF LAWRENCE.

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 Peter Beshara of Lawrence the total sum of twenty-three thousand and fifty dollars and seventy-six cents less taxes and retirement payments which shall be deducted therefrom.

Approved January 11, 1978.

Chap. 41. 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 seven of the resolves of nineteen hundred and seventy-seven, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2932, relative to gas transmission pipelines.

Approved January 13, 1978.

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL WITHHELD, ACTS VETOED BY THE GOVERNOR, PASSED OVER HIS VETO & ACTS DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The General Court during its first session held in 1977 passed 1004 Acts & 41 Resolves of which 979 Acts & 41 Resolves received executive approval. 25 Acts from which executive approval was withheld became law by virtue of Chapter 1, Section 1, Article II of the Constitution of the Commonwealth.

Twelve (12) Acts entitled, respectively, "An Act relative to the annual observance of pro-life month." (Chapter 141); "An Act authorizing the appointment of Kevin P. Fitzgibbons to the police force of the Town of Southbridge." (Chapter 393); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of the County of Dukes County . . ." (Chapter 394); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Berkshire County . . ." (Chapter 395); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Franklin County . . ." (Chapter 457); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Barnstable County . . ." (Chapter 458); "An Act making appropriations for the fiscal year nineteen hundred and seventy-eight for the maintenance of Bristol County . . ." (Chapter 484); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Hampshire County . . ." (Chapter 485); "An Act providing that Lemman W. Padelford be considered a resident of the City of Taunton for the purpose of appointment as firefighter in said City." (Chapter 500); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Essex County . . ." (Chapter 627); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Plymouth County . . ." (Chapter 740) & "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Norfolk County . . ." (Chapter 807) were passed, but failed to receive executive approval; as, however, they were not returned, with objections thereto, within ten days after they had been received in the Executive Department, the General Court not having been dissolved in the meantime, said

Acts have the force of law, under the provisions of the Constitution governing such cases & have been so certified.

The Governor returned 17 Acts with his objections thereto in writing. Upon said 4 Acts his objections were sustained & upon 13 Acts his objections were not sustained.

Four (4) Acts entitled, respectively, "An Act directing the Department of Public Health to make a certain determination of need relative to the New England Baptist Hospital, & to authorize construction of a replacement facility for said Hospital."; "An Act prohibiting the Massachusetts Bay Transportation Authority from extending the Red Line transit extension, so-called, Northwest to Alewife Brook Parkway in the City of Cambridge."; "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Worcester County . . ." & "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Essex County . . ." were passed & 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 & the vote being taken on their passage, the objections of the Governor thereto notwithstanding, they were rejected, & said Acts thereby became void.

Thirteen (13) Acts entitled, respectively, "An Act requiring recitation of the pledge of allegiance to the Flag in all Public Schools at the commencement of class each day." (Chapter 333); "An Act further regulating collective bargaining impasses involving firefighters & police officers." (Chapter 347); "An Act providing for the appointment of an additional Assistant Clerk in the Fourth District Court of Plymouth." (Chapter 445); "An Act providing for an Assistant Clerk in the District Court of Holyoke." (Chapter 446); "An Act directing the Department of Public Health to make a certain determination of need for the Amesbury Hospital." (Chapter 721); "An Act relative to the collective bargaining unit of the Metropolitan District Commission Police." (Chapter 753); "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Hampden County . . ." (Chapter 803); "An Act providing for an Assistant Clerk in the District Court of Marlborough." (Chapter 819); "An Act relative to the Bureau of Welfare Auditing." (Chapter 830); "An Act authorizing & directing the Department of Public Health to classify a certain number of beds at Braemore of Marlborough, Inc. for Level II & Level III patients." (Chapter 906); "An Act providing for expansion & continued operation of the St. John of God Hospital in the

City of Boston." (Chapter 907); "An Act further regulating collective bargaining by employees of the State Lottery Commission." (Chapter 937) & "An Act making appropriations for the fiscal year nineteen hundred & seventy-eight for the maintenance of Middlesex County . . ." (Chapter 938) were passed & 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 & said Acts have thereby the force of law.

Forty-eight (48) Acts, Chapters 14, 26, 28, 43, 57, 62, 98, 99, 124, 220, 226, 232, 237, 239, 243, 278, 284, 316, 317, 318, 346, 348, 351, 401, 418, 530, 531, 561, 628, 635, 641, 649, 666, 701, 732, 739, 752, 766, 778, 788, 791, 792, 915, 977, 989, 990, 995 & 1000 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.

Fifteen (15) Acts, having been passed by the General Court & the General Court having dissolved, failed to become effective as they did not receive executive approval within ten days.

The General Court was dissolved on Tuesday, January 3, 1978 at twelve o'clock midnight, the session having occupied 364 days.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-seven

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE
CONSTITUTION FURTHER REGULATING SUBMISSION
OF A BUDGET BY A GOVERNOR WHO HAS NOT SERVED
IN THE PRECEDING YEAR AS GOVERNOR.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution (if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following):

ARTICLE OF AMENDMENT.

ART. Section 2 of Article LXIII of the Articles of Amendment to the Constitution of the Commonwealth is hereby annulled and the following is adopted in place thereof:-

Section 2. The Budget. - Within three weeks after the convening of the general court the governor shall recommend to the general court a budget which shall contain a statement of all proposed expenditures of the commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. In the first year of the term of office of a governor who has not served in the preceding year said governor shall recommend such budget within eight weeks after the convening of the general court. The budget shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the governor shall determine. For the purpose of preparing his budget, the governor shall have the power to require any board, commission, officer or department to furnish him with any information which he may deem necessary.

IN JOINT SESSION, May 28, 1975.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court,

said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

IN JOINT SESSION, August 10, 1977.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-seven

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE
CONSTITUTION RELATIVE TO THE TAKING
OF THE STATE CENSUS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution (if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following):

ARTICLE OF AMENDMENT.

ART. The first paragraph of Section 1 of Article CI of the Amendments to the Constitution of the Commonwealth is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences:-

For purposes of said census every person shall be considered an inhabitant of the city or town of his usual place of residence in accordance with standards used by the United States from time to time in conducting the federal census required by Section 2 of Article I of the Constitution of the United States subject to such exceptions as the general court may provide by law. Said census shall specify the number of inhabitants of each precinct of each town and of each precinct and ward of each city.

IN JOINT SESSION, May 26, 1976.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

IN JOINT SESSION, August 10, 1977.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-seven

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE
CONSTITUTION INCREASING THE TIME WITHIN WHICH
A PROPOSED CHARTER OR CHARTER REVISION SHALL
BE SUBMITTED TO THE CITY COUNCIL OF A CITY
OR THE SELECTMEN OF A TOWN.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution (if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following):

ARTICLE OF AMENDMENT.

ART. . The first sentence of the sixth paragraph of Section 3 of Article II of the Amendments to the Constitution of the Commonwealth, as appearing in Article LXXXIX of said Amendments, is hereby amended by striking out the words "ten months" and inserting in place thereof the words:- eighteen months.

IN JOINT SESSION, May 26, 1976.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

IN JOINT SESSION, August 10, 1977.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-seven

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE
CONSTITUTION RELATIVE TO SUBMITTING CERTAIN
INFORMATION TO VOTERS.

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 Constituion by the adoption of the following Article of Amendment, to the end that it may become a part of 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 XLVIII of the Amendments to the Constitution of the Commonwealth is hereby amended by striking out, under the heading "GENERAL PROVISIONS", all of subheading "*IV. Information for Voters.*", as amended by section 4 of Article LXXIV of said Amendments, and inserting in place thereof the following subheading:

IV. Information for Voters.

The secretary of the commonwealth shall cause to be reprinted and sent to each person eligible to vote in the commonwealth or to each residence of one of more persons eligible to vote in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a fair, concise summary of the measure as such summary will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent other information and arguments for and against the measure.

IN JOINT SESSION, June 26, 1976.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

IN JOINT SESSION, August 10, 1977.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-seven

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE
CONSTITUTION AUTHORIZING THE CLASSIFICATION
OF PROPERTY ACCORDING TO ITS USE FOR THE
PURPOSES OF TAXATION.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution (if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following):

ARTICLE OF AMENDMENT.

ART. . Article IV of chapter 1 of Part the Second of the Constitution is hereby amended by inserting after the words "and to impose and levy proportional and reasonable assessments, rates and taxes, upon all the inhabitants of, and persons resident, and estates lying, within said Commonwealth" the words:- , except that, in addition to the powers conferred under Articles XLI and XCIX of the Amendments, the general court may classify real property according to its use in no more than four classes and to assess, rate and tax such property differently in the classes so established, but proportionately in the same class, and except that reasonable exemptions may be granted.

IN JOINT SESSION, May 28, 1975.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

IN JOINT SESSION, September 7, 1977.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-seven

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE
CONSTITUTION PROVIDING THAT NO STUDENT SHALL
BE ASSIGNED TO OR DENIED ADMITTANCE TO A PUB-
LIC SCHOOL ON THE BASIS OF RACE, COLOR,
NATIONAL ORIGIN OR CREED.

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. . No student shall be assigned to or denied admittance to a public school on the basis of race, color, national origin or creed.

IN JOINT SESSION, June 11, 1975.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

IN JOINT SESSION, September 7, 1977.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary

of the Commonwealth, in accordance with a provision of the Constitution.

EDWARD B. O'NEILL,
Clerk of the Joint Session.

APPENDIX

The following table and index have been prepared by JAMES R. MCINTYRE, Esq., counsel to the Senate and JOHN F. DONOVAN, JR., Esq., counsel to the House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

TABLE OF CHANGES

SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION PASSED BY THE GENERAL COURT SINCE JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-TWO THROUGH THE YEAR NINETEEN HUNDRED AND SEVENTY-SEVEN.*†

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.)

SECT. 7A added, 1976, 221, (establishing a procedure for acceptance of retrocession of jurisdiction over certain federal property).

Chapter 2. — Arms, Great Seal and Other Emblems of the Commonwealth.

SECT. 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, 1953, 245; revised, 1975, 706 § 1. (See 1975, 706 § 312.)

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.)

SECT. 6A added, 1939, 424 § 2 (imposing restrictions on the

*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.

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, 1960, 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; section revised, 1976, 283 § 35. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2; 1956, 742 §§ 2, 3; 1960, 783 § 3; 1963, 405 §§ 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; 1960, 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 § 21 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 upon 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; 1975, 366 § 1. (See 1945, 248 §§ 4, 5; 1948, 655 §§ 3, 4; 1949, 784 § 3; 1951, 803 § 2; 1957, 733 § 2; 1960, 783 § 3; 1969, 19 § 7; 1975, 366 § 2.) For temporary act see 1965, 271 § 3. (See 1965, 271 § 4.)

SECT. 11 repealed, 1936, 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 1936, 260 § 8 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 § 4.)

SECT. 16 revised, 1949, 806 § 2.

SECT. 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, 43 § 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, 35; 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 special 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; first paragraph, first sentence revised, 1976, 458 § 1. (See 1973, 981 § 14.)

SECT. 44 revised, 1973, 981 § 7; first sentence revised, 1976, 458 § 2. (See 1973, 981 § 14.)

SECT. 45 revised, 1973, 981 § 8. (See 1973, 981 § 14.)

SECT. 46 amended, 1938, 508 § 4; revised, 1973, 981 § 9. (See 1973, 981 § 14.)

SECT. 47 amended, 1939, 508 § 5; revised, 1973, 981 § 10; first paragraph, first sentence revised, 1976, 458 § 3. (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; paragraph added, 1976, 458 § 4.

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; 1977, 870 § 1.

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; revised, 1976, 112 § 1; 1977, 130, 97; clause Eighteenth A added, 1977, 977; clause Twenty-sixth revised, 1958, 626 § 1; 1962, 427 § 1; amended, 1969, 831 § 2; revised, 1973, 1050 § 1; subclause (c) amended, 1977, 691, § 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; 1976, 156; paragraph added, 1968, 531 § 2; clause Forty-fourth added, 1955, 683; clause Forty-fifth added, 1957, 765 § 3; clause Forty-sixth added, 1964, 322; amended, 1975, 706 § 2; 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; 1975, 706 § 312.)

SECT. 10, first sentence amended, 1954, 180.

SECT. 12 added, 1960, 295 § 1 (relative to the date of establishment, cancellation or 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, 1946, 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; 1956, 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, 464; 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; 1977, 4 § 1; two sentences added, 1976, 462 § 1. (See 1970, 22 § 3; 1976, 462 § 2.)

SECT. 13 revised, 1970, 22 § 2; first sentence revised, 1977, 4 § 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; 1976, 480 § 22. (See 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; 1976, 480 § 27.)

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; 1976, 31.

SECT. 12H added, 1935, 148 (relative to the observance of the anniversary of the death of General Marquis de Lafayette).

SECT. 12I added, 1935, 194 (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); 1975, 21 (providing for the annual observance of Horace Mann 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. 12BB added, 1977, 524 (relative to the observance of Tadeusz Kosciuszko 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 the 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 Can 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. 15CC added, 1976, 67 (relative to the annual observance of Retired Members of the Armed Forces Day).

SECT. 15DD added, 1977, 37 (relative to the annual observance of Independence Day).

SECT. 15DD added, 1977, 82 (relative to the annual observance of Endangered Species Day); stricken out and SECT. 15EE inserted, 1977, 141.

SECT. 15FF added, 1977, 141 (relative to the annual observance of Pro-Life Month).

SECT. 15GG added, 1977, 265 (relative to the annual observance of Employ the Older Worker Week).

SECT. 15HH added, 1977, 428 (relative to the annual observance of John Carvery Day).

SECT. 16 amended, 1941, 490 § 1.

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1; 336 § 1; 1934, 374 § 1; 1934, 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, 411 § 1; 1952, 604 § 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; amend-

ed, 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; 1975, 706 § 3; 1977, 950 § 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; 1975, 706 § 312.)

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, 491 § 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; 1977, 234 §§ 7-9, 872 §§ 4-6; 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; 1963, 426 § 50; 1974, 422 § 54; 1977, 234, § 198; 872, § 204.)

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; 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. 29-32 repealed, 1977, 927 § 1. (See 1977, 927 § 18.)

SECT. 33 revised, 1977, 108 § 1.

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; revised, 1975, 706 § 4; repealed, 1977, 940 § 1. (See 1975, 706 § 312.)

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; 1977, 234 §§ 10-12; section revised, 1977, 739 § 1; sixth sentence revised, 1977, 872 §§ 7-9. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 739 § 2; 872, § 204.)

SECT. 44, first paragraph revised, 1933, 376 § 1.

SECT. 45 revised, 1941, 596 § 2.

SECT. 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, 506 § 1; third paragraph, first sentence amended, 1977, 234 §§ 13-15; 872 §§ 10-12; fourth paragraph revised, 1975, 328; second sentence revised; 1977, 960 § 1. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 960 § 2.)

SECT. 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 §§ 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.)

SECT. 49-52 repealed, 1953, 409 § 2.

SECT. 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; second, third and fourth paragraphs stricken out and six paragraphs inserted, 1976, 463 § 1. (See 1950, 479 §§ 6, 7; 1963, 719 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 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.

SECT. 58A-59C added, 1948, 637 § 2 (establishing the State Airport Management Board). (See 1948, 638 §§ 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.)

SECT. 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.)

SECT. 65-69 added, 1948, 310 § 2 (establishing the Youth Service Board). (See 1948, 310 §§ 30, 31; 542.)

SECT. 65 revised, 1952, 604 § 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).

SECT. 65-69B and caption preceding section 65 repealed, 1969, 838 § 2. (See 1969, 838 § 74.)

SECT. 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 the 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.)

SECT. 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; 1977, 234 §§ 16-18; 701; third sentence revised, 1963, 801 § 10. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198.)

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, 804 § 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.)

SECT. 91, first paragraph, clause 7 amended, 1975, 706 § 5. (See 1975, 706 § 12.)

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. 98 amended, 1975, 786 § 1.

SECT. 99 added, under caption, 1947, 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, 488. (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); first paragraph, fifth sentence revised, 1974, 254; third paragraph amended, 1975, 428. (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; revised, 1974, 161; first sentence amended, 1977, 117. (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; second sentence amended, 1977, 234 §§ 19-21; 872 §§ 13-15; (See 1973, 774 § 7; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

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; 1977, 234 §§ 22-24; 872 §§ 16-18; (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50, 1210 § 39; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

SECT. 130, first paragraph, fourth sentence revised, 1976, 243 § 1; 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; 1976, 253 § 2.)

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; sentence added, 1976, 144 § 1. (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 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, first paragraph amended, 1975, 408; first sentence amended, 1977, 321; 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. 167, definition of "Criminal offender record information" revised, 1977, 691, § 2; definitions of "Evaluative information," and "Intelligence information" added, 1977, 691, § 2.

SECT. 168, paragraph added, 1973, 961 § 1.

SECT. 169, paragraph added, 1973, 961 § 2.

SECT. 170, paragraph added, 1973, 961 § 3.

SECT. 171, paragraph added, 1977, 691, § 3.

SECT. 172, paragraph added, 1977, 365, § 1; section revised, 1977, 691 § 4; first paragraph, clause (b) revised, 1977, 841. (See 1977, 365 § 9.)

SECTS. 179-180 added, 1973, 989 § 1 (establishing a board of underwater archaeological resources).

SECT. 179, third paragraph amended, 1975, 706 § 6. (See 1975, 706 § 312.)

SECTS. 181-182 added, 1974, 833 § 2 (establishing a nutrition board in the executive office of human services).

SECT. 181, first paragraph, first sentence revised, 1975, 706 § 7. (See 1975, 706 § 312.)

SECTS. 182A and 182B inserted, 1977, 950 § 2 (establishing the Schooner Ernestina Commission).

SECT. 183 added, 1976, 266 § 1 (establishing a motor vehicle insurance merit rating board); second paragraph, second sentence revised, 1977, 365 § 2. (See 1976, 266 § 23; 1977, 365 § 9.)

SECT. 184 added, 1977, 941 § 1 (establishing the committee on medicolegal investigation).

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, 124 § 1 (providing for the payment of certain expenses of the attorney general and the department of public utilities).

SECT. 14, first paragraph amended, 1977, 565, § 1.

SECT. 9A, first sentence revised, 1974, 691; 1976, 266 § 2. (See 1976, 266 § 23.)

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; first paragraph revised, 1975, 706 § 8. (See 1972, 776 § 6; 1973, 1210 § 39, 1229 § 13; 1974, 806 § 41; 1975, 706 § 312.)

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. 20-30 repealed, 1975, 311 § 1. (See 1975, 311 § 15.)

SECTS. 31-36 added, 1973, 1229 § 2 (reorganizing the rate setting commission).

SECT. 31 revised, 1976, 409 § 1.

SECT. 32, second paragraph amended 1977, 234 §§ 25-27; 872 §§ 19-21. (See 1977, 234 § 198; 872 § 204.)

SECT. 33, first paragraph, first sentence revised, 1976, 409 § 2.

SECT. 34A added, 1976, 409 § 3 (establishing a rate setting commission hospital policy review board).

SECT. 35, first paragraph, clause (2) amended, 1977, 945 § 1.

SECTS. 37-46 added, 1976, 409 § 4 (relative to the regulation of health care delivery systems).

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. 3B added, 1975, 684 § 27 (relative to the cost of furnishing certain services). (See 1975, 684 § 97.)

SECT. 3C added, 1976, 311 (regulating fees for the use of state-owned ice skating rinks); second sentence amended, 1977, 829 § 213.

SECT. 4 revised, 1948, 610 § 4; 1951, 717 § 2; third sentence revised, 1955, 730 § 4. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECTS. 5A and 5B added, 1953, 612 § 4 (establishing a division of building construction). (See 1953, 612 §§ 10-13.)

SECT. 6 revised, 1948, 610 § 3; 1950, 824; amended, 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; first sentence revised; 1977, 234 §§ 28-30; 872 §§ 22-23; 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; 1977, 234 § 198; 872 § 204.)

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); third sentence amended, 1975, 681; revised, 1977, 829 § 18. (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.)

SECT. 4I, second paragraph, fourth sentence amended 1977, 234 §§ 31-33; 872 §§ 25-27; third paragraph revised, 1975, 358 § 1. (See 1975, 358 § 8; 1977, 234 § 198; 872 § 204.)

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 administration to enter into agreements with certain towns for fire protection of certain state institutions); amended, 1962, 757 § 11.

SECT. 8 amended, 1962, 757 § 12.

SECT. 9 amended, 1962, 757 § 13.

SECT. 10 amended, 1962, 757 § 14.

SECT. 11 amended, 1962, 757 § 15; 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 inserted, 1956, 399; second paragraph amended, 1962, 757 § 24; repealed, 1969, 704 § 9. (See 1969, 704 § 60.)

SECT. 30B amended, 1962, 757 § 25; revised, 1966, 676; fourth paragraph first sentence revised, 1969, 704 § 10; amended, 1975, 311 § 3; seventh paragraph revised, 1969, 704 § 11; 1975, 311 § 4. (See 1969, 704 § 60; 1975, 311 § 15.)

SECT. 30D, third paragraph amended, 1962, 757 § 26.

SECT. 30E amended, 1962, 757 § 27.

SECT. 30F amended, 1962, 757 § 28.

SECT. 30H, sentence inserted after first sentence, 1955, 548; section amended, 1962, 757 § 29; revised, 1963, 473 § 1.

SECT. 30I amended, 1962, 757 § 30.

SECT. 30J amended, 1962, 757 § 31.

SECT. 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.)

SECT. 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. 30R revised, 1977, 830 § 1.

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); repealed, 1976, 283 § 3C. (See 1976, 283 § 34.)

SECT. 37A added, 1976, 283 § 30 (establishing an advisory board on revenue sources and the state economy). (See 1976, 283 § 34.)

SECT. 38 added, 1974 697 (establishing the commission of Indian affairs).

SECTS. 39-48 added, 1975, 311 § 2 (transferring the bureau of building construction from the executive office of transportation and construction to the executive office for administration and finance). (See 1975, 311 § 15.)

SECT. 40, third sentence revised, 1975, 793 § 2.

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. 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 number 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; first sentence revised, 1977, 797.

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; amended, 1976, 480 § 23. (See 1976, 480 § 27. (See 1949, 789 § 5; 1944, 730 § 43; 1963, 744 § 8; 1969, 835 § 7.)

SECT. 2 revised, 1935, 416; 1939, 283; 1941, 587; 1958, 586; 1962, 18; amended, 1968, 714; 1975, 689 § 1; third sentence revised, 1976, 147.

SECT. 2A added, 1973, 711 § 1 (establishing an archives advisory commission in the department of the state secretary).

SECT. 2B added, 1975, 689 § 2 (relative to the filing of certain annual reports).

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; 1975, 10 § 1.

SECT. 7A added, 1971, 812 (providing partial reimbursement of the costs of the decennial census to the cities and towns); revised, 1975, 10 § 2; 365 § 1.

SECT. 9 amended, 1934, 127.

SECT. 9A added, 1975, 10 § 3 (establishing a local election districts review commission).

SECT. 10 repealed, 1976, 486 § 1. (See 1976, 486 § 31.)

SECT. 10A added, 1972, 694 § 4 (authorizing the state secretary to employ personnel for the administration and enforcement of the uniform securities act).

SECT. 11, sentence added, 1976, 486 § 2. (See 1976, 486 § 31.)

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; 1976, 146.

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; section repealed, 1976, 237 § 1.

SECTS. 21-25 added, under caption, 1937, 404 § 1 (establishing a commission on interstate co-operation as successor to the commission on 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; third sentence revised, 1977, 470.

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; second sentence amended, 1975, 706 § 9; fifth sentence revised, 1974, 283. (See 1975, 706 § 312.)

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; amended, 1976, 480 § 24. (See 1976, 480 § 27.) (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; two sentences added, 1975, 689 § 3; section revised, 1975, 767; sentence inserted after second sentence, 1976, 208.

SECT. 5A added, 1975, 689 § 4 (relative to the filing of certain annual reports).

SECTS. 5B-5C added, 1975, 786 § 2 (establishing the investment advisory council).

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; amended, 1975, 706 § 10. (See 1975, 706 § 312.)

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; 1976, 283 § 32A, 32B; 1977, 185. (See 1974, 492 § 24; 1976, 283 § 34.)

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; amended 1977, 845. (See 1973, 1165 § 5.)

SECT. 39, first paragraph, first sentence revised, 1973, 1165 § 2; second sentence revised, 1976, 330; second paragraph amended, 1973, 1165 § 3; paragraph added, 1973, 1165 § 3; amended, 1974, 492 § 3; section revised, 1976, 415 § 1; 1977, 219 § 1. (See 1973, 1165 § 5; 1974, 492 § 24; 1976, 415 § 116; 1977, 219 § 7.)

SECT. 39A added, 1973, 1002 § 7.

SECT. 41 repealed, 1973, 1165 § 4. (See 1973; 1165 § 5.)

SECTS. 42-45 added, 1975, 774 § 1 (establishing a state election campaign fund). (See 1975, 774 § 5.)

SECT. 46 added, 1977, 957, § 1A (establishing the Anthracite Coal Mining Reclamation Fund).

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; 1965, 669; 1969, 835 § 5; amended, 1976, 480 § 25. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; 1976, 480 § 27.)

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; two sentences added, 1975, 689 § 5.

SECT. 6A added, 1975, 689 § 6 (relative to the filing of certain unusual reports).

SECT. 12 revised, 1962, 733; amended, 1971, 943 § 5; 1975, 270.

SECT. 13 added, 1976, 502 (authorizing the state auditor to enter into certain agreements or audit purposes).

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; amended, 1976, 480 § 26. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; 1976, 480 § 27.)

SECT. 2 amended, 1934, 133 § 1; revised, 1941, 647 § 2; 1959, 297 § 1; 1961, 476; 1975, 689 § 7. (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. 2B added, 1975, 689 § 8 (relative to the filing of certain annual reports).

SECT. 3, last sentence amended, 1932, 180 § 2; section amended, 1943, 83 § 1.

SECT. 3B amended, 1933, 318 § 1; 1934, 291 § 1, first paragraph amended, 1953, 544; 1957, 633 § 1; 1965, 890; paragraph inserted after first paragraph, 1943, 409 § 3; revised, 1968, 207. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 3C added, 1947 337 (authorizing the attorney general to settle certain claims against state officers and employees without suit being brought); first paragraph revised, 1966, 472; second paragraph revised, 1949, 567.

SECT. 3D added, 1954, 326 (relative to indemnification or protection of certain state officers and employees in connection with actions for personal injuries); revised, 1956, 449; amended, 1957, 580; revised, 1957, 633 § 2.

SECT. 6A added, 1947, 238 (authorizing the attorney general to call conferences of district attorneys, sheriffs and police officials of cities and towns); paragraph added at end, 1954, 654.

SECTS. 8A-8I added, 1954, 529 § 1 (establishing a division of public charities).

SECT. 8A amended, 1962, 401 § 1.

SECT. 8E amended, 1955, 203; 1959, 59 § 1.

SECT. 8F amended, 1962, 425; revised, 1964, 449 § 1; fourth paragraph amended, 1975, 802. (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 the public utilities); revised, 1976, 266 § 3. (See 1976, 266 § 23.)

SECT. 11F added, 1976, 266 § 3 (authorizing the attorney general to intervene in administrative and judicial proceedings involving

consumer actions relating to insurance companies). (See 1976, 266 § 23.)

SECT. 116 added, 1977, 363A § 51 (establishing a local consumer aid fund); (see 1977, 363A § 76.)

SECT. 13 revised, 1948, 423 § 1; amended, 1972, 744 § 1; revised, 1977, 659 § 1. (See 1948, 423 § 7; 1972, 744 § 5; 1977, 659 § 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, 195 § 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; third paragraph revised, 1977, 995 § 1; fourth paragraph revised, 1976, 542 § 1; sixth paragraph amended, 1972, 696 § 3; revised, 1975, 835 § 1; eighth paragraph stricken out and two paragraphs inserted, 1972, 744 § 2; eighth paragraph revised, 1975, 5; section revised, 1977, 659 § 1; amended, 1977, 995 § 3. (See 1948, 423, § 7; 1972, 744 § 5; 1975, 835 § 4.); 1976, 542 § 4; 1977, 659 § 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; 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; revised, 1975, 632 § 1. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 684 § 2; 1963, 743 § 4; 1969, 769 § 4; 1972, 744 § 5; 1975, 632 § 2.)

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; 1975, 835 § 2; 1976, 313 § 1; 542 § 2; 1974, 659 § 2; 995 § 2. (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; 1975, 835 § 4; 1977, 659 § 4.)

SECT. 18 amended, 1948, 423 § 5; revised, 1977, 659 § 3. (See 1948, 423 § 7; 1977, 659 § 5.)

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; 1976, 542 § 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 assistants); repealed, 1975, 835 § 3. (See 1975, 835 § 4.)

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. 25A amended, 1977, 86.

SECT. 31 added, 1972, 735 § 2 (establishing a local elections districts review commission in the department of the attorney general); repealed, 1975, 10 § 4.

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, 239 § 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; 1977, 234 §§ 34-36; 872 §§ 28-30; 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; 1977, 234 § 198; 872 § 204.)

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; 1975, 362 § 1. (See 1975, 362 § 13.)

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 § 1; amended, 1971, 1099 § 4; fourth sentence revised, 1961, 512; last sentence revised, 1969, 375; section revised, 1976, 436 § 1; fifth sentence revised, 1977, 111. (See 1960, 693 §§ 14-19; 1976, 436 § 3.)

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; 1977, 757 § 1. (See 1977, 757 §§ 15-16.)

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, 1963, 191; first paragraph revised, 1971, 1099 § 12; amended, 1975, 706 § 11; 1977, 843 § 1; second paragraph revised, 1941, 596 § 7; third paragraph revised, 1951, 691 § 2. (See 1945, 517 § 2; 1951, 691 § 1; 1975, 706 § 312.)

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, 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, 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; second sentence amended, 1977, 234 §§ 37-39; 812 §§ 31-33; third sentence revised, 1977, 234 §§ 40-42; 872 §§ 34-36. (See 1938, 337 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 98; 872 § 204.)

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, 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; first sentence amended, 1977, 234 §§ 43-45, 872 §§ 37-39. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

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; first four sentences revised, 1975, 545 § 1. (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); second sentence revised, 1975, 706 § 12. (See 1975, 706 § 312.)

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 § 21.

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).

SECTS. 80-84 added, 1977, 818 § 1 (relative to the licensing of social workers).

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; 1977, 234 §§ 46-48; 872 §§ 40-42. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

SECT. 3, second paragraph amended, 1964, 460 § 1.

SECT. 4, second paragraph amended, 1954, 681 § 3; 1975, 684 § 28. (See 1954, 681 §§ 20, 22; 1975, 684 § 97.)

SECT. 4, second paragraph amended, 1954, 681 § 3; 1975, 684 § 28. (See 1954, 681 §§ 20, 22; 1975, 684 § 97.)

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); repealed, 1976, 415 § 98. (See 1956, 380 § 2; 1976, 415 § 116.)

Chapter 15. — Department of Education.

SECT. 1 revised, 1947, 652 § 1.

SECT. 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).

SECT. 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; first paragraph revised, 1977, 864 § 1.

SECT. 1B amended, 1969, 396 § 3; 684 § 1; 1973, 1175 § 2.

SECT. 1C amended, 1973, 779 § 1; 1974, 855 § 3; third sentence revised, 1977, 234 §§ 49-51; 872 §§ 43-45. (See 1974, 855 § 8; 1977, 234 § 198; 872 § 204.)

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. 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; first paragraph, first sentence revised, 1977, 864 § 2. 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; third sentence revised, 1977, 234 §§ 52-54; 872 §§ 46-48; 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; 1977, 234 § 198; 872 § 204.)

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.)

SECT. 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. 1R added, 1977, 565 § 2 (relative to school library and non-print media services).

SECT. 1S added, 1977, 826 § 1 (relative to the advisory committee on private trade, business and correspondence schools).

SECT. 2 amended, 1946, 591 § 18; repealed, 1947, 652 § 13.

SECT. 2A added, 1946, 531 (providing for a deputy commissioner of education, and establishing his powers and duties); repealed, 1947, 652 § 13.

SECT. 3 amended, 1941, 138; repealed, 1947, 652 § 13.

SECT. 3A added, 1943, 549 § 1 (establishing a board of collegiate authority in the department of education); revised, 1947, 652 § 3; repealed, 1965, 572 § 8. (See 1965 §§ 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; repealed, 1977, 565 § 3. (See 1952, 585 §§ 25, 26.)

SECT. 10 revised, 1960, 429 § 3; repealed, 1977, 565 § 3.

SECT. 11 revised, 1952, 585 § 7; 1960, 429 § 4; repealed, 1977, 565 § 3. (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; 1975, 706 § 13. (See 1975, 706 § 312.)

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; revised, 1977, 864 § 3; 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; third sentence revised, 1977, 25 § 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; first paragraph, first sentence revised, 1977, 864 § 4.

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, 847 § 6; first sentence revised, 1977, 864 § 5.

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, 1970, 689; revised, 1975, 525; 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. 37, second sentence revised, 1976, 418.

SECT. 38 revised, 1977, 95.

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; 1977, 234 §§ 55-57; 872 §§ 49-51. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

SECT. 2, first sentence revised, 1975, 706 § 14. (See 1975, 706 § 312.)

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; 1975, 706 § 15; paragraph inserted after second paragraph, 1968, 736 § 5; paragraph inserted after second paragraph, 1975, 706 § 16; section revised, 1977, 969 § 1. (See 1975, 706 § 312; 1977, 969 § 2.)

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, sub-paragraph (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; section repealed, 1977, 954 § 1. (See 1977, 954 § 3.)

SECTS. 7-8 repealed, 1977, 954 § 1. (See 1977, 954 § 3.)

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; 1977, 234 §§ 58-60; 872 §§ 52-54. (See 1969, 704 §

60; 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

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; first two sentences revised, 1975, 706 § 17; third sentence revised, 1969, 766 § 20; amended, 1971, 116 § 19; revised, 1971, 116 § 19; revised, 1971, 375; amended, 1972, 300 § 18; 1973, 426 § 19, 768 § 2; 1974, 422 § 20; 1977, 234 §§ 61-63; 872 §§ 55-57; second paragraph amended, 1974, 835 § 18; 1975, 706 § 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; 1975, 706 § 312; 1977, 234 § 198; 872 § 204.)

SECT. 13 revised, 1969, 704 § 21; 1975, 706 § 19. (See 1969, 704 § 60; 1975, 706 § 312.)

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; definition of "Resource recovery facility" added, 1975, 500 § 1; section revised, 1975, 706 § 20. (See 1975, 500 § 5; 1975, 706 § 312.)

SECT. 19 amended, 1973, 1217 § 1; first sentence revised, 1975, 706 § 21; sixth sentence revised, 1975, 706 § 22; seventh sentence revised, 1975, 706 § 23. (See 1975, 706 § 312.)

SECT. 20, first sentence revised, 1975, 706 § 23A; five sentences added, 1973, 1217 § 2. (See 1975, 706 § 312.)

SECT. 21, five sentences added, 1973, 1217 § 3; section revised, 1975, 706 § 24. (See 1975, 706 § 312.)

SECTS. 22-23 revised, 1973, 1217 § 4.

SECT. 24, first two sentences revised, 1973, 1217 § 5; second sentence stricken out, 1975, 500 § 2. (See 1975, 500 § 5.)

SECT. 24A added, 1975, 500 § 3 (providing for the taxation of certain resource recovery facilities). (See 1975, 500 § 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; first sentence stricken out and two sentences inserted, 1975, 236; third sentence amended, 1977, 234 §§ 64-66; 872 §§ 58-60. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

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; 1976, 486 § 3; second paragraph revised, 1959, 611 § 3; amended, 1963, 527; revised, 1964, 477 § 1. (See 1941, 725 §§ 4-6; 1958, 612 § 2, 1964, 477 § 3; 1976, 486 § 31.)

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 home).

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; first sentence revised, 1975, 706 § 25; fifth sentence amended, 1975, 706 § 26; section revised, 1977, 829 § 1. (See 1975, 706 § 312.)

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 § (establishing a drug formulary commission; revised, 1976, 470 § 1.

SECT. 14 added, under caption, 1971, 1076 § 1B (establishing an advisory council on alcoholism); first paragraph, first sentence revised, 1977, 864 § 6.

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 (A), clause (14) added, 1977, 647; 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; section revised, 1975, 37; fifth sentence revised, 1977, 234 §§ 67-69; 872 §§ 61-63. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

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; fourth sentence amended, 1977, 234 §§ 70, 71, 72; 872 §§ 64-66; fifth sentence amended, 1977, 234 §§ 70A, 71A, 72A, 872 §§ 67-69. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

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; revised, 1977, 736; 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. 5G added, 1977, 363A § 52. (See 1977, 363A § 76.)

SECT. 6 revised, 1969, 885 § 7; amended, 1973, 1210 § 11; first paragraph revised, 1977, 953 § 1; 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. 21 revised, 1977, 925.

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; 1977, 234 §§ 73-75, 872 §§ 70-72. (See 1972, 300 § 44; 1973, 426 § 50; 1974, 855 § 8; 1977, 234 § 198, 872 § 204.)

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; first paragraph, first sentence revised, 1977, 162.

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; 1977, 998 § 1; fourth paragraph stricken out, 1977, 998 § 2; fifth paragraph revised, 1971, 193; sixth paragraph revised, 1969, 766 § 25; amended, 1971, 116 § 23; 1972, 300 § 21A; 1973, 426 § 24; 1974, 422 § 29; 1977, 234 §§ 76-78, 872 §§ 73-75. (See 1969, 766 § 48; 1971 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

SECT. 2A added, 1973, 1068 § 1 (providing for an evaluation of each residential facility for the mentally retarded operated by the department).

SECT. 3, second paragraph revised, 1976, 352.

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; section revised, 1975, 756 § 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).

SECTS. 5-6B repealed, 1975, 756 § 2.

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.

SECTS. 8-8A repealed, 1975, 756 § 2.

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. 14C, first two sentences revised, 1975, 749.

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. 15, first sentence revised, 1977, 864 § 7.

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; revised, 1977, 998 § 3; sixth sentence stricken out and two sentences inserted, 1971, 838; sixth sentence amended, 1974, 835 § 31; sixth and seventh sentences stricken out, 1977, 998 § 3. 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.

SECT. 24, second paragraph amended, 1976, 155 § 1; fourth paragraph amended, 1976, 155 § 2.

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.)

SECT. 4, third paragraph, clause (c) revised, 1977, 538.

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, first sentence revised, 1975, 706 § 27; sixth and seventh sentences stricken out and one sentence inserted, 1967, 844 § 13; revised, 1975, 706 § 28. (See 1975, 706 § 312.)

SECT. 2, first sentence stricken out, 1975, 706 § 29; 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; 1977, 234 §§ 79-81, 872 §§ 76-68. (See 1955, 730 § 43; 1969,

766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1975, 706 § 312; 1977, 234, § 198, 872 § 204.)

SECT. 4 revised, 1975, 706 § 30. (See 1975, 706 § 312.)

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; 1977, 234 §§ 82-84; 872 §§ 79-81. (See 1969, 766 § 48, 1971, 116 § 45; 1971, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

SECT. 6, first sentence revised, 1965, 678 § 1; 1967, 347 § 1; 1974, 654 § 1; second sentence revised, 1975, 706 § 31. (See 1975, 706 § 312.)

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; 1975, 706 § 32; 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. (See 1975, 706 § 312.)

(For prior temporary legislation see 1934, 376, 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, first paragraph amended, 1975, 706 § 33; second paragraph amended, 1963, 664 § 1; third paragraph amended, 1975, 706 § 34; fourth paragraph amended, 1956, 620 § 1; 1963, 664 § 2; 1968, 736 § 1; revised, 1975, 706 § 35. (See 1975, 706 § 312.)

SECT. 2, first sentence revised, 1956, 620 § 2; revised, 1975, 706 § 36; second sentence revised 1975, 706 § 37. (See 1975, 706 § 312.)

SECT. 2A amended, 1975, 706 § 38. (See 1975, 706 § 312.)

SECT. 2B amended, 1975, 706 § 39. (See 1975, 706 § 312.)

SECT. 2C revised, 1975, 706 § 40. (See 1975, 706 § 312.)

SECT. 2D amended, 1975, 706 § 41. (See 1975, 706 § 312.)

SECT. 2E amended, 1975, 706 § 42. (See 1975, 706 § 312.)

SECT. 3, first sentence revised, 1967, 844 § 14; first three sentences stricken out and one sentence inserted, 1975, 706 § 43. (See 1975, § 312.)

SECT. 3A, second sentence revised, 1963, 801 § 26; 1972, 300 § 24; 1973, 426 § 27, 1974, 422 § 32; section revised, 1975, 706 § 44; second sentence revised, 1977, 234 §§ 85-87; 872 (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1975, 706 § 312; 1977, 234 § 198; 872 § 204.)

SECT. 3B amended, 1975, 706 § 45. (See 1975, 706 § 312.)

SECT. 3C revised, 1975, 706 § 46. (See 1975, 706 § 312.)

SECT. 3D, first sentence amended, 1975, 706 § 47. (See 1975, 706 § 312.)

SECT. 4A, first paragraph, fifth sentence revised, 1976, 25; third paragraph amended, 1975, 706 § 48. (See 1975, 706 § 312.)

SECT. 4B amended, 1956, 657 § 1.

SECT. 5, first sentence amended, 1975, 706 § 49. (See 1975, 706 § 312.)

SECT. 5A added, 1962, 715 § 1 (establishing a marine fisheries advisory commission).

SECT. 6 revised, 1964, 524 § 1; amended, 1975, 706 § 50. (See 1964, 524 § 31; 1975, 706 § 312.)

SECT. 6A, first paragraph amended, 1965, 665 § 1; revised, 1969, 37 § 1; amended, 1970, 779 § 3; revised, 1975, 706 § 51. (See 1965, 665 § 3; 1975, 706 § 312.)

SECT. 6B revised, 1964, 524 § 2; first two sentences revised, 1975, 706 § 52. (See 1975, 706 § 312.)

SECT. 6C revised, 1964, 524 § 3; second paragraph amended, 1975, 706 § 53. (See 1975, 706 § 312.)

SECT. 6D revised, 1964, 524 § 4; amended, 1975, 706 § 54. (See 1975, 706 § 312.)

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; first sentence amended, 1975, 706 § 55; second sentence stricken out and

two sentences inserted 1971, 1004 § 2. (See 1964, 524 §§ 30, 31; 1975, 706 § 312.)

SECT. 7 revised, 1974, 806 § 26; 1975, 706 § 56. (See 1974, 806 § 41; 1975, 706 § 312.)

SECT. 7A repealed, 1974, 806 § 10. (See 1974, 806 § 41.)

SECT. 7C revised, 1975, 706 § 57. (See 1975, 706 § 312.)

SECT. 7E first paragraph, third sentence amended, 1975, 706 § 58. (See 1975, 706 § 312.)

SECT. 7F, first and second sentences revised, 1974, 806 § 27. (See 1974, 806 § 41.)

SECT. 7H, first paragraph, first sentence amended, 1975, 706 § 59. (See 1975, 706 § 312.)

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; first sentence revised, 1975, 706 § 60; amended, 1977, 120 § 1; revised, 1977, 201 § 1; second sentence revised, 1977, 120 § 2. (See 1975, 706 § 312.)

SECT. 9, first paragraph, first sentence revised, 1975, 706 § 61; paragraph inserted after first paragraph, 1964, 646 § 1. (See 1975, 706 § 312.)

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. 11, second sentence revised, 1977, 201 § 2.

SECT. 14, second paragraph amended, 1975, 706 § 62. (See 1975, 706 § 312.)

SECT. 16 added, 1962, 513 (requiring persons engaged in the business of digging or drilling wells to be registered, and to file certain reports); revised, 1977, 201 § 3.

SECT. 17 added, 1962, 715 § 2 (establishing a public access board); revised, 1964, 438; first sentence amended, 1966, 155.

SECT. 17A added, 1966, 621 § 2 (authorizing the department to provide public access to certain waters); revised, 1968, 594. (See 1966, 621 § 3.)

SECTS. 17-17A stricken out and new sections 17-17A inserted, 1970, 589 § 3. (See 1970, 589 § 4.)

SECT. 17, first sentence revised, 1974, 806 § 28. 1975, 706 § 63; section repealed, 1977, 363A § 61. (See 1974, 806 § 41; 1975, 706 § 312; 1977, 363A § 76.)

SECT. 17A amended, 1971, 864; first sentence revised, 1975, 706 § 64; fourth sentence amended, 1975, 706 § 65. (See 1975, 706 § 312.)

SECT. 17B added, 1971, 840 (establishing a system of scenic and recreational rivers and streams in the commonwealth); first paragraph, first sentence amended, 1975, 706 § 66; paragraph inserted after first paragraph, 1973, 984 § 1; sixth paragraph, second sentence amended, 1975, 706 § 67. (See 1975, 706 § 312.)

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. 18 revised, 1975, 706 § 68. (See 1975, 706 §§ 312.)

SECT. 19, second, third, fourth, fifth and sixth sentences revised, 1966, 237; fourth sentence amended, 1975, 706 § 69; sixth sentence amended, 1975, 706 § 70. (See 1975, 706 § 312.)

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; first sentence revised, 1975, 706 § 71; second paragraph, sentence added, 1969, 745 § 1; paragraph revised, 1970, 28. (See 1975, 706 § 312.)

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; first sentence revised, 1975, 204.

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, first paragraph, first four sentences revised, 1975, 706 § 72; last sentence stricken out and seven paragraphs inserted, 1971, 567; eighth paragraph amended, 1975, 706 § 74. (See 1975, 706 § 312.)

SECT. 55 amended, 1975, 706 § 74. (See 1975, 706 § 312.)

SECTS. 57-58 added, 1970, 692 § 2 (regulating the handling and disposal of hazardous wastes).

SECT. 57, second paragraph, second sentence revised, 1975, 110 § 1; third paragraph, clause (1) revised, 1975, 110 § 2;

SECT. 58, first paragraph, sentence added, 1975, 110 § 3.

Chapter 21A. — Executive Office of Environmental Affairs.

New chapter inserted, 1974, 806 § 1. (See 1974, 806 § 41.)

SECT. 7, sentence inserted after fourth sentence, 1975, 706 § 75; sixth sentence revised, 1977, 872 § 84A; sentence added, 1977, 872 § 84B; tenth sentence revised, 1977, 872 §§ 84C-84G. (See 1975, 706 § 312; 1977, 872 § 204.)

SECT. 7A added, 1977, 969 § 1A (further regulating the appointment and removal of certain employees in the department of public works). (See 1977, 969, § 2.)

SECT. 8, first paragraph revised, 1975, 706 § 76; eighth paragraph revised, 1976, 706 § 77. (See 1975, 706 § 312.)

SECT. 12 revised, 1975, 706 § 78. (See 1975, 706 § 312.)

SECT. 13 added, 1975, 706 § 79 (providing for adoption of a state environmental code); first paragraph, two sentences inserted after third sentence, 1977, 374. (See 1975, 706 § 312.)

SECT. 14 added, 1977, 625 § 1 (relative to certain dredging projects).

Chapter 21B. — Mining Regulation and Reclamation **New Chapter inserted, 1977, 957 § 1.**

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; 1977, 234 §§ 88-90; 872 §§ 85-87. (See 1948, 517 § 2; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

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; first paragraph, second sentence revised, 1977, 872 §§ 87A-87C; second paragraph amended, 1974, 541 § 1. (See 1948, 634 § 3; 1972, 802 § 77; 1974, 541 § 24; 1977, 872 § 204.)

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 teletypewriter 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; first paragraph revised, 1976, 389 § 2. (See 1976, 389 § 4.)

SECT. 9Q revised, 1970, 17.

SECT. 9S added, 1977, 797 § 1 (relative to state police detective lieutenant-inspectors).

SECT. 10, third sentence revised, 1955, 730 § 28; 1963, 801 § 47. (See 1955, 730 § 43.)

SECT. 10A added, 1977, 990 § 1 (establishing a bureau of pipefitters and refrigeration technicians).

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. 1 revised, 1977, 864 § 8.

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; second sentence revised, 1977, 234 §§ 91-93; 872 §§ 88-90. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50, 768 § 1; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

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 § 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; amended, 1977, 234 §§ 94-96; 872 §§ 91-93. (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; 1977, 234 § 198; 872 § 204.)

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; sixth sentence stricken out, 1976, 473 § 1; 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; 1976, 473 § 1A. (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; 1976, 473 § 20.)

SECT. 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; first sentence amended, 1977, 234 §§ 97-99; 872 §§ 94-96; 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; 1977, 234 § 198; 872 § 204.)

SECT. 9R amended, 1965, 763 § 3; 1973, 1078 § 2A. (See 1973, § 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. 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; first sentence revised, 1977, 864 § 9; second sentence amended, 1977, 234 §§ 100-102; 872 §§ 97-99; 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; 1977, 234 § 198; 872 § 204.)

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 § 10.)

SECT. 23 amended, 1961, 611 § 6; clause (c) amended, 1977, 998 § 4.

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; 1977, 234 §§ 103-105; 872 §§ 100-102. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

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; first sentence revised, 1977, 864 § 10.

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; 1975, 188 § 1; second sentence revised, 1975, 527; 805; 1977, 864 § 11.

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); second paragraph amended, 1975, 188 § 2.

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).

SECT. 28A added, 1976, 264 (permitting the establishment of foreign trade zones).

SECTS. 29-35 added, 1975, 865 § 1 (establishing the Massachusetts Industrial Mortgage Insurance Agency).

SECT. 30, definition of "Industrial Enterprise" revised, 1977, 688 § 1; definition of "Industrial development facilities" amended, 1977, 688 § 2; definition of "Primary employment" revised, 1977, 688 § 3.

SECT. 31, first paragraph, second sentence revised, 1977, 688 § 4.

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; section revised, 1975, 163 § 1. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 2 revised, 1975, 163 § 1.

SECT. 3, second paragraph, clause (i) amended, 1974, 689 § 2; clause (o) amended, 1972, 802 § 6. (See 1972, 802 § 77.)

SECT. 4 revised, 1975, 163 § 2.

SECT. 5 amended, 1975, 163 § 3; first paragraph stricken out and two paragraphs inserted, 1977, 100.

SECT. 5A added, 1969, 774 § 2 (establishing a housing appeals committee within the department of community affairs); amended, 1975, 163 § 4.

SECT. 6 amended, 1975, 163 § 5.

SECTS. 8-9 revised, 1975, 163 § 6.

SECT. 9 amended, 1969, 751 § 7.

SECT. 10 amended, 1973, 1168 § 16; 1974, 689 § 3; 1975, 163 § 7. (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).

SECT. 11, clause (b) amended, 1977, 939 § 1; clause (e) revised, 1977, 939 § 2.

SECT. 12, first paragraph, first sentence revised, 1975, 163 § 8.

SECT. 13, clause (4) revised, 1977, 939 § 3.

SECTS. 16-23 added, 1972, 802 § 1 (establishing a state building code commission).

SECT. 16, first paragraph, third sentence amended, 1975, 163 § 9; eighth paragraph amended, 1974, 541 § 2; 1975, 163 § 10.

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; second paragraph revised, 1975, 163 § 11.

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; section revised, 1975, 38 § 1; sixth sentence revised, 1977, 234 §§ 106-108; 872 §§ 103-105. (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; 1977, 234 § 198; 872 § 204.)

SECT. 3 revised, 1949, 257.

SECT. 4 revised, 1938, 221; amended, 1959, 606 § 2; sixth sentence revised, 1975, 38 § 2; paragraph added, 1951, 101; 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; fifth paragraph revised, 1977, 621. (See 1953, 575 § 2.)

SECT. 5A revised, 1952, 453.

SECT. 7, paragraph added, 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, 422 § 1.

SECT. 12B revised, 1932, 290 § 2; repealed, 1939, 422 § 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 commercial motor vehicle division in the department of public utilities to summon witnesses, administer oaths and take testimony).

SECT. 12H added, 1960, 737 § 1 (providing for the promulgation of uniform rules and regulations to govern gas fitting in buildings throughout the commonwealth); first sentence revised, 1963, 223; second sentence amended, 1962, 497; last sentence of first paragraph revised, 1962, 623 § 1; same sentence stricken out and two sentences inserted, 1963, 557 § 1; first paragraph revised, 1964, 312 § 1; first sentence revised, 1975, 706 § 80; paragraph inserted after first paragraph, 1965, 181; section repealed, 1977, 843 § 2. (See 1960, 737 § 6; 1975, 706 § 312.)

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; section repealed, 1977, 843 § 2. (See 1965, 635 § 1. (See 1965, 635 § 5.)

SECT. 12J revised, 1963, 557 § 3; 1965, 635 § 2; repealed, 1977, 843 § 2.

SECT. 12K, sentence added at end, 1963, 557 § 4; 1965, 635 § 3; section repealed, 1977, 843 § 2.

SECT. 12L, first sentence amended, 1963, 557 § 5; section revised, 1965, 635 § 4; repealed 1977, 843 § 2.

SECTS. 17-17A added, 1971, 1093 (authorizing the imposition and collection of assessments from public utility companies).

SECT. 17 revised, 1973, 1224 § 3.

SECT. 18 added, 1975, 684 § 90 (authorizing the imposition of assessments on certain companies). (See 1975, 684 § 97.)

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; 1977, 234 §§ 109-111; 872 §§ 106-108. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

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 § 39; 1974, 422 § 43; 1977, 234 §§ 112-114; 872 §§ 109-111. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

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.

SECTS. 8C-8D added, 1975, 684 § 29 (authorizing the imposition of assessments against licensed insurers). (See 1975, 684 § 97.)

SECT. 8E added, 1975, 728 § 1 (establishing a rating bureau).

SECT. 8F added, 1976, 266 § 4 (relative to annual assessments against insurance companies). (See 1976, 266 § 23.)

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; 1977, 234 §§ 115-117; 872 §§ 112-114; fourth sentence revised, 1967, 844 § 21. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204.)

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; 1977, 234 §§ 118-120; 872 §§ 115-177; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

SECT. 2A added, 1965, 1, 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; first sentence amended, 1977, 234 §§ 121-123; revised, 1977, 721A § 12. (See 1960, 765 §§ 8, 9; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198.)

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; section revised, 1975, 706 § 81. (See 1975, 706 § 312.)

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; 1977, 234 §§ 124-126; 872 §§ 118-120. (See

1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204.)

SECT. 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 "Family foster care" amended, 1975, 125; definition of "Placement agency" revised, 1975, 858 § 1; definition of "Temporary shelter facility" added, 1974, 682 § 1.

SECT. 10, paragraphs (a), (b) and (c) revised, 1974, 682 § 2; paragraph (a) amended, 1975, 858 §§ 2, 3.

SECT. 11 revised, 1974, 682 § 3; subsection (c) added, 1975, 858 § 4.

SECT. 11A added, 1975, 858 § 5 (authorizing certain requests for information on prospective adoptive families).

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; 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. 2E added, 1977, 356 § 21 (Establishing Federal Highway Construction Program Fund).

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 preparaton and transmittal of estimates of state revenue by the commissioner of administration); paragraph added, 1976, 283 § 3E. (See 1976, 283 § 34.)

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; paragraph added, 1975, 530 § 10. (See 1937, 426 § 2; 1941, 656 § 17; 1945, 548 § 3; 1975, 530 § 11.)

SECT. 6A added, 1974, 844 § 4 (further regulating requests and recommendations for appropriations).

SECT. 7 revised, 1963, 473 § 3; first paragraph, first sentence amended, 1975, 311 § 5; second paragraph, first sentence revised, 1969, 704 § 32; paragraph amended, 1975, 311 § 6. (See 1969, 704 § 60; 1975, 311 § 15.)

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, 1951, 401; 1962, 757 § 45; revised, 1969, 704 § 33; amended, 1975, 311 § 7. (See 1969, 704 § 60; 1975, 311 § 15.)

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.)

SECTS. 9C-9F added, 1976, 283 § 3F (relative to notification of certain fiscal deficiencies). (See 1976, 283 § 34.)

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; revised, 1976, 283 § 3G. (See 1976, 283 § 34.)

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. 23, two paragraphs added, 1975, 849.

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; first sentence revised, 1975, 684 § 23A; 1976, 283 § 23. (See 1969, 704 § 60; 1975, 684 § 97; 1976, 283 § 34.)

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, 545; sentence added, 1972, 807 § 1; third paragraph amended, 1974, 835 § 31; paragraph added, 1974, 829 § 1; revised, 1975, 586 § 4; paragraph added, 1977, 794. (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; section revised, 1975, 831.

SECT. 34A added, 1960, 230 (relative to deposits of public moneys and funds in co-operative banks); revised, 1961, 135; 1966, 139; 1975, 784.

SECT. 38, subdivision (h) added, 1934, 356; subdivisions (i), (j) and (k) added, 1966, 414; introductory paragraph amended, 1945, 658 § 7; revised, 1972, 807 § 2; 1976, 422 § 1; paragraph added, 1973, 304; 1976, 422 § 2. (See 1945, 658 § 11.)

SECT. 38A added, 1975, 786 § 3 (authorizing the establishment of certain trust funds).

SECT. 38B added, 1976, 422 § 3 (establishing a deferred compensation committee).

SECT. 47 stricken out and sections 47, 47A inserted, 1945, 637 § 5. (See 1945, 279.)

SECT. 47 revised, 1976, 4 §§ 27, 27A; 1977, 336 § 1. (See 1976, 4 § 33.)

SECT. 48, sentence added, 1976, 4 § 28; section revised, 1977, 336 § 2. (See 1976, 4 § 33.)

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; two sentences added; 1977, 336 § 3.

SECT. 49, paragraph added, 1965, 633; 1977, 336 § 4.

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. 53 amended, 1977, 336 § 5.

SECT. 54 revised, 1969, 720.

SECT. 56 revised, 1953, 272. (See 1956, 625 § 6.)

SECT. 57 repealed, 1968, 536.

SECT. 60A added, 1977, 336 § 6.

SECT. 60 revised, 1975, 370.

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); revised, 1976, 422 § 4; fifth sentence amended, 1977, 955.

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 meal 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; 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, 412; 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' services); 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. 36, first paragraph, fourth sentence revised, 1976, 172.

SECT. 36A revised, 1976, 527.

SECT. 37 revised, 1951, 556 § 1967, 561; first sentence revised, 1969, 808 § 1; 1970, 712 § 1; sentence inserted after first sentence, 1971, 862 § 1; section revised, 1976, 459 § 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 trucks 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; section revised, 1976, 506 § 1. (See 1972, 774 § 12; 1976, 506 § 3.)

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 other 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; first sentence revised, 1977, 970 § 1. two sentences inserted after first sentence, 1976, 506 § 2; paragraph (b) amended, 1967, 535 § 5. (See 1963, 842 § 2; 1976, 506 § 3.)

SECT. 39N added, 1972, 774 § 4 (authorizing adjustments in contract prices in relation of 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 third paragraph revised, 1976, 145 § 1; fifth paragraph revised, 1976, 145 § 2. (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 in-

introductory paragraph and paragraphs (1) to (7) inserted, 1974, 835 § 37; paragraph (1), first sentence revised, 1975, 689 § 9; 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; 1977, 234 §§ 1-3; 872 §§ 1-3; paragraph inserted after salary schedule, 1971, 66 § 1; sentence added, 1973, 428 § 1; paragraph amended, 1974, 835 § 38; stricken out, 1977, 773; 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; 1977 234 § 198; 872 § 204.)

SECT. 46A added, 1954, 680 § 14 (relative to the allocation or re-allocation 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; paragraph added, 1977, 658 § 1. (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; paragraph added, 1977, 658 § 2. (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; section revised 1977, 947 § 1. (See 1974, 257 § 4; 1977, 947 §§ 4-5.)

SECTS. 62A-62H inserted, 1977, 947 § 1. (See 1977, 947, §§ 4-5.)

SECT. 63 added, 1975, 776 § 2 (requiring the filling of certain notices relative to personal data system information); amended, 1977, 691 § 5. (See 1975, 776 § 5.)

SECT. 64 added, 1977, 920 § 20 (providing that no mental health hospital or public health hospital shall be converted to use by the department of correction without express approval of the general court).

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; amended, 1975, 817 § 1; 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; 1975, 817 § 2.)

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; section revised, 1976, 459 § 2. (See 1969, 808 § 12.)

SECT. 3, paragraph (1) amended, 1969, 808 § 4; paragraph (3) amended, 1974, 361 § 2; section revised, 1976, 459 § 3. (See 1969, 808 § 12.)

SECT. 3A added, 1976, 459 § 3.

SECT. 5, revised, 1969, 808 § 5; fourth sentence stricken out, 1970, 712 § 3; section revised, 1976, 459 § 4. (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; amended, 1975, 29; fourth paragraph amended, 1971, 862 § 2; last paragraph revised, 1971, 1065 § 2; section revised, 1976, 459 § 5. (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; section revised, 1976, 459 § 5. (See 1970, 712 § 12.)

SECT. 6B revised, 1970, 712 § 6; 1976, 459 § 5. (See 1970, 712 § 12.)

SECT. 6C added, 1976, 459 § 5.

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. 10 revised, 1977, 965.

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; section stricken out and sections 11A-11B added, 1975, 303 § 1. (See 1964, 730 § 2; 1975, 303 § 5.)

SECT. 11A, definition of "governmental body" revised, 1976, 397 § 1. (See 1976, 397 § 8.)

SECT. 11B, fourth paragraph, clause (3) revised, 1976, 397 § 2; eleventh, twelfth and thirteenth paragraphs revised, 1976, 397 § 3; section stricken out and section 11A½ added, 1977, 829 § 2. (See 1976, 397 § 8.)

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. 11C added, 1977, 895 (requiring certain hearings to be held in certain areas).

SECT. 13, third paragraph amended, 1960, 245; 1962, 179.

SECT. 14, clause (1) amended, 1957, 193 § 1; last paragraph amended, 1968, 637 § 1; section revised, 1973, 1114 § 3; first paragraph, clause (1), third sentence revised, 1976, 411 § 1; clause (2), first sentence revised, 1976, 411 § 2. (See 1973, 1114 § 351.)

SECT. 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 on "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 officer" revised, 1953, 153; definition of "Competitive promotional examination" revised, 1971, 657 § 1; definition of "Continuous examination" inserted, 1967, 780 § 3; two definitions "Department" and "Departmental promotional examination" inserted after definition "Competitive promotional examination", 1968, 652 § 1; definition of "Departmental promotional examination" amended, 1971, 657 § 2; definition of "Director" stricken out, 1974, 835 § 52; definition of "Division" revised, 1969, 704 § 38; 1974, 835 § 53; definition of "Essay question" inserted, 1975, 358 § 2; definition of "Executive office promotional examination" inserted, 1971, 685 § 1; amended, 1976, 532; 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 "Seasonal position" inserted, 1976, 138 § 1; definition of "Suspension" inserted, 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; 1975, 358 § 8.)

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; 1975, 358 § 3; paragraph (c) amended, 1974, 835 § 57. (See 1969, 15 § 2; 1974, 835 § 185; 1975, 358 § 8.) 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; revised, 1975, 358 § 4; 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; 1975, 358 § 8.)

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, 1939, 256 § 1; paragraph added, 1941, 625 § 1; 1941, 627 § 1; 1941, 686 § 2; paragraph added, 1943, 246 § 1; 1943, 402 § 1; 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, 1949, 765 § 1; stricken out, 1958, 583 § 2; paragraph added, 1949, 779 § 1; stricken out, 1966, 19 § 1; paragraph added, 1956, 438 § 1; revised, 1964, 24 § 2; paragraph added, 1956, 652 § 1; stricken out, 1970, 5 § 2; paragraph added, 1970, 599; revised, 1975, 706 § 82. (See 1932, 282 § 4; 1943, 246 § 2; 402 § 2; 1949, 765 § 2; 779 § 2; 1956, 438 § 2; 652 § 2; 1975, 706 § 312.)

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; revised, 1975, 115 § 1; amended, 1975, 134, 535 § 1; 689 § 10; 1976, 138 § 2; 198; 231; 492 § 1; twenty-fifth clause revised, 1977, 155. (See 1948, 387 § 1; 1963, § 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; first paragraph revised, 1977, 728. 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 of 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; first paragraph revised, 1975, 358 § 5; fourth paragraph revised, 1977, 184. (See 1974, 835 § 185; 1975, 358 § 8.)

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; first paragraph amended, 1977, 91 § 1. (See 1974, 835 § 185; 1977, 92 § 2.)

SECT. 10A added, 1972, 619 (authorizing the appointment of paraplegics to certain positions in police and fire departments); amended, 1974, 835 § 79; first paragraph, sentence added, 1975, 383. (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; 1975, 250; 639 § 1; 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; revised, 1975, 358 § 6. (See 1974, 835 § 185; 1975, 358 § 8.)

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; 1975, 105; first sentence revised, 1977, 326. (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, 1945, 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; tenth paragraph, sentence added, 1977, 139. (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; amended, 1946, 52; revised, 1952, 313; 1953, 459; amended, 1958, 51; revised, 1962, 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 offices 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 appointments 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; first paragraph, first sentence revised, 1976, 389 § 1; first two sentences stricken out, sentence inserted, 1977 797 § 2; paragraph inserted after first paragraph, 1971, 183; amended, 1974, 835 § 99. (See 1947, 354 § 2; 1974, 835 § 185; 1976, 389 § 4.)

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 services); first paragraph, first sentence revised, 1961, 255; amended, 1968, 93; 1970, 8; revised, 1971, 182 § 1; paragraph amended, 1974, 835 § 103; first sentence revised, 1976, 62; 1977, 438; 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. 20E added, 1977, 822 (relative to the employment of women as police officers).

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 appointments 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; 1976, 200 § 1.)

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; re-

vised, 1977, 815 § 1. (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, 1949, 642 § 2; revised, 1956, 247; section amended, 1974, 835 § 110; revised, 1975, 639 § 2; second and third paragraphs revised, 1977, 815 § 2. (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; revised, 1975, 358 § 7. (See 1974, 835 § 185; 1975, 358 § 8.)

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. 31C added, 1977, 853 (relative to notification of temporary employment).

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; 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; revised, 1976, 546. (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; paragraph (a) revised, 1976, 446; paragraph added, 1977, 624; paragraphs (b) and (c) revised, 1948, 240; paragraph (b), first sentence amended, 1968, 637 § 4; revised, 1970, 72 § 2; 1975, 557 § 1; second sentence revised, 1962, 205; third sentence revised, 1977, 230; 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; fifth sentence revised, 1977, 507; 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 § 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; second paragraph, first sentence revised, 1975, 557 § 2.

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 offices 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 or 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 janitor 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 any political subdivision 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 district 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,

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; 597 § 1; 1971, 1012 § 1; 1972, 436 § 1; 1973, 324, 767 § 1; 1003, § 1, 1211 § 1; 1974, 475 § 1; 1975, 708 § 12; definition of "Fiduciary" inserted, 1976, 269 § 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, § 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; 1975, 708 § 13; 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; amended, 1975, 708 § 14; 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; amended, 1975, 706 § 83; 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; amended, 1975, 706 §§ 84, 85; 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, 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; 1975, 708 § 13; 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; amended, 1975, 708 § 14; 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; amended, 1975, 706 § 83; 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; amended, 1975, 706 §§ 84, 85; 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,

SECT. 4, subdivision (1), paragraph (a) amended, 1947, 600 § 3; paragraph (h) revised, 1954, 627 § 8; third subparagraph of paragraph (h) revised, 1959, 576 § 1A; 1960, 618 § 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; amended, 1975, 49; 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; paragraph (m) added, 1977, 744; subdivision (2), paragraph (a),

first paragraph amended, 1947, 388 § 5; 1949, 656; revised, 1950, 809 § 1; clause (i) revised, 1949, 679; clause (ii) revised, 1946, 403 § 6; amended, 1947, 388 § 6; clause (iv) added, 1946, 5348 § 3; paragraph (b) amended, 1950, 809 n § 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, 1964, 514 § 4; subdivision (3), first sentence of paragraph (a) amended, 1946, 603 § 2; 1947, 388 § 7; second sentence 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 (b $\frac{1}{2}$) 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, 1960, 713 § 1; option (d) amended, and sentence added, 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, 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; revised, 1952, 484 § 1; last sentence revised, 1958, 404 § 2; 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; subdivision (4), first paragraph amended, 1962, 391; 1975, 872; third and fourth sentence revised, 1977, 363A, § 53; sentence added, 1949, 618 § 8; paragraph added, 1956, 422 § 1; subdivision (5) amended, 1958, 321 § 22. (See 1951, 784 § 3; 1977, 363A § 76.)

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; paragraphs (b) to (e) revised, 1977, 890 § 1; paragraphs (g) and (h) added, 1977, 890 § 2; 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 (4^{3/4}) added, 1973, 1003 § 11; subdivision (4^{1/2}) added, 1967, 597 § 14; subdivision (4^{1/4}) 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 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, 1952, 434 § 2; 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, 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 amended, 1975, 487; 768 § 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) amended, 1975, 768 § 2; 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; three sentences inserted after third sentence, 1977, 369; paragraph (f) added, 1960, 744 § 2; subdivision (3) added, 1976, 269 § 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; 1975, 650 § 1; 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; 1975, 650 § 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, 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, 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, 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, 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 contributory pension laws applicable to the retirement of veterans under veterans' non-contributory pension laws).

SECT. 57B added, 1963, 149 (relative to the creditable service of certain police officers and fire fighters for purposes of retirement).

SECT. 58 revised, 1943, 514 § 3; 1948, 665 § 3; amended, 1950, 668 § 3; 1965, 498 § 3; revised, 1968, 700; 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, 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 sur-

living spouse); first sentence revised, 1957, 113 § 1; amended, 1968, 600 § 4; first two paragraphs revised, 1970, 697 § 1; paragraph added, 1957, 413; amended, 1958, 669 § 1; paragraph added, 1957, 708 § 1; amended, 1958, 669 § 2; paragraph added, 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, 1934, 285 § 2; 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, 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, 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, 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, 1963, 571 § 1; paragraph inserted before last paragraph, 1964, 464 § 1; section revised, 1968, 689; 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. 65E added, 1975, 820 § 1 (providing for temporary service by retired judges of probate and insolvency); paragraphs (c) and (d) revised, 1975, 864 § 1; 1977, 433 § 1; paragraph (d) revised, 1975, 864 § 1. (See 1975, 820 §§ 4, 5; 864 § 3.)

SECT. 65E added, 1975, 861 § 1 (providing for temporary service by certain retired justices of the superior court); stricken out and Sect. 65F added, 1977, 433 § 2. (See 1975, 861 § 4.)

SECT. 66, paragraph added, 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, 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, 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, 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 pension 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 pension).

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, 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, 606 § 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, 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, 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. 90F added, 1977, 735 (relative to the employment of certain persons after mandatory retirement age).

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, 1947, 394; revised, 1950, 264; 1954, 343, 549; two sentences added, 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; 1975, 820 § 3; 861 § 3; 864 § 2; second sentence revised, 1968, 747; 1971, 67; paragraphs (b) and (c) revised, 1973, 587. (See 1938, 439 § 7; 1941, 670 § 26; 1974, 835 § 185; 1975, 820 § 5; 861 § 4; 864 § 3.)

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; stricken out and three sentences inserted, 1977, 766. (See 1959, 504 § 2; 1966, 431 § 2.)

SECT. 92 amended, 1953, 509 § 2.

SECT. 92A added, 1955, 686 (securing to the wives and children of pensioners residing outside the United States the benefits of such pensions in certain cases).

SECT. 94 added, 1950, 551 (presumption that hypertension or heart disease was suffered in line of duty in certain cases relative to retirement for accidental disability); revised, 1951, 594; amended, 1956, 411; revised, 1956, 511, 580; amended, 1963, 610; paragraph added, 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; paragraph (a), second sentence revised, 1975, 684 § 25A; section revised, 1976, 126 § 1. (See 1967, 408 § 4; 1971, 640 § 3, 743 § 2; 1972, 793 § 8; 1973, 1211 § 9; 1974, 724 § 2; 1975, 684 § 97; 1976, 126 § 3.)

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. 1 amended, 1977, 958 § 1.

SECT. 2, paragraph (a) revised, 1962, 193 § 1; paragraph (b) revised, 1956, 582 § 1; 1958, 301; 1958, 558 § 1; 1060, 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, 1959, 516; stricken out and three sentences inserted, 1977, 914 § 1; four sentences added, 1963, 513; fifth and sixth sentences revised, 1977, 958 § 2; 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; first two sentences revised, 1977, 371.

SECT. 3A added, 1975, 503 (establishing an employee advisory committee to the group insurance commission).

SECT. 4, first sentence amended, 1977, 958 § 3; second sentence amended, 1960, 389 § 1.

SECT. 5 revised, 1956, 582 § 3; 1960, 389 § 2; 1965, 840 § 2; first paragraph amended, 1977, 958 § 4; second paragraph amended, 1977, 958 § 4A. (See 1960, 389 § 6.)

SECT. 6 amended, 1960, 389 § 3; second sentence revised, 1965, 840 § 3; second sentence amended, 1977, 958 § 5; 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; fourth paragraph revised, 1975, 330.

SECT. 9 revised, 1958, 424 § 1; 1961, 572 § 1; amended, 1971, 432 § 1; paragraph added, 1977, 695. (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, 1969, 813 § 2; section revised, 1971, 946 § 3; first paragraph revised, 1971, 1048 § 1; 1973, 888 § 2; 1974, 794 § 2; amended, 1977, 958 § 6; 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); first paragraph, sentence inserted after first sentence, 1969, 633; schedule revised, 1976, 524; 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; 1977, 958 § 7; amended, 1965, 840 § 6; paragraphs (b) and (c) revised, 1964, 461 § 2; paragraph (c) amended, 1977, 958, § 8; paragraph (e) amended, 1965, 840 § 6A; first sentence amended, 1977, 958 § 9; paragraph (f) revised, 1977, 958 § 1D.

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; first sentence amended, 1977, 958, § 11. (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; first paragraph amended, 1977, 958, § 12.

SECT. 14 added, 1971, 946 § 2 (authorizing the group insurance commission and certain public authorities to make available to eligible 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. 1 amended, 1975, 806 § 1.

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; amended, 1975, 806 § 2. (See 1958, 558 §§ 5, 6.)

SECT. 2A added, 1977, 342 (relative to traffic supervisors).

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; first sentence amended, 1975, 806 § 3; second sentence revised, 1975, 183; 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; second paragraph amended, 1975, 806 § 4.

SECT. 3A added, 1977, 900 (relative to self-insurers).

SECT. 4, first sentence revised, 1961, 334 § 2; section revised, 1965, 841 § 2; first paragraph, first sentence amended, 1975, 806 § 5; second paragraph amended, 1975, 806 § 6.

SECT. 5 revised, 1960, 337 § 3; 1961, 334 § 3; 1965, 841 § 3; sentence added, 1970, 269; section revised, 1973, 843 § 2; second sentence amended, 1975, 806 § 7; sentence added, 1975, 240.

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; amended, 1975, 806 § 8; fourth paragraph, first sentence amended, 1975, 806 § 9.

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; 1975, 806 § 10.

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; first paragraph amended,

1975, 806 § 11; second paragraph amended, 1975, 806 § 12. (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); amended, 1975, 806 § 13.

SECT. 9D added, 1967, 402 (providing for payment of health insurance for surviving spouse of employees); amended, 1973, 789 § 3; first paragraph, first sentence amended, 1975, 806 § 14; second sentence revised, 1975, 241; 806 § 15.

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; second sentence amended, 1975, 806 § 16.

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. 9G added, 1975, 636 (relative to the payment of premiums for group health insurance for certain surviving spouses and children of police officers); revised, 1975, 806 § 17.

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; first paragraph, first sentence amended, 1975, 806 § 18; section amended, 1977, 870 § 2.

SECT. 10A added, 1975, 806 § 19 (authorizing group dental insurance coverage for certain persons).

SECT. 11, first two paragraphs revised, 1960, 337 § 4; section revised, 1965, 841 § 6; 1973, 843 § 3; first paragraph, first sentence amended, 1975, 806 § 20.

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; amended, 1975, 806 § 21. (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 the 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; paragraph added, 1975, 792.

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; third paragraph, second sentence amended, 1976, 454 § 2; 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 Table 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. 58 repealed, 1977, 415 § 7. (See 1977, 415 § 14.)

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, 1962, 242.

SECT. 83 revised, 1977, 811.

SECT. 88 revised, 1958, 629 § 1; first paragraph amended, 1974, 742; second paragraph revised, 1977, 68; 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.

SECT. 137 added, 1977, 972 § 1 (providing for a Massachusetts national guard education assistance program). (See 1977, 972 § 2.)

Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 3, sentence added at end, 1963, 655; 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. 5A added, 1977, 233 § 1 (relative to the salary of county employees). (See 1977, 233 § 9.)

SECT. 7 amended, 1935, 257 § 2; last sentence stricken out, 1939, 31 § 2. (See 1935, 257 § 12.)

SECT. 9 amended, 1975, 51.

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; stricken out and sections 9F-9G inserted, 1975, 303 § 2 (further regulating meetings of governmental bodies). (See 1975, 303 § 5.)

SECT. 96, tenth to thirteenth paragraphs revised, 1976, 397 § 4. (See 1976, 397 § 8.)

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; section revised, 1975, 793 § 1; first sentence revised, 1976, 18 § 1; paragraph added, 1977, 75. (See 1976, 18 § 2.)

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; amended, 1975, 706 § 86; sentence added, 1977, 350. (See 1975, 706 § 312.)

Chapter 35. — County Treasurers, State Supervision of County Accounts and County Finances.

For legislation enabling counties to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526. [For prior legislation, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

Provisions relative to travel allowance of county employees using certain cars on official business, 1933, 322 § 4; 1939, 452 § 2; 1941, 528 § 3; 1943, 465 § 3; 1945, 550 § 3; 1946, 348 § 3.

Provisions relative to expenses incurred for meals by county employees, 1939, 452 § 3; 1941, 528 § 2; 1943, 465 § 2; 1945, 550 § 2; 1946, 348 § 2.

For legislation increasing the salaries of justices, clerks and probation officers of district courts, probation officers of the superior court, trial justices and county commissioners, see 1946, 348 § 4.

SECT. 2 revised, 1945, 289.

SECT. 3 revised, 1932, 56; sentence added, 1939, 109 § 2.

SECT. 10, third sentence revised, 1977, 50.

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, 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; first sentence amended, 1977 25. (See 1953, 436 § 7.)

SECT. 19C added, 1977, 77 § 1 (relative to deductions for credit unions).

SECT. 20 revised, 1950, 659 § 2.

SECT. 21 amended, 1937, 64 § 2.

SECT. 22 revised, 1948, 153; 1952, 87.

SECT. 22A added, 1975, 27 (further regulating the depositing of funds by county officers and employees).

SECT. 23, second sentence revised, 1969, 849 § 6. (See 1969, 849 § 79.)

SECT. 24 revised, 1951, 530 § 2; amended, 1975, 253.

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 sentences, 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); first sentence revised, second sentence stricken out, 1977, 959; 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; sentences added, 1943, 39; section revised, 1945, 158 § 3; first sentence amended, 1969, 849 § 14; 1975, 582 § 1. (See 1969, 849 § 79.)

SECT. 31, first sentence revised, 1974, 492 § 4; section revised, 1975, 160. (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; first paragraph revised, 1975, 44; paragraph added, 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; 1977, 48. (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; amended, 1975, 80.

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 counter-signatures 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, 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, 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, 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; 1976, 8; 1977, 854.

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, 722 § 1; 1974, 482 § 1; paragraph (1A) added, 1977, 233 § 2; 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; 1977, 233 § 9.)

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.

SECT. 57 revised, 1976, 422 § 5.

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. 13 revised, 1975, 343.

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, 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, 1948, 664 § 2; revised, 1952, 543; 1956, 661; 1960, 769; paragraph added, 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; paragraph added, 1977, 254 § 1. (See 1966, 463 § 5; 1970, 789 § 2; 1972, 797 § 2; 1977, 254 § 2.)

SECT. 21 revised, 1943, 159 § 1. (See 1943, 159 § 2.)

SECT. 22 amended, 1932, 180 § 5; 1969, 849 § 2. (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; first paragraph revised, 1977, 941 § 2; paragraph added, 1952, 44; revised, 1977, 941 § 3. (See 1966, 278 § 2.)

SECT. 1A added, 1975, 829 (creating the office of forensic dental examiner).

SECTS. 1B and 1C added, 1977, 941 § 4 (relative to the office of medicolegal investigation).

SECT. 2, last sentence stricken out and two sentences inserted, 1945, 632 § 1; last sentence stricken out and paragraph added, 1977, 941 § 5.

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; 1977, 941 § 6; third sentence amended, 1949, 510; 1970, 783 § 2; last sentence revised, 1945, 632 § 3; 1959, 301 § 1; 1967, 670 § 1; 1977, 941 § 7. (See 1970, 783 § 3.)

SECT. 6 amended, 1939, 475; revised, 1945, 632 § 4; amended, 1973, 1076 § 1; ninth and tenth sentences revised, 1977, 941 § 8; paragraph added, 1977, 941, § 9.

SECT. 6A added, 1972, 180 (requiring medical examiners to take blood samples in certain motor vehicle accident cases).

SECT. 6C added, 1973, 1072 (authorizing the payment for autopsies of certain children and for autopsy reports to their parents or guardians); repealed, 1977, 941 § 10.

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; 1975, 490 § 1. (See 1939, 30 § 2; 1975, 490 § 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; 1977, 941 § 11.

SECT. 18 revised, 1953, 320; 1955, 162.

SECT. 19 revised, 1945, 632 § 6.

SECTS. 20-22 repealed, 1962, 413.

SECT. 20 added, 1977, 941 § 12 (relative to autopsies on certain children).

Chapter 39. — Municipal Government.

SECT. 6A added, 1952, 259 § 1 (relative to salaries of certain mayors, city councilors 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, 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; first paragraph, first sentences revised, 1976, 272 § 1; 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, 1963, 169; amended, 1964, 1 § 1. (See 1935, 403 § 2.)

SECT. 12, sentence added, 1964, 193.

SECT. 14, first and second paragraphs revised, 1943, 453 §§ 1, 2; second paragraph amended, 1969, 505 § 1; paragraph added, 1949, 152 § 2; amended, 1959, 64 § 3; paragraph added, 1969, 505 § 2.

SECT. 15, first paragraph, third sentence revised, 1970, 78 § 1; paragraph added, 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.)

SECT. 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, 1970, 571; third paragraph amended, 1964, 195; section revised, 1975, 303 § 3; definition of "Governmental body" revised, 1976, 397 § 5. (See 1975, 303 § 5; 1976, 397 § 8.)

SECT. 23B revised, 1960, 437 § 4; 1975, 303 § 3; 1976, 397 § 6; sixth paragraph, second sentence revised, 1977, 527, eleventh paragraph, fourth sentence amended, 1977, 829 § 3. (See 1975, 303 § 5; 1976, 397 § 8.)

SECT. 23C added, 1960, 437 § 5 (relative to the remedy in case of noncompliance with the law requiring that certain meetings be open to the public); revised, 1964, 323 § 1; first sentence stricken out and two sentences inserted, 1974, 83; section revised, 1975, 303 § 3. (See 1960, 437 § 7; 1975, 303 § 5.)

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. 3 amended, 1976, 191.

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; revised, 1975, 74; paragraph inserted, 1971, 952; 1972, 25; 1973, 6; 1974, 693; 1975, 46; paragraph added, 1969, 758 § 4; 1977, 421. (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; revised, 1975, 344; 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, 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; fifth paragraph, first sentence revised, 1975, 323 § 1; sixth paragraph, third sentence revised, 1975, 323 § 2.

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; revised, 1975, 518 § 1; 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 (27B) inserted, 1976, 485; 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 rag-weed); 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, 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 or 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; revised, 1975, 706 § 87; 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; 1975, 458; 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); clause (68) added, 1975, 574 (authorizing municipalities to repair certain private ways); clause (69) added, 1976, 416 § 1; clause (70) added, 1977, 232 § 1 (authorizing the purchase of development rights of farmlands); clause (71) added, 1977, 425 (authorizing the reimbursement for certain property loss or damage). (See 1938, 142 § 2; 1954, 627 §§ 65, 67; 1969, 849 § 79; 1973, 1210 § 39; 1975, 706 § 312.)

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. 5D added, 1977, 559 (authorizing special funds for retirement purposes).

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); second paragraph revised, 1976, 149 § 1.

SECT. 6H added, 1961, 319 (providing that cities and towns may make repairs on private ways without liability for damages); second paragraph revised, 1976, 149 § 2.

SECT. 6I added, 1961, 381 (authorizing certain cities and towns to construct, reconstruct, resurface and repair certain private ways).

SECTS. 6E-6I repealed, 1977, 693 § 1. (See 1977, 693 § 3.)

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. 6M added, 1975, 332 (authorizing cities and towns to repair private ways; repealed, 1977, 693 § 1. (See 1977, 693 § 3.)

SECT. 6N added, 1975, 551 (authorizing cities and towns to make certain temporary repairs on private ways; revised, 1977, 693 § 2.)

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; section amended, 1975, 18.

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; tenth sentence revised, 1976, 14.

SECT. 8E added, 1969, 391 § 1 (authorizing cities and towns to establish youth commissions; eighth sentence revised, 1976, 26.

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. 8H added, 1976, 416 § 2 (authorizing, cities and towns to establish recycling commissions).

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; first paragraph revised, 1946, 51, 209 § 2, 409 § 3; 1947, 468 § 3, 671, amended, 1949, 118 § 3; revised, 1949, 343 § 1; paragraph added, 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; second sentence revised, 1975, 706 § 88. (See 1969, 849 § 79; 1975, 706 § 12.)

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, 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, 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); first paragraph amended, 1975, 706 § 89; paragraph added, 1969, 555 § 1. (See 1975, 706 § 312.)

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; 1975, 107; first and second sentences stricken out, three sentences inserted, 1977, 401 § 1; 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. 21D added, 1977, 401 § 2 (relative to the noncriminal disposition of certain violations).

SECT. 22, first paragraph, sentence inserted after first sentence, 1968, 694 § 1; paragraph added, 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, 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; paragraph added, 1977, 648.

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; paragraph added 1977, 689.

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. 22D added, 1961, 322; 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.

SECT. 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, 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; section revised, 1975, 808 § 1. (See 1933, 185 § 2; 1941, 520 § 2; 1975, 808 § 7.)

SECT. 32A revised, 1975, 808 § 2. (See 1975, 808 § 7.)

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; second paragraph amended, 1975, 706 § 90; paragraph added, 1941, 465 § 1. (see 1975, 706 § 312.)

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. 39B amended, 1975, 706 § 91. (See 1975, 706 § 312.)

SECT. 39C amended, 1975, 706 § 92. (See 1975, 706 § 312.)

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; section revised, 1975, 706 § 93. (see 1965, 582; 1975, 706 § 312.)

SECT. 41, first sentence amended, 1975, 706 § 94. (See 1975, 706 § 312.)

SECT. 41A added, 1949, 793 (authorizing certain governmental agencies to restrain the use of water during an emergency); amended, 1975, 706 § 95. (See 1975, 706 § 312.)

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, 1935, 42 § 1; revised, 1938, 415 § 1; amended, 1941, 380 § 1; first three sentences stricken out and two sentences inserted, 1954, 487 § 1. (See 1932, 197 § 3; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42B amended, 1935, 56 § 1; revised, 1936, 42 § 2; 1938, 415 § 2; revised, 1941, 380 § 2; sentence inserted after fourth sentence, 1947, 132; section revised, 1954, 487 § 2. (See 1935, 56 § 2; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42C amended, 1935, 248 § 1; revised, 1938, 415 § 3; 1941, 380 § 3; 1954, 487 § 2; first sentence revised, 1965, 250. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42D, last sentence revised, 1935, 248 § 2; section revised, 1938, 415 § 4; 1941, 380 § 4; second paragraph amended, 1950, 80; section revised, 1954, 487 § 2. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42E, last sentence amended, 1932, 180 § 6; same sentence revised, 1939, 451 § 7; section amended, 1941, 380 § 5. Affected, 1938, 415 § 7. (See 1941, 380 § 7.)

SECT. 42F affected, 1938, 415 § 7; 1941, 380 § 7.

SECTS. 42G-42I added, 1955, 332 (to authorize the levy of special assessments to meet the cost of laying water pipes in public and private ways).

SECT. 42G, first sentence amended, 1957, 268 § 1. (See 1957, 268 § 2.)

SECT. 42I, first sentence revised, 1955, 639.

SECT. 43A added, under caption 1941, 678 § 2 (relative to pipe lines for conveying petroleum and its products and by-products).

SECTS. 44A-44I added, 1961, 609 (authorizing the formation of regional incinerator districts).

SECT. 44C amended, 1964, 502 § 1.

SECT. 44E, first paragraph revised, 1964, 502 § 2.

SECT. 44F, clauses (a) to (e), inclusive, revised, 1964, 502 § 3.

SECT. 44H, last sentence stricken out and two sentences inserted, 1964, 502 § 4.

SECTS. 44J and 44K added, 1964, 502 § 5 (relative to agreements made in forming regional incinerator districts).

SECTS. 44A-44K revised, 1965, 748 § 1.

SECT. 44A revised, 1967, 149.

SECT. 44B revised, 1967, 149; amended, 1969, 199; sixth sentence amended, 1975, 706 § 96. (See 1975, 706 § 312.)

SECT. 44C, second sentence amended, 1975, 706 § 97. (See 1975, 706 § 312.)

SECT. 44H amended, 1969, 849 § 34. (See 1969, 849 § 79.)

SECT. 49 amended, 1971, 766 § 8; revised, 1975, 219.

SECT. 50 amended, 1974, 268.

SECT. 51 revised, 1937, 196; two sentences added, 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 construction 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); paragraph added, 1975, 859 § 18A.

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, 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, 1961, 151; section revised, 1962, 201 § 1; sentence inserted after second sentence, 1968, 194; sentence inserted after fourth sentence, 1973, 296 § 1; sentence added, 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, 1960, 291; section revised, 1961, 435 § 2; two sentences added, 1963, 591; first paragraph revised, 1964, 688; paragraph added, 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, 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, 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 § 341.)

SECT. 22, first paragraph amended, 1970, 678 § 1. (See 1970, 678 § 2.)

Chapter stricken out and new chapter inserted, 1975, 808 § 3. (See 1975, 808 §§ 6, 7.)

For prior changes see Table of Changes contained in Acts and Resolves of 1975.

The following references are to Chapter 40A as so inserted:

SECT. 1 stricken out and sections 1, 1A inserted, 1977, 829 § 3A.

SECT. 3, paragraph added, 1977, 860.

SECT. 5, third paragraph amended, 1977, 829 § 3B; seventh paragraph amended, 1977, 829 § 3C.

SECT. 6, second paragraph amended, 1977, 829 § 3D.

SECT. 9, third paragraph amended, 1977, 829 § 3E; fifth paragraph amended, 1977, 829 § 4A; seventh paragraph third sentence stricken out, 1977, 829 § 3F.

SECT. 10, third paragraph amended, 1977, 829 § 4B.

SECT. 11, first paragraph amended, 1977, 829 § 4C; second paragraph amended, 1977, 829 § 4D; third paragraph amended, 1977, 829 § 4E; fourth paragraph amended, 1977, 829 § 4F.

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; first sentence revised, 1975, 163 § 12; 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; third sentence revised, 1973, 1082 § 2; fourth sentence revised, 1966, 135 § 2; sentence added, 1964, 327 § 3; section 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 § 5.

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).

SECT. 21, first sentence amended, 1975, 808 § 4; fifth sentence amended, 1975, 808 § 4A; eighth sentence amended, 1975, 808 § 4B. (See 1975, 808 § 7.)

SECTS. 24-29 added, under caption, 1970, 849 § 3 (defining the powers and duties of the metropolitan area planning council).

SECT. 24, first paragraph, second sentence amended, 1975, 163 § 13; 706 § 98. (See 1975, 706 § 312.)

SECT. 26 amended, 1973, 215.

SECT. 28, first paragraph revised, 1975, 368.

SECT. 29, second paragraph amended, 1974, 476.

Chapter 40C. — Historic Districts.

New Chapter inserted, 1960, 372.

SECT. 3 revised, 1966, 525 § 1; first paragraph, second sentence amended, 1975, 163 § 14; revised, 1975, 706 § 99. (see 1966, 525 § 2; 1975, 706 § 312.)

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, 772 § 1.

SECT. 1, clauses (k) and (l) revised, 1970, 326; clause (m) and (n) revised, 1977, 206 § 1; clause (o¹/₂) added, 1972, 775 § 1; revised, 1977, 206 § 2; clause (p¹/₂) added, 1971, 1017 § 1; two sentences added, 1972, 373 § 1; stricken out, 1973, 1160 § 1; clause (r) added, 1977, 206 § 3.

SECT. 6, second paragraph revised, 1975, 887.

SECT. 7, paragraph (a), clause (viii) added, 1977, 206 § 4.

SECT. 8, clause (i) revised, 1973, 245.

SECT. 10, first paragraph, second sentence revised, 1975, 325; 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); paragraph (b) second sentence amended, 1975, 706 § 100; paragraph (b) revised, 1977, 206 § 4A; paragraph (c) added, 1977, 206 § 5. (See 1975, 706 § 312.)

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 40F. — The Massachusetts Community Development Finance Corporation.

New chapter inserted, 1975, 866 § 2.

The following reference is the Chapter 40F, as so inserted:

SECT. 4, fifth paragraph, clause (11), subclause (e) revised, 1977, 522.

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; section revised, 1977, 690 § 1

SECT. 1A added, 1967, 45 § 1 (relative to definition of "district"); revised, 1969, 505 § 4.

SECT. 4A, sentence added, 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.

SECT. 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, 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 office); 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; 1977, 157; last paragraph revised, 1934, 155 § 2; section revised, 1977, 690 § 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 selectman 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, 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, 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, 1936, 143 § 3; sentence inserted after first sentence, 1973, 143; second sentence revised, 1963, 105; sentence inserted before last sentence, 1951, 83.

SECT. 41C, added, 1977, 77 § 2 (authorizing city, town and county treasurers to deduct from pensions and retirement allowances for deposits in credit unions).

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. 41B added, 1975, 586 § 1 (authorizing the payment of public employees by direct bank credits).

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 selectman 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 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; sentence inserted after second sentence, 1975, 168; sentence stricken out, 1977, 348 § 1; 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; last sentence revised, 1975, 35. (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); fourth sentence amended, 1975, 706 § 101; sixth sentence amended, 1975, 706 § 102. (See 1975, 706 § 312.)

SECT. 70, first paragraph amended, 1957, 273 § 1; paragraph added, 1936, 211 § 1; amended, 1947, 340 § 1. (See 1936, 211 § 7.)

SECT. 71 amended, 1943, 266; 1953, 409 § 6; revised, 1966, 126; second sentence revised, 1975, 163 § 15.

SECT. 72 revised, 1936, 211 § 2; first sentence amended, 1947, 340 § 2; 1953, 674 § 1. (See 1936, 211 § 7.)

SECT. 73, paragraph added, 1936, 211 § 3; amended, 1947, 340 § 3; two sentences added, 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; fifth sentence revised, 1975, 565; seventh sentence revised, 1959, 143; sentence added, 1961, 276 § 2.

SECT. 81B amended, and paragraph added, 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, 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, 1957, 265.

SECT. 81N, last sentence revised, 1957, 146; 1959, 144.

SECT. 81O, paragraph added, 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, 1955, 326 § 2; paragraph added, 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, 1956, 307; revised, 1960, 196; sentence added, 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; revised, 1977, 473.

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, 1955, 348; section revised, 1957, 199 § 2. 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. 96 revised, 1977, 246 § 1.

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, 1968, 742; first sentence revised, 1971, 172; section revised, 1972, 697; 1977, 932. (See 1964, 564 § 5.)

SECT. 97 revised, 1977, 246 § 2.

SECT. 97A added, 1948, 540 (relative to the establishment of police departments in certain towns); revised, 1948, 595; third sentence revised, 1975, 336.

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. 98E added, 1977, 587 (providing that populations using the words "police" or "firefighter" shall identify sponsoring organization).

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, 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; 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 inserted after second paragraph, 1977, 880 § 1; paragraph added, 1957, 342; 1966, 322; two paragraphs added, 1977 646 § 1; (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; 1975, 753 § 1; paragraph added, 1975, 753 § 2.

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).

SECTS. 100I-100J added, 1975, 753 § 3 (relative to the indemnification of municipal officers by cities and towns for certain claims, demands, suits or judgments).

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, 1954, 627 § 17. (See 1954, 627 §§ 65, 67.)

SECT. 106 revised, 1977, 690 § 3.

SECT. 107, second sentence revised, 1953, 44; 1955, 123; sentence added, 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, 1960, 87; stricken out, 1969, 849 § 45; paragraph added, 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 on 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; second paragraph, first sentence amended, 1975, 452 § 1; second sentence amended, 1975, 452 § 2; paragraph inserted after second paragraph, 1975, 452 § 3; fourth paragraph amended, 1973, 369 § 2; stricken out, 1976, 293 § 38; section revised, 1976, 480 § 9. (See 1973, 369 § 3; 1975, 452 § 4; 1976, 283 § 41; 480 § 27.)

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, 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; stricken out and three paragraphs inserted, 1948, 330 § 1; stricken out and one paragraph inserted, 1949, 475 § 1; 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, 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 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, 1958, 266; section revised, 1964, 149; two paragraphs added, 1977, 646 § 2.

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 in 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, 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; definition inserted after definition of "Plan F", 1977, 549, § 2. (See 1977, 549, § 5.)

SECT. 2 revised, 1977, 549 § 1. (See 1977, 549, § 5.)

SECT. 5, paragraph added, 1938, 378 § 2; revised, 1948, 459 § 2.

SECT. 7 amended, 1939, 451 § 8; revised, 1948, 459 § 3; paragraph added, 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, 740 § 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, 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, 1958, 513 § 2; third and fourth sentences stricken out, 1963, 731 § 1; sentence added, 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, 49 § 2.

SECT. 31 amended, 1938, 378 § 12; 1959, 448 § 122.

SECT. 32 amended, 1949, 318; second sentence revised, 1970, 25.

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.

SECTS. 39-40 revised, 1972, 38.

SECT. 42 amended, 1935, 68 § 2; first paragraph revised, 1961, 550; second paragraph amended, 1967, 406 § 2.

SECT. 44A amended, 1933, 313 § 8; last two sentences stricken out, and paragraph added, 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. 44F amended 1977, 622 § 1.

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 filing 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, 1936, 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.

SECT. 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).

SECTS. 128-134 added, 1977, 549, § 3. (See 1977, 549 § 5.)

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; section amended, 1977, 814.

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, 1970, 786 § 2; subsection revised, 1975, 163 § 17; subsection (c), sentence added, 1970, 786 § 3; amended, 1971, 37 § 1; revised, 1975, 163 § 18.

SECT. 10, subsection (c), first sentence amended, 1970, 786 § 4; sentence inserted after second sentence, 1970, 786 § 5; first three sentences revised, 1975, 163 § 19.

SECT. 12, first paragraph amended, 1970, 786 § 6; revised, 1971, 37 § 2; amended, 1975, 163 § 16.

SECT. 12A added, 1970, 237 (providing for resubmission of a city or town charter for acceptance); sentence added, 1974, 803.

SECT. 16, sentence added, 1970, 786 § 7; revised, 1975, 163 § 20.

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. 4B added, 1976, 4 § 29 (relative to the payment of taxes by certain notes). (See 1976, 4 § 33.)

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; amended, 1975, 706 § 103. Temporarily affected, 1956, 412. (See 1973, 1140 § 30; 1975, 706 § 312.)

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 (3) revised, 1977, 232 § 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; clause (4A) revised, 1975, 184; clause (23) added, 1976, 11 § 1; clause (24) added, 1976, 189; revised, 1976, 404; clause (25) added, 1977, 121. (See 1936, 224 § 11, 12; 1965, 206 §§ 2, 3, 581 § 2; 1968, 228 § 2; 1969, 849 § 79; 1976, 11 § 2.)

SECT. 8, clause (1) revised, 1965, 98; clause (3) revised, 1938, 172 § 5; clause (4) revised, 1958, 383 § 1; 1963, 82; 1965, 68; clause (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, 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, 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, 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).

SECT. 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. 17A added, 1975, 869 § 1, (relative to the refunding of bond anticipation note issues). (See 1975, 869 § 2.)

SECT. 18 amended, 1946, 358 § 19.

SECT. 19 amended, 1946, 358 § 20.

SECT. 20 amended, 1946, 358 § 21; revised, 1947, 60; sentence added, 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. 31D added, 1976, 33 (providing for certain emergency snow and ice removal).

SECT. 32, paragraphs added, 1938, 175 § 1, 378 § 16; section revised, 1941, 473 § 2; first paragraph amended, 1969, 849 § 59; first sentence revised, 1975, 26 § 1; subdivision (2) amended, 1953, 51; fourth paragraph amended, 1969, 849 § 60; revised, 1975, 26 § 2; paragraph added, 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, 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, 1951, 798 § 6; second sentence revised, 1965, 204. (See 1951, 798 § 8.)

SECT. 34 revised, 1938, 170; paragraph added, 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 § 41.

SECT. 43, two sentences added, 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 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; first paragraph revised, 1976, 24.

SECT. 53D added, 1977, 665 (permitting cities and towns to establish recreation and park funds).

SECT. 54 amended, 1933, 200; 1946, 358 § 24; revised, 1948, 194 § 1; 1949, 243; amended, 1953, 83; 1954, 47; first sentence amended, 1971, 299; revised, 1977, 51; sentence inserted after first sentence, 1962, 257; revised, 1970, 53.

SECT. 55, sentence added, 1948, 143 § 1; 1951, 59; section revised, 1953, 103; amended, 1960, 592 § 4; first sentence revised, 1967, 46 § 9; sentence inserted after first sentence, 1975, 248; sentence added, 1960, 253; revised, 1967, 91; last two sentences revised, 1971, 545; third sentences amended, 1974, 548; fourth sentence revised, 1973, 224; 1974, 90; 1976, 128.

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; fifth paragraph stricken out, 1975, 284.

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); revised, 1976, 422 § 6.

SECT. 68 added, 1973, 47 (authorizing cities, towns and districts to pay salary increases retroactively).

Chapter 45. — Public Parks, Grounds and the Public Domain.

SECT. 1, sentence added, 1967, 790 § 1.

SECT. 2 amended, 1941, 10 § 1; first sentence revised, 1976, 274.

SECT. 5, sentence added, 1975, 888.

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.

SECT. 24 amended, 1977, 211.

SECT. 25 added, 1976, 516 (requiring the posting of certain emergency telephone numbers at ice skating facilities).

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; 1977, 161; third paragraph amended, 1971, 254; revised, 1977, 869 § 1; fourth paragraph amended, 1941, 51; revised, 1954, 627 § 23. (See 1954, 627 §§ 65, 67; 1968, 358 § 5; 1977, 869 § 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; section revised, 1975, 712.

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; first sentence revised, 1976, 486 § 4; sentence added, 1965, 10. (See 1960, 48 § 8; 1976, 486 § 31.)

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, 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; second paragraph amended, 1976, 486 § 5. (See 1959, 48 § 3; 1960, 48 § 8; 1968, 84 § 6; 1976, 486 § 31.)

SECT. 3A amended, 1976, 486 § 6. (See 1976, 486 § 31.)

SECT. 3B added, 1971, 288 (requiring physicians to report a birth whenever the mother and child and not admitted immediately to a hospital for postnatal care; amended, 1976, 486 § 7. (See 1976, 486 § 31.)

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, 1960, 15 § 2; section revised, 1968, 84 § 4. (See 1968, 84 § 6.)

SECT. 5 repealed, 1968, 84 § 5. (See 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, 1960, 48 § 4 (relative to the filing of certain certificates of death). (See 1960, 48 § 8.)

SECT. 9A amended, 1976, 486 § 8; repealed, 1977, 598 § 1; (See 1976, 486 § 31; 1977, 598 § 6.)

SECT. 9B amended, 1977, 598 § 2. (See 1977, 598 § 6.)

SECT. 10 revised, 1954, 627 § 24; 1976, 54. (See 1954, 627 §§ 65, 67.)

SECT. 11, first sentence amended, 1960, 48 § 5; 1977, 598 § 3; second sentence stricken out, 1955, 95 § 2. (See 1960, 48 § 8; 1977, 598 § 6.)

SECT. 12 amended, 1937, 78 § 2; revised, 1945, 439; first sentence amended, 1972, 401; 1976 486 § 9; second sentence amended, 1960, 48 § 6; revised, 1977, 598 § 4. (See 1960, 48 § 8; 1976, 486 § 31; 1977, 598 § 6.)

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; amended, 1976, 486 § 10; second sentence revised, 1971, 266; fourth sentence revised, 1966, 310; paragraph amended, 1974, 546; paragraph added, 1939, 61 § 4; 1948, 550 § 2. (See 1976, 486 § 31.)

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; section revised, 1976, 486 § 11. (See 1976, 486 § 31.)

SECT. 17 revised, 1932, 12; amended, 1939, 269 § 2; revised, 1960, 21 § 1; amended, 1976, 486 § 12. (See 1960, 21 § 2; 1976, 486 § 31.)

SECT. 18 revised, 1957, 95.

SECT. 19 revised, 1943, 228 § 1; amended, 1945, 570 § 1; second, third and fourth sentences revised, 1976, 486 § 13; sentence added at end, 1950 366; 1969, 478. (See 1943, 228 § 2; 1945, 570 § 2; 1976, 486 § 31.)

SECT. 19A added, 1969, 759 (prohibiting reproduction of certified copies of certain birth, marriage and death records); amended, 1976, 486 § 14. (See 1976, 486 § 31.)

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; repealed, 1976, 486 § 15. (See 1964, 508 § 4.)

SECT. 24 revised, 1960, 48 § 7; 1977, 598 § 4A. (See 1960, 48 § 8; 1977, 598 § 6.)

SECT. 26, first sentence revised, 1947, 283; amended, 1976, 486 § 16; sentence inserted after second sentence, 1939, 326 § 2; stricken out, 1963, 22 § 2. (See 1976, 486 § 31.)

SECT. 30 added, 1964, 310 (providing a penalty for altering, forging or counterfeiting copies of records of birth, marriage or death).

Chapter 47. — Infirmarys.

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; first sentence amended, 1975, 706 § 104. (See 1975, 706 § 312.)

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, 1073, 925 § 4. (See 1973, 925 § 84.)

SECT. 15 amended, 1932, 180 § 8; 1941, 490 § 11; 1975, 706 § 105. (See 1975, 706 § 312.)

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. 25 amended, 1977, 277.

SECT. 27 revised, 1973, 504.

SECT. 28, fourth sentence amended, 1975, 706 § 106. (See 1975, 706 § 312.)

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); second sentence amended, 1975, 706 § 107. (See 1975, 706 § 312.)

SECT. 36 amended, 1973, 232 § 1; 1977, 307.

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); revised, 1977, 36.

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); first paragraph amended, 1975, 333; paragraph added, 1974, 415 § 1; revised, 1974, 610 § 1. (See 1974, 415 § 1; 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; second paragraph revised, 1975, 754.

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; revised, 1976, 289 § 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 § 5. (See 1951, 805 §§ 6, 7.)

SECT. 2 amended, 1932, 141 § 1; sentence added, 1938, 341 § 4.

SECT. 3A added, 1947, 37 (relative to the placing on nominaton papers of acceptances of nominations); revised, 1953, 26.

SECT. 4, paragraph added, 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; first sentence amended, 1977, 829 § 5.

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; stricken out, 1962, 437 § 2; first paragraph stricken out and two paragraphs inserted, 1971, 382 § 1; first two paragraph stricken out and paragraph inserted, 1972, 28 § 1; first sentence revised, 1972, 587 § 1; amended, 1977, 829 § 6; third sentence stricken out, 1975, 275; 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 section 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, 1962, 437 § 4; paragraph added, 1966, 666; section revised, 1975, 367 § 1. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 4; revised, 1943, 453 § 11; revised, 1977, 226; 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; paragraph added, 1977, 267; section revised, 1977, 367 § 1; paragraph added, 1977, 829 § 24. (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 § 34.)

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, 305 § 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, 150 § 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. Sect. 10A revised, 1955, 176; amended, 1971, 382 § 4; sentence added, 1972, 30; section revised, 1977, 263; first sentence revised, 1977, 676 § 1.

SECT. 11 revised, 1938, 440 § 9; 1975, 391 § 1. (See 1938, 440 § 23.)

SECT. 12 revised, 1938, 440 § 10; first sentence revised, 1962, 437 § 6; amended, 1975, 391 § 2; sentence added, 1945, 715 § 1. (See 1938, 440 § 23.) § 23.)

SECT. 13 repealed, 1943, 453 § 15.

SECT. 14 amended, 1973, 925 § 5. (See 1973, 925 § 84.)

SECT. 14A revised, 1938, 440 § 11; 1977, 367 § 2. (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; paragraph added, 1975, 543 § 1.

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; sentence inserted after sixth sentence, 1975, 543 § 2.

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 added, 1973, 294; revised, 1976, 82.

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; sentence inserted after first sentence, 1975, 600 § 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; amended, 1976, 529 § 1.

SECT. 29 amended, 1947, 34 § 4; 1956, 134; first sentence revised, 1967, 763, section revised, 1970, 89; 1973, 853 § 3; first sentence revised, 1976, 272 § 2; section revised, 1977, 299 § 1.

SECT. 29A amended, 1943, 109 § 2; revised, 1947, 34 § 5; second sentence revised, 1977, 299 § 2.

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, 1962, 437 § 9; first sentence stricken out and two sentences inserted, 1966, 236 § 2; first sentence stricken out and two sentences inserted, 1969, 102; third sentence revised, 1976, 529 § 2.

SECT. 30, first sentence amended, 1943, 543 § 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; third sentence revised, 1976, 529 § 3, 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, 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; 1973, 1137 § 5; second paragraph revised, 1975, 367 § 2; 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; 1975, 128; fourth sentence amended, 1975, 391 § 3.

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 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, 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. 42D added, 1977, 622 § 2 (authorizing voter registration sessions in regional high schools, colleges or universities).

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; 1975, 211. (See 1938, 440 § 23; 1962, 511.)

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, 1946, 537 § 1. (See 1946, 537 § 12.)

SECT. 55 amended, 1933, 254 § 15; sentence added, 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; sixth sentence revised, 1976, 310 § 1. (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); revised, 1975, 89.

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; sentence stricken out and two sentences inserted, 1977, 546 § 1; second sentence revised, 1975, 600 § 2; second paragraph revised, 1975, 600 § 3 (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, 1948, 23; section revised, 1958, 111; first paragraph, first sentence revised, 1975, 600 § 4; first sentence stricken out and two sentences inserted, 1977, 546 § 2; paragraph added, 1974, 621.

SECT. 4 amended, 1955, 138 § 3; first sentence revised, 1975, 600 § 5; third sentence revised, 1977, 628.

SECT. 5, sentence inserted after first sentence, 1967, 105; sentence added 1967, 105; sentence added, 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, 1975, 600 § 6. (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

mended, 1953, 406 § 2; revised, 1966, 407 § 1; amended, 1973, 429 § 1A; section revised, 1975, 600 § 7. (See 1937, 384, 435.)

SECT. 3 revised, 1936, 116 § 1; amended, 1937, 45 § 1; revised, 1942, 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, 1945, 55.

SECT. 5, first paragraph amended, 1954, 31; 1966, 56 § 1; paragraph added, 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, 1973, 849; sentence inserted after first sentence, 1972, 400 § 1; third sentence revised, 1960, 224; paragraph added, 1976, 234 § 1; revised, 1977, 546 § 3.

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; 1976, 306; 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; section revised, 1977, 927 § 2.) (See 1933, 254 § 66; 1974, 200 § 2; 1977, 927 § 18.)

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; sentence inserted after first sentence, 1977, 329 § 1; 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; third sentence stricken out and two sentences inserted, 1976, 86.

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; 1977, 927 § 3; 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; 1977, 927 § 18.)

SECT. 11, sentence added, 1933, 313 § 3; revised, 1937, 77 § 3; section revised, 1937, 212 § 1; amended, 1943, 334 § 6; second sentence revised, 1956, 135; section revised, 1977, 927 § 4. (See 1977, 927 § 18.)

SECT. 12 revised, 1937, 212 § 2; first paragraph amended, 1943, 334 § 7; paragraph added, 1939, 166; section repealed, 1977, 927 § 5.

SECT. 12A added, 1933, 305 (to prevent certain fraudulent nominations); repealed, 1977, 927 § 5. (See 1977, 927 § 18.)

SECT. 13, sentence, added, 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, 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. 18A added, 1976, 309 (clarifying the procedure of nonbinding public opinion advisory questions on local ballots).

SECT. 20 revised, 1943, 334 § 11; sentence added, 1975, 352 § 1; revised, 1977, 927 § 6. (See 1977, 927 § 18.)

SECT. 21 amended, 1945, 237 § 2; second sentence revised, 1971, 322.

SECT. 22A amended, 1932, 80; 1938, 192; 1943, 51; 1948, 596; 1975, 288, 352 § 2; revised, 1977, 927 § 7. (See 1977, 927 § 18.)

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, 1945, 51; section repealed, 1977, 927 § 18.)

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; second sentence revised, 1975, 600 § 8. (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, 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; first paragraph, second sentence revised, 1976, 109 § 1; fourth and fifth paragraphs revised, 1975, 600 § 9; seventh paragraph amended, 1974, 380 § 1; fourth sentence stricken out and two sentences inserted, 1977, 927 § 9. (See 1937, 384, 435; 1977, 927 § 18.)

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; second sentence revised, 1975, 600 § 10; section revised, 1976, 475 § 1. (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; 1977, 829 § 7; second sentence revised, 1971, 920 § 3; third paragraph, first sentence revised, 1967, 191; sentence added, 1949, 194; revised, 1957, 26; paragraph revised, 1976, 310 § 2; second sentence revised, 1977, 879 § 3. (See 1971, 920 § 11; 1973, 1137 § 11; 1977, 879 § 7.)

SECT. 37A added, 1971, 920 § 4 (relating to party designation by absentee voters in a primary), revised, 1976, 85. (See 1971, 920 § 16.)

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; 1977, 546 § 4; second paragraph revised, 1977, 546 § 5. (See 1971, 920 § 11.)

SECT. 38A added, 1962, 375 (providing for a biennial count of the enrolled and unenrolled voters of the commonwealth).

SECT. 39A added, 1961, 109 (regulating the counting of votes for members of ward and town committees); repealed, 1966, 176 § 1.

SECT. 40 revised, 1932, 30.

SECT. 40A added, 1943, 334 § 16 (requiring petitions for recounts at primaries of a political party to be signed by enrolled voters thereof); revised, 1977, 546 § 6; 879 § 4. (See 1977, 879 § 7.)

SECT. 41 revised, 1932, 310 § 9; section and title preceding it stricken out and new section inserted under the heading "PROVI-

SIONS 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; stricken out and two sentences inserted, 1976, 47. (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; sentence inserted after first sentence 1977, 329 § 2; first paragraph revised, 1977, 927 § 10; third paragraph revised, 1966, 176 § 2; 1972, 8; paragraph added, 1946, 537 § 2. (See 1937, 384, 435; 1946, 537 § 12; 1977, 927 § 18.)

SECT. 46 amended, 1936, 4 § 2; revised, 1937, 25 § 2; amended, 1941, 337 § 8; first paragraph, sentence added, 1975, 139 § 1; second paragraph, second sentence amended, 1975, 600 § 11; paragraph inserted after second paragraph 1977, 329 § 3; second revised, 1977, 927 § 11. (See 1977, 927 § 18.)

SECT. 47 amended, 1932, 310 § 14; 1938, 473 § 14; sentence added, 1975, 352 § 3; last sentence revised, 1977, 927 § 12. (See 1937, 384, 435; 1977, 927 § 18.)

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; second sentence revised, 1975, 139 § 2; paragraph added, 1966, 66; section revised, 1975, 600 § 12; third paragraph revised, 1977, 927 § 12A; fourth and fifth paragraphs revised, 1977, 546 § 7; fourth paragraph, third and fourth sentences revised, 1977, 879 § 5; paragraph added, 1976, 234 § 2; revised 1977, 546 § 8. (See 1937, 384, 435; 1971, 920 § 11; 1977, 879 § 7; 927 § 18.)

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; 1977, 927 § 13. 1977, 927 § 13. (See 1937, 384, 435; 1977, 927 § 18.)

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, 1936, 116 § 2.

SECT. 56 amended, 1943, 334 § 17.

SECT. 57 amended, 1937, 410; 1945, 237 § 4.

SECT. 58, sentence added, 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; paragraph added, 1977, 329 § 4. (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; revised, 1975, 600 § 13. (See 1971, 920 § 11.)

SECT. 70C amended, 1975, 600 § 14.

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; section revised, 1975, 600 § 15. (See 1948, 614 §§ 8, 9; 1956, 74 § 2.)

SECT. 70E, sentence inserted before last sentence, 1947, 31; four paragraphs added, 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; section revised, 1975, 600 § 16.

SECT. 70F amended, 1939, 452 § 11; revised, 1948, 614 § 6; 1950, 280 § 6; 1966, 407 § 5; amended, 1969, 61 § 2; 819 § 2; revised, 1975, 600 § 17. (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; section revised, 1975, 600 § 18. (See 1948, 614 §§ 8, 9.)

SECTS. 70I-70K added, 1966, 407 § 7 (relative to presidential primaries).

SECT. 70I revised, 1972, 63; 1975, 600 § 19.

SECT. 70J, first paragraph, first sentence amended, 1972, 7 § 2; second sentence stricken out, 1969, 61 § 3; second paragraph amended, 1970, 104 § 2; section repealed, 1975, 600 § 20.

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, 1946, 537 § 3. (See 1946, 537 § 12.)

SECT. 87, paragraph added, 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; 1975, 10 § 5.

SECT. 2 amended, 1943, 411 § 1; 1971, 820 § 4; 1972, 735 § 4; second paragraph amended, 1975, 10 § 6.

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; 1975, 10 § 7.

SECT. 5 revised, 1943, 209 § 1.

SECT. 6 revised, 1943, 411 § 2; amended, 1971, 820 § 7; revised, 1972, 735 § 5; 1975, 10 § 8; paragraph inserted after first paragraph, 1975, 365 § 2.

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; amended, 1975, 10 § 9.

SECT. 9A added, 1937, 267 § 1 (relative to the use of precincts in certain towns in the formation of representative districts); revised, 1947, 267 § 2; 1966, 282; 1971, 820 § 10; second and fourth paragraphs stricken out, 1972, 735 § 8; section revised, 1975, 10 § 10.

SECT. 11 amended, 1932, 76 § 1; 1934, 158 § 1; 1937, 27; 1938, 341 § 6; revised, 1941, 432 § 1; first sentence amended, 1964, 186; two sentences inserted after first sentence, 1962, 437 § 29.

SECT. 11A added, 1932, 76 § 2 (dispensing with the appointment of deputy election officers in certain cities).

SECT. 11B added, 1941, 432 § 2 (relative to the appointment of election officers in certain cities); revised, 1943, 230.

SECT. 12 amended, 1934, 158 § 2; revised, 1945, 363; first paragraph revised, 1960, 431 § 1; first two paragraphs revised, 1962, 266; first paragraph amended, 1962, 437 § 30; 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, 1961, 335.

SECT. 16, paragraph added, 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, 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 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; 1977, 930 § 1.

SECT. 27, paragraph added, 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, 1943, 310 § 3; three sentences added, 1975, 353.

SECT. 32, paragraph added, 1967, 564 § 2; section revised, 1977, 930 § 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 § 2.

SECTS. 33A-33D added, 1943, 310 § 4 (relative to the use of voting machines at primaries and elections).

SECT. 33B, third sentence revised, 1964, 72 § 1.

SECT. 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; first paragraph revised, 1977, 930 § 3.

SECT. 33F, second paragraph stricken out, 1969, 551 § 1; sentence inserted after first sentence, 1977, 668 § 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; amended, 1977, 930 § 4.

SECT. 35 revised, 1943, 310 § 5; amended, 1971, 65; 1973, 150; thirteenth sentence revised, 1977, 930 § 5.

SECTS. 35A and 35B added, 1938, 281 § 3 (relative to voting by challenged voters at polling places where voting machines are used and to the counting of votes where such machines are used).

SECT. 35A, sentence added, 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; revised, 1977, 930 § 6.

SECT. 37 revised, 1967, 564 § 7; 1977, 930 § 7.

SECT. 38 revised, 1936, 205 § 2; repealed, 1977, 930 § 8.

SECT. 40, sentence inserted after first sentence, 1967, 564 § 8; section revised, 1977, 756.

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; second sentence revised, 1962, 437 § 38; 1976, 109 § 2; sentence added, 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); stricken out and section 42B added, 1975, 182.

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, 1943, 281 § 2; revised, 1967, 564 § 9; third paragraph revised, 1977, 709.

SECT. 48 amended, 1943, 290; sentence inserted after third sentence, 1967, 564 § 10.

SECT. 49 amended, 1943, 411 § 14; sentence added, 1962, 437 § 39.

SECT. 52 revised, 1977 § 667.

SECT. 53 amended, 1945, 64; first paragraph, first sentence revised, 1962, 437 § 40; second sentence revised, 1969, 575; 1976, 195; paragraph added, 1973, 1014; revised, 1977, 898.

SECT. 54 revised, 1977, 898.

SECT. 58A added, 1956, 180 (relative to the form of question to be used in placing provisions of the general laws on the ballot for acceptance by the voters of cities and towns); paragraph added, 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, 1946, 537 § 7; section revised, 1957, 54; sentence inserted after first sentence, 1970, 62; paragraph inserted after second paragraph, 1977, 297. (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, 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 the election officers in cities and in certain towns be supervised by the city or town clerk); amended, 1961, 288.

SECT. 73, paragraph added, 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; repealed, 1975, 95.

SECT. 77 revised, 1967, 564 § 11; 1970, 869 § 10; amended, 1976, 475 § 2.

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, 1970, 424 § 2; sentence added, 1972, 400 § 9; section revised, 1976, 475 § 3.

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; revised, 1975, 260 § 1; 719; first sentence revised, 1977, 426. (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, 1948, 477 § 1; subsection (b) revised, 1966, 368 § 1; amended, 1969, 545 §§ 1, 2; 1971, 409 § 2; 1972, 218 § 1; 1975, 87; 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; amended, 1975, 260 § 2; 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; second sentence revised, 1976, 84 § 1; sixth sentence amended, 1967, 134 § 2; revised, 1976, 84 § 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; 1975, 267.

SECT. 96 amended, 1936, 404 § 7; 1963, 374 § 8; 1966, 123 § 7; 1972, 218 § 3.

SECT. 98 amended, 1945, 466 § 6; revised, 1961, 242 § 2; amended, 1965, 283 § 3; revised, 1972, 52 § 2.

SECT. 100 revised, 1936, 404 § 8; 1963, 374 § 9; 1966, 123 § 8.

SECT. 103A added, 1933, 313 § 1 (providing for absent voting at regular city elections); affected, 1936, 404 § 9; revised, 1937, 77 § 1; first paragraph amended, 1939, 152; revised, 1948, 477 § 2; 1968, 632 § 2; 1971, 920 § 10; amended, 1972, 42; 1975, 157; paragraph added, 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; amended, 1976, 420 § 1.

SECT. 103C amended, 1976, 420 § 2.

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 (b½) added, 1976, 420 § 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); sixth paragraph amended, 1977, 668 § 2; fourth and fifth sentences stricken out and six sentences inserted,

1977, 668 § 3; paragraph inserted after sixth paragraph, 1977, 668 § 4.

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; 1976, 310 § 3; first sentence revised, 1977, 879 § 6. (See 1977, 879 § 7.)

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, 237 § 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, 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 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; section revised, 1977, 879 § 1. (See 1933, 254 § 66; 1977, 879 § 7.)

SECT. 135A added, 1938, 281 § 5 (relative to the recounting of votes where voting machines are used); amended, 1943, 411 § 25; first sentence revised, 1977, 879 § 2; sentence inserted after first sentence 1945, 142; sentence inserted after first sentence, 1949, 188; third sentence revised, 1969, 79; sentence added, 1975, 600 § 21. (See 1977, 879 § 7.)

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, 1973, 268.

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, 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, 1041, 345.

SECT. 2, paragraph added, 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, 1975, 151, under new title Disclosure and Regulation of Campaign Expenditures and Contributions.

For prior changes see Table of Changes contained in Acts and Resolves of 1974.

The following references are to Chapter 55, as so inserted:

SECT. 3, fourth paragraph first sentence revised, 1977, 234 §§ 126A-126C; 872 §§ 121-123. (See 1977, 234 § 198; 872 § 204.)

SECT. 6 revised, 1975, 774 § 2. (See 1975, 774 § 5.)

SECT. 9, first paragraph revised, 1975, 373.

SECT. 19, subsection (c), third sentence amended, 1977, 829 § 16; subsection (f), second paragraph revised, 1977, 829 § 17.

SECT. 20, second, third, fourth and fifth paragraphs stricken out and two paragraphs inserted, 1977, 294 § 1.

SECT. 22 revised, 1975, 491.

SECT. 32, third clause stricken out, 1977, 294 § 2.

Chapter 55A. — Limited Public Financing of Campaigns for Statewide Elective Office.

New chapter inserted, 1975, 774 § 3. (See 1975, 774 § 5.)

Chapter 55B. — The State Ballot Law Commission.

New Chapter inseted, 1977, 927 § 14. (See 1977, 927 § 18.)

Chapter 56. — Violations of Elections 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; section revised, 1977, 676 § 2.

SECT. 5 revised, 1974, 132 § 3.

SECT. 11A added, 1971, 301 (imposing a penalty for altering the district designation of a nomination paper); revised, 1977, 329 § 5.

SECT. 20 repealed, 1965, 530 § 2.

SECT. 27A added, 1964, 266 (providing a penalty for the unlawful distribution of absent voter ballots).

SECT. 39 first sentence amended, 1973, 1226; revised, 1976, 137 § 1.

SECT. 41, first paragraph revised, 1950, 88; amended, 1976, 137 § 2.

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, Councilor 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; 1977, 180 § 1. (See 1948, 250 §§ 3, 4; 1960, 432 §§ 3, 4; 1973, 663 § 3; 1977, 180 § 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; 1977, 180 § 1. (See 1948, 250 §§ 3, 4; 1960, 432 §§ 3, 4; 1973, 663 § 3; 1977, 180 § 3.)

SECT. 4 revised, 1939, 467 § 1; 1947, 182 § 1; 1963, 666 § 1; 1967, 877 § 3; 1973, 326 § 1; 1977, 277 § 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; amended, 1975, 684 § 30; two sentences inserted after the second sentence, 1971, 895 § 1; fifth sentence amended, 1932, 180 § 9; revised, 1937, 108 § 2. (See 1975, 684 § 97.)

SECT. 2 amended, 1933, 254 § 18; paragraph added, 1941, 726 § 2; revised, 1953, 654 § 5; section revised, 1958, 490 § 1; first paragraph, sentence added, 1975, 102; second paragraph revised, 1965, 696 § 1; 1969, 537 § 1; amended, 1975, 684 § 31. (See 1933, 254 § 66; 1958, 490 § 3; 1965, 696 § 2; 1969, 537 § 2; 1975, 684 § 97.)

SECT. 3 amended, 1933, 254 § 19; first paragraph amended, 1971, 926; first sentence revised, 1975, 684 § 32; first paragraph revised, 1977, 992 § 1; paragraph added, 1963, 660 § 5; 1974, 740. (See 1933, 254 § 66; 1963, 660 § 9; 1975, 684 § 97; 1977, 992 § 5.)

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; amended, 1977, 727; revised, 1977, 889 § 1.

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, 592 § 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; first paragraph, first sentence amended, 1975, 706 § 108; third paragraph, fourth sentence amended, 1975, 706 § 109. (See 1933, 254 § 66; 1956, 701 § 2; 1960, 593 § 2; 1969, 838 § 74; 1974, 492 § 24; 1975, 706 § 312.)

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; 1975, 706 § 110. (See 1933, 254 § 66; 1975, 706 § 312.)

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; amended, 1975, 706 § 111. (See 1956, 701 § 2; 1975, 706 § 312.)

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, 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; 1977, 363A § 54; paragraph (2) amended, 1969, 849 § 65; paragraph (3) revised, 1971, 1005 § 3; 1972, 766 § 5; section revised, 1974, 492 § 7; first sentence and subsection (a) revised, 1975, 684 § 33. (See 1968, 566 § 3; 1969, 546 §§ 16, 34; 1969, 849 § 79; 1970, 601 § 11; 1972, 766 § 23; 1974, 492 § 24; 1975, 684 § 97; 1977, 363A § 76.)

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; repealed, 1976, 415 § 99. (See 1976, 415 § 116.)

SECT. 26B added, 1964, 491 (relating to the assessment, collection and refund of small amounts); first paragraph amended, 1975, 684 § 34; second paragraph revised, 1973, 873; amended, 1975, 684 § 35; repealed, 1976, 415 § 99. (See 1975, 684 § 97; 1976, 415 § 116.)

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 that 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; repealed, 1976, 415 § 99. (See 1951, 641 §§ 18, 19; 1976, 415 § 116.)

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; 1975, 684 § 36. (See 1975, 684 § 97.)

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); first sentence revised, 1975, 462 § 1. (See 1968, 154 § 2; 1975, 462 § 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.)

SECT. 51 added, 1975, 438 (relative to the timely mailing of certain tax payments).

SECT. 31A-51 repealed, 1976, 415 § 99. (See 1976, 415 § 116.)

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; 1977, 234 §§ 127-129; 872 §§ 124-126; second paragraph revised, 1977, 987. (See 1937, 400 §§ 1, 2, 4, 5, 7; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1977, 234 § 198; 872 § 204.)

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; first sentence amended, 1975, 684 § 37; revised, 1976, 415 § 2; 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 § 4; 1934, 323 § 11; 1937, 400 § 1; 1947, 632 § 3; 1951, 641 §§ 18, 19; 1957, 617 § 13; 1958, 523 § 4; 1975, 684 § 97; 1976, 415 § 116.)

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; tenth sentence stricken out and two sentences inserted, 1976, 415 § 3. (See 1933, 321 § 9; 350 § 9; 1954, 681 §§ 20, 22; 1965, 597 § 4; 1968, 120 § 5; 1973, 1114 § 351; 1976, 415 § 116.)

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; amended, 1975, 513 § 2; last paragraph revised, 1977, 911 § 1. (See 1974, 383 § 3; 1975, 513 § 4; 1977, 911 § 2.)

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. 3E added, 1975, 513 § 3 (relative to the local taxation of certain real estate on government-owned property). (See 1975, 513 § 4.)

SECT. 5, first sentence amended, 1963, 160 § 8; 1970, 270 § 1; revised, 1974, 831 § 1; amended, 1975, 734 § 1; (See 1970, 270 § 3; 1974, 831 § 6; 1975, 734 § 3); clause First revised, 1936, 81; 1938, 47; 1956, 690 § 3; clause Second revised, 1951, 667 § 2; 1975, 706 § 112 (see 1975, 706 § 312); 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; 1977, 992 § 2 (see 1977, 992 § 5); 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; revised, 1975, 283; 1976, 263 § 1 (see 1976, 263 § 2); clause Twelfth revised, 1966, 262; clause Sixteenth revised, 1936, 362 § 1 (see 1936, 362 §§ 4, 8); 1941, 467; amended, 1949, 732; 1952, 232 § 1 (see 1952, 232 § 2); 1953, 654 § 28; 1954, 435 § 1 (see 1954, 435 § 2); revised, 1957, 541; paragraph (1A) inserted after paragraph (1), 1969, 884 § 4; clause Seventeenth revised, 1935, 294; amended, 1939, 451 § 19; revised, 1941, 227 § 1; 1954, 351; amended, 1965, 620 § 1 (see 1965, 620 § 4); revised, 1966, 371; sentence added, 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 revised, 1977, 889 § 2; clause Seventeenth A added, 1938, 186 § 4 (see 1938, 186 § 5); sentence added, 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; 1946, 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; 1976, 89; 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, 1949, 206; paragraph (d) revised, 1948, 560; paragraph (e) and one other paragraph inserted, 1948, 644 § 1 (see 1948, 644 § 3); paragraph added, 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, 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, 1969, 292 § 2 (see 1969, 292 § 5); paragraph revised, 1971, 1110 § 4 (see 1971, 1110 § 11); 1973, 696 § 2 (see 1973, 696 § 3); clause revised, 1977, 889 § 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 revised, 1971, 1110 § 8; 1977, 889 § 4; 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 § 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; revised, 1977, 967 § 1 (see 1971, 1069 § 2; 1974, 347 § 2; 1977, 967 § 3); 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; 1977, 889 § 5 (see 1971, 1110 § 11); clause Forty-third added, 1965, 267 § 2 (see 1965, 267 § 3; 1966, 385); revised, 1971, 1110 § 10; 1977, 889 § 5 (see 1971, 1110 § 11); clause Forty-fourth added, 1966, 700 § 2; revised, 1972, 707 § 2 (see 1972, 707 § 4); third paragraph amended, 1975, 706 § 113 (see 1975, 706 § 312); clause Forty-fifth added, 1975, 734 § 2 (see 1975, 734 § 3); clause Forty-sixth added, 1977, 964.

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. 5B added, 1977, 992 § 3 (providing for appeals from determination of boards of assessors). (See 1977, 992 § 5.)

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; first sentence amended, 1977, 422; 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; first paragraph revised, 1977, 888. (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; revised, 1967, 315 § 1; first paragraph revised, 1973, 52 § 5; amended, 1974, 80; section revised, 1975, 43; paragraph inserted after second paragraph, 1975, 375 § 3; fourth paragraph revised, 1976, 393. 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; 315 § 1; second paragraph amended, 1969, 546 § 9; second paragraph, certain definitions revised, 1977, 322. (See 1969, 546 § 34).

SECT. 25, first sentence revised, 1950, 257; amended, 1953, 654 § 30; 1963, 160 § 16; 1971, 766 § 21; sentence added, 1949, 105 § 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; third sentence revised, 1977, 992 § 4. (See 1933, 254 § 66; 1963, 160 § 33; 1977, 992 § 5.)

SECT. 33 amended, 1933, 254 § 35; first sentence revised, 1954, 459 § 2. (See 1933, 254 § 66.)

SECT. 38 revised, 1975, 853.

SECT. 38A added, 1952, 614, § 2 (relative to the valuation for taxation of natural gas or petroleum pipe lines); amended, 1953, 654 § 31; second paragraph, first and second sentences revised, 1977, 199. (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; section revised, 1977, 200. (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, 44 § 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; stricken out and two sentences inserted, 1976, 101 § 1; sentence revised, 1977, 349; second sentence revised, 1976, 250 § 1; 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; 1976, 101 § 2; 250 § 6.)

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; paragraph inserted after first paragraph, 1977, 198. (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, 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; first sentence stricken out and two sentences inserted, 1975, 677 § 1; 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; 1975, 677 § 5.)

SECT. 65 amended, 1933, 130 § 2; 167 § 1; revised, 1938, 478 § 2; 1939, 31 § 7; first sentence revised, 1945, 621 § 6; 1975, 677 § 2. (See 1975, 677 § 5.)

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; 1975, 677 § 3. (See 1975, 677 § 5.)

SECT. 65C added, 1953, 476 § 1 (providing for late entry of certain appeals to the appellate tax board); revised, 1975, 677 § 4. (See 1953, 476 § 2; 1975, 677 § 5.)

SECT. 65D added, 1956, 452 § 1 (relative to certain appeals filed with appellate tax board). (See 1956, 452 § 2.)

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3; revised, 1965, 597 § 3; amended, 1973, 689; sentence added, 1976, 250 § 2; section revised, 1977 § 585. (See 1976, 250 § 6.)

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; stricken out and two sentences inserted, 1977, 166 § 1.

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. 2, sentence added, 1976, 4 § 31. (See 1976, 4 § 33.)

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, 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; 1975, 71.

SECT. 9 repealed, 1976, 451.

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; 1977, 669 § 1; 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; clause eighteen added, 1977, 525 § 1; (See 1958, 306 § 3; 1977, 525 § 2; 669 § 2.)

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; sentence inserted after fourth sentence, 1976, 163; last sentence amended, 1960, 421 § 1. (See 1954, 487 § 3.)

SECT. 23A added, 1977, 956 § 1 (further regulating fees charged for furnishing certificates of lien.)

SECT. 25 revised, 1977, 175.

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; second sentence amended, 1976, 322. (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. 37B added, 1977, 176 § 1 (relative to the collection of property taxes.) (See 1977, 176 § 2.)

SECT. 38 amended, 1933, 254, 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); first paragraph revised, 1977, 66.

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; 1976, 250 § 3; 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; 1976, 250 § 6.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3; third sentence amended, 1970, 235 § 2; 1976, 250 § 4. (See 1970, 235 § 4; 1976, 250 § 6.)

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; revised, 1976, 250 § 5. paragraph added, 1935, 354 § 1. (See 1935, 224 § 6, 354 § 3; 414 § 4; 1966, 363 § 3; 1970, 235 § 4; 1976, 250 § 6.)

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, 1939, 181; amended, 1953, 674 § 10. (See 1935, 354 § 3.)

SECT. 76B added, 1938, 415 § 6 (relative to the effect of errors of 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, 387 § 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, 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; three paragraphs added, 1977, 293. (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; section revised, 1976, 415 § 4. (See 1934, 375 § 2; 1959, 371 § 2; 1962, 231 § 4; 1976, 415 § 116.) 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; first sentence revised, 1976, 398 § 2; 1977, 737 § 2; second sentence revised, 1969, 183; third sentence revised, 1973, 139; two sentences inserted after third sentence, 1970, 250. (See 1953, 339 § 2; 1976, 398 § 2; 1977, 737 § 3.)

SECT. 3 revised, 1936, 384 § 4; 1938, 480 § 3; 1976, 415 § 5. (See 1976, 415 § 33.)

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; fourth paragraph amended, 1975, 706 § 114. (See 1943, 461 §§ 4 and 5; 1969, 873 § 5; 1975, 706 § 312.)

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.)

SECT. 124A added, 1977, 614 (reviewing the World War II, Korean emergency and Vietnam conflict commission).

Chapter 61A. — inserted, 1973, 1118 § 1. (See 1973, 1118 § 3.)

The following references are to chapter 61A, as so inserted:—

SECT. 2 revised, 1975, 794 § 1.

SECT. 8, first sentence revised, 1976, 505 § 1. (See 1976, 505 § 2.)

SECT. 9, first paragraph revised, 1975, 648; third sentence amended, 1975, 794 § 2; second paragraph stricken out and five paragraphs inserted, 1975, 794 § 3.

SECT. amended, 1976, 68.

SECT. 12, fourth sentence amended, 1975, 794 § 4; fifth and sixth sentences stricken out and three sentences inserted, 1975, 794 § 5; sentence added, 1975, 794 § 6.

SECT. 13, subsection (c) amended, 1975, 794 § 7.

SECT. 14, first sentence stricken out and two sentences inserted, 1975, 794 § 8; five sentences added, 1975, 794 § 9.

SECT. 16, second sentence stricken out and two sentences inserted, 1975, 794 § 10.

SECT. 19 revised, 1975, 794 § 11.

SECT. 19A added, 1975, 794 § 12 (relative to the issuance of certain certificates of certain taxes).

Chapter 62. — Taxation of Incomes.

For legislation establishing an additional tax upon personal incomes to provide funds for old age assistance, see 1941, 729 §§ 8, 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; revised, 1977, 599 § 1; 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; 1977, 599 § 11.)

SECT. 2, subsection (a), paragraph (2), subparagraph (f) revised, 1977, 599 § 2; subsection (d), paragraph (3) revised, 1977, 599 § 3; subsection (d) paragraphs (9)-(11) added, 1977, 599 § 4. (See 1977, 599 § 11.)

SECT. 3 revised, 1943, 45 § 1; subsection B, paragraph (a) subparagraph (5) stricken out, 1977, 599 § 5; subparagraph (7) revised, 1977, 599 § 6; subparagraph (8), third sentence revised, 1977, 599 § 7; paragraph (b) subparagraph (5) revised, 1977, 599 § 8. (See 1977, 599 § 11.)

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 (b) revised, 1977, 599 § 9; subsection (c) revised, 1934, 363 § 1; 1935, 481 § 1; amended and paragraph added, 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 (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; 1977, 599 § 11.)

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; 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; subsection (c), paragraph (a) subparagraph (c) added, 1977, 599 § 10. (See 1958, 576 § 3; 1977, 599 § 11.)

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, subsection (e) revised, 1973, 723 § 16. (See 1973, 723 § 19.)

SECT. 2, subsection (a), paragraph (2), subparagraph (F) revised, 1975, 684 § 38; subsection (b), paragraph (1), subparagraph (A) re-

vised, 1974, 77 § 1; subsection (d) revised, 1975, 684 § 39. (See 1974, 77 § 2; 1975, 684 § 97.)

SECT. 3, subsection B, paragraph (a), subparagraph (7) added, 1974, 848 § 1; subparagraph (8) added, 1975, 684 § 40. (See 1974, 848 § 2; 1975, 684 § 97.)

SECT. 4, paragraph (a) revised, 1975, 684 § 41. (See 1975, 684 § 97.)

SECT. 6, subsection (b), paragraph (2) revised, 1976, 415 § 6. (See 1976, 415 § 116.)

SECT. 6C added, 1975, 774 § 4 (providing for a one dollar contribution to the state election campaign fund). (See 1975, 774 § 5.)

SECT. 9 amended, 1955, 592 § 1; revised, 1957, 664 § 2; first paragraph revised, 1976, 415, § 7; second paragraph amended 1966, 698 § 15. (See 1957, 664 § 5; 1976, 415 § 116.)

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; subsections (e)-(g) added, 1976, 510 § 1. (See 1954, 387 § 2; 1955, 780 § 10; 1957, 644 § 5; 1971, 555 § 67; 1973, 723 § 19; 913 § 4; 1976, 510 § 2.)

SECT. 11 revised, 1955, 592 § 3; first sentence revised, 1976, 415 § 8; sentence added, 1973, 913 § 2. (See 1973, 913 § 4; 1976, 415 § 116.)

SECT. 11B amended, 1976, 415 § 9. (See 1976, 415 § 116.)

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 expansion 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; amended, 1976, 415 § 10. (See 1957, 644 § 5; 1976, 415 § 116.)

SECT. 14 revised, 1971, 555 § 8. (See 1971, 555 § 67.)

SECT. 15 revised, 1976, 415 § 11. (See 1976, 415 § 116.)

SECT. 16 amended, 1953, 654 § 43.

SECT. 17 revised, 1955, 780; § 4. (See 1955, 780 § 10.)

SECT. 18 See Sect. 18 of Chapter 58 in this Table.

SECT. 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, 19970, 561 § 1; subsection (c) 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; repealed, 1976, 415 § 100. See; 1971, 555 § 67; 1976, 415 § 116.)

SECT. 19 revised, 1976, 415 § 12. (See 1976, 415 § 116.)

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, 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; repealed, 1976, 415 § 100. (See 1939, 486 § 3; 1954, 611 § 3; 1955, 780 § 10; 1957, 435 § 4; 1958, 491 § 3; 1971, 555 § 67; 1973, 723 § 19; 1976, 415 § 116.)

SECT. 23 repealed, 1976, 415 § 100. (See 1976, 415 § 116.)

SECT. 24 revised, 1943, 45 § 2; amended, 1954, 70 § 1; first sentence amended, 1966, 698 § 20; section repealed, 1976, 415 § 100. (See 1954, 70 § 2; 1976, 415 § 116.)

SECT. 25, third sentence revised, 1955, 592 § 4; last sentence revised, 1947, 322 § 1; section revised, 1976, 415 § 13. (See 1976, 415 § 116.)

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.)

SECTS. 26-41 repealed, 1976, 415 § 100. (See 1976, 415 § 116.)

SECT. 42 revised, 1976, 415 § 14. (See 1976, 415 § 116.)

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.)

SECTS. 43-46 repealed, 1976, 415 § 100. (See 1976, 415 § 116.)

SECT. 48 repealed, 1976, 415 § 100. (See 1976, 415 § 116.)

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; first sentence revised, 1975, 514 § 1.

SECT. 58A added, 1972, 453 (prohibiting disclosure of information by tax preparers).

SECTS. 55-60 repealed, 1976, 415 § 100. (See 1976, 415 § 116.)

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; revised, 1975, 684 § 42; second paragraph stricken out, 1969, 546 § 2; third paragraph amended, 1966, 698 § 37; fifth paragraph stricken out, 1963, 714 § 3; section revised, 1976, 415 § 15. (See 1963, 714 § 10; 1969, 546 § 34; 1975, 684 § 97; 1976, 415 § 116.)

SECT. 6, last sentence amended, 1963, 405; section revised, 1967, 577 § 2; 1976, 415 § 16. (See 1976, 415 § 116.)

SECT. 7, paragraphs (a)-(c) revised, 1976, 415 § 17. (See 1976, 415 § 116.)

SECT. 8 amended, 1963, 714 § 4; 1973, 708 § 3; repealed, 1976, 415 § 101. (See 1963, 714 § 10; 1973, 708 § 10; 1976, 415 § 116.)

SECT. 11, paragraph (d) amended, 1966, 698 § 38; paragraph (f) added, 1968, 408 § 1; section revised, 1976, 415 § 18. (See 1968, 408 § 2; 1976, 415 § 116.)

SECT. 12 amended, 1966, 698 § 39; revised, 1976, 415 § 19. (See 1976, 415 § 116.)

SECT. 13, first sentence revised, 1960, 159 § 1; 1976, 415 § 20; second paragraph, clause (a) revised, 1966, 698 § 40; paragraph added, 1963, 434 § 1. (See 1960, 159 § 2; 1963, 434 § 2; 1976, 415 § 116.)

SECT. 17 amended, 1966, 698 § 41; revised, 1976, 415 § 21. (See 1976, 415 § 116.)

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.)

SECTS. 19-21 repealed, 1976, 415 § 101. (See 1976, 415 § 116.)

Chapter 62C. — Administrative Provisions Relative to State Taxation.

New chapter inserted, 1976, 415 § 22. (See 1976, 415 § 116.)

SECT. 2 revised, 1977, 219 § 2. (See 1977, 219 § 7.)

SECT. 12, paragraph (c) revised, 1977, 816 § 22; paragraph (e) revised, 1977, 816 § 23.

SECT. 18, subsection (a) second sentence revised, 1977, 219 § 3; section revised, 1977, 219 § 4. (See 1977, 219 § 7.)

SECT. 21, subsection (b), clause (3) revised, 1977, 219 § 5; clause (1) revised, 1977, 459 § 1; clause (3) revised, 1977, 459 § 2. (See 1977, 219 § 7; 1977, 459 § 7.)

SECT. 36, paragraph added, 1977, 827.

SECT. 45, revised, 1977, 583 § 1. (See 1977, 583 § 2.)

SECT. 67, fifth paragraph revised, 1977, 459 § 3. (See 1977, 459 § 7.)

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; section revised, 1975, 684 § 43. 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; 1975, 684 § 97.)

SECT. 3 amended, 1933, 254 § 58; 1934, 323 § 5; 1945, 161 § 2; 1953, 654 § 50; 1955, 611 § 1; revised, 1962, 613 § 3; repealed, 1976, 415 § 102. (See 1933, 254 § 66; 1934, 323 § 11; 1976, 415 § 116.)

SECT. 4 amended, 1939, 368; 1941, 509 § 4; revised, 1962, 613 § 4; repealed, 1976, 415 § 102. (See 1941, 509 § 9; 1976, 415 § 116.)

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; section revised, 1975, 684 § 44. (See 1959, 456 § 5; 1971, 555 § 67; 1975, 684 § 97.)

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; repealed, 1976, 415 § 102. (See 1959, 456 § 5; 1976, 415 § 116.)

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; revised, 1976, 415 § 23; first paragraph revised, 1977, 816 § 24; second paragraph revised, 1977, 816 § 25. (See 1939, 447 § 3; 1948, 486 §§ 2-4; 1971, 555 § 67; 1976, 415 § 116.)

SECT. 18A amended, 1939, 447 § 2; 1953, 654 § 51; revised, 1959, 456 § 4; caption following section stricken out, 1968, 75 § 2; section repealed, 1976, 415 § 102. (See 1939, 447 § 3; 1976, 415 § 116.)

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; second to eighth sentences stricken out, 1977, 816 § 26; last paragraph stricken out, 1976, 415 § 24. (See 1941, 509 § 9; 1943, 531 §§ 2, 3, 7; 1948, 587; 1966, 596 § 2; 1976, 415 § 116.)

SECT. 21, subsection (b), clause (1) revised, 1977, 459 § 1; clause (3) revised, 1977, 219 § 5, 459 § 2. (See 1977, 219 § 7, 45 § 7.)

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; section revised, 1977, 816 § 27. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 22A added, 1971, 555 § 27 (further regulating payment of excise tax by certain domestic insurance companies); revised, 1977, 816 § 27A. (See 1971, 555 § 67.)

SECT. 22B added, 1977, 816 § 28 (providing for payment of annual investment privilege excise).

SECT. 22C added, 1977, 816 § 28 (providing for credit against investment privilege excise).

SECT. 22D added, 1977, 816 § 28 (relative to determining gains, but not losses under the investment privilege excise).

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; 1976, 415 § 25. (See 1943, 531 § 7; 1945, 721 § 5; 1976, 415 § 116.)

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; repealed, 1976, 415 § 102. (See 1943, 531 § 7; 1945, 721 § 5; 1971, 555 § 67; 1976, 415 § 116.)

SECT. 26 amended, 1946, 387 § 3; 1953, 654 § 54; revised, 1976, 415 § 26. (See 1946, 387 § 7; 1976, 415 § 116.)

SECT. 27 amended, 1946, 387 § 4; revised, 1960, 558 § 8; repealed, 1976, 415 § 102. (See 1946, 387 § 7; 1976, 415 § 116.)

SECT. 29 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, 426; paragraph inserted after third paragraph, 1953, 633; last paragraph amended, 1953, 654 § 55; section revised, 1960, 558 § 9; first paragraph revised, 1976, 415 § 27. (See 1941, 509 § 9; 1943, 531 § 7; 1946, 387 § 7; 1976, 415 § 116.)

SECT. 29, first sentence revised, 1960, 558 § 10; section revised, 1976, 415 § 28. (See 1976, 415 § 116.)

SECT. 29A added, 1946, 387 § 6 (relative to the taxation of marine and fire and marine insurance companies); subsection (7) revised, 1960, 558 § 11; stricken out, 1976, 415 § 29. (See 1946, 387 § 7; 1976, 415 § 116.)

SECT. 29B added, 1947, 488 § 4 (relative to the taxation of the exchange of reciprocal or inter-insurance contracts); revised, 1976, 415 § 30. (See 1976, 415 § 116.)

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; 1936, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 382 §§ 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; 1975, 684 § 45; paragraph 2 revised, 1943, 459 § 1; 1966, 14 § 18; 1969, 538; 1971, 555 § 32; 1975, 684 § 45; 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; 1975, 684 § 97.)

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; paragraph (g) added, 1977, 919 § 1. (See 1970, 634 § 7; 1973, 752 § 12; 1977, 919 § 3.)

SECT. 31B added, 1970, 634 § 3 (providing for lowering of certain rates); amended, 1975, 684 § 46. (see 1970, 634 § 7; 1975, 684 § 97.)

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; 756 § 5; 1966, 698 § 53; 1975, 684 § 47; subsection (a), clause (2) revised, 1975, 684 § 48. (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; 1975, 684 § 97.)

SECT. 32A amended, 1933, 342 § 2; revised, 1956, 550 § 5; repealed, 1960, 548 § 4. (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; third paragraph revised, 1976, 415 § 31. (See 1933, 303 § 3; 1976, 415 § 116.)

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; repealed, 1976, 415 § 102. (See 1956, 550 § 13; 1976, 415 § 116.)

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; repealed, 1976, 415 § 102. (See 1933, 327 § 7; 1935, 473 § 7; 1956, 550 § 13; 1970, 601 § 11; 1972, 661 § 2; 1976, 415 § 116.)

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 (c) revised, 1975, 684 § 49. 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; subsection (g), first sentence revised, 1975, 684 § 50. (See 1933, 342 § 6; 1961, 419 § 2; 1971, 555 § 67; 1972, 748 § 2; 1973, 752 § 12; 1974, 722 § 3; 1975, 684 § 97.)

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, 55 § 35; subsections (a) and (b) revised, 1973, 752 § 8; 1975, 684 § 51. (See 1935, 473 § 7; 1956, 55 § 13; 1971, 555 § 67; 1973, 752 § 12; 1975, 684 § 97.) [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; 1976, 415 § 32. (See 1937, 383 § 3; 1964, 723 §§ 6, 7; 1970, 634 § 7; 1976, 415 § 116.)

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; paragraph (b), clause (2) amended, 1975, 706 § 115. (See 1972, 707 § 4; 1975, 706 § 312.)

SECTS. 38E-38F added, 1970, 848 § 2 (providing for tax credits for certain corporations).

SECT. 38F revised, 1977, 939 § 4.

SECT. 38G added, 1973, 752 § 9 (extending the investment credit under the corporation excise law). (See 1973, 752 § 12.)

SECT. 38H added, 1976, 487 § 1 (providing for a corporate tax incentive for the use of alternative energy sources). (See 1976, 487 § 2.)

SECT. 39, subsection (1) revised, 1936, 362 § 6; last paragraph amended, 1933, 327 § 6; 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; 1975, 684 § 52; subsection (a), clause (2) revised, 1975, 684 § 53. (See 1933, 327 § 7, 342 § 6; 1936, 362 § 8; 1956, 550 § 13; 1957, 577 § 3; 1958, 406 § 3; 1973, 927 § 4; 1975, 684 § 97.)

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; third paragraph revised, 1976, 415 § 33. (See 1933, 303 § 3; 1976, 415 § 116.)

SECT. 39C revised, 1956, 550 § 10; repealed, 1960, 548 § 8. (See 1956, 550 § 13.)

SECT. 40 revised, 1933, 58 § 2; repealed, 1976, 415 § 102. (See 1976, 415 § 116.)

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; 1976, 415 § 34. (See 1937, 383 § 3; 1970, 634 § 7; 1976, 415 § 116.)

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.)

SECTS. 44-51 repealed, 1976, 415 § 102. (See 1976, 415 § 116.)

SECT. 52, second sentence amended, 1946, 394 § 1; fourth sentence amended, 1946, 394 § 2; eighth sentence amended, 1955, 611 § 2; section revised, 1976, 415 § 35. (See 1976, 415 § 116.)

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; stricken out and subdivisions (4) and (5) inserted, 1976, 415 § 36. (See 1951, 641 §§ 18, 19; 1956, 555 §§ 3, 4; 1957, 629 § 2; 1962, 475 § 2; 1971, 555 § 67; 1976, 415 § 116.)

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; section repealed, 1976, 415 § 102. (See 1933, 254 § 66; 1934, 323 § 11; 1941, 509 § 9; 1951, 641 §§ 18, 19; 1976, 415 § 116.)

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; first paragraph amended, 1976, 415 § 37; last paragraph amended, 1963, 365 § 1. (See 1947, 622 § 5; 1951, 641 §§ 18, 19; 1963, 365 § 4; 1976, 415 § 116.)

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; revised, 1976, 415 § 38. (See 1951, 641 §§ 18, 19; 1976, 415 § 116.)

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; repealed, 1976, 415 § 102. (See 1941, 509 § 9; 1976, 415 § 116.)

SECT. 67, third sentence revised, 1956, 550 § 12; fourth sentence amended, 1963, 365 § 2; sentence added, 1951, 641 § 16; section revised, 1976, 415 § 39. (See 1951, 641 §§ 18, 19; 1956, 550 § 13; 1963, 365 § 4; 1976, 415 § 116.)

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; repealed, 1976, 415 § 102. (See 1961, 283 § 2; 1971, 799 § 2; 1976, 415 § 116.)

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; 1963, 654 § 65; revised, 1954, 515 § 7; first sentence revised, 1958, 623 § 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; first sentence revised, 1975, 514 § 2.

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).

SECTS. 70-76A repealed, 1976, 415 § 102. (See 1976, 415 § 116.)

SECT. 79 revised, 1976, 415 § 40. (See 1976, 415 § 116.)

SECT. 80 revised, 1976, 415 § 41. (See 1976, 415 § 116.)

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.

SECT. 3 repealed, 1976, 415 § 103. (See 1976, 415 § 116.)

SECTS. 4-5 stricken out and section 4 inserted, 1973, 708 § 5. (See 1973, 708 § 10.)

SECT. 4 repealed, 1976, 415 § 103. (See 1976, 415 § 116.)

Chapter 63B. — Declaration of Estimated Tax by Corporations.

New chapter inserted, 1963, 714 § 5. (See 1963, 714 §§ 9, 10.)

SECT. 2 amended, 1976, 415 § 42. (See 1976, 415 § 116.)

SECT. 3, first paragraph revised, 1975, 427 § 1. (See 1975, 427 § 3.)

SECT. 4, paragraph (a) revised, 1975, 427 § 2, 684 § 54; paragraph (b) revised, 1975, 427 § 2. (See 1975, 427 § 3, 684 § 97.)

SECT. 6, paragraph (a), second sentence revised, 1969, 536 § 2; 1975, 684 § 55; third sentence amended, 1976, 415 § 43. (See 1969, 536 § 3; 1975, 684 § 97; 1976, 415 § 116.)

SECT. 10 revised, 1976, 415 § 44. (See 1976, 415 § 116.)

SECT. 11 repealed, 1976, 415 § 104. (See 1976, 415 § 116.)

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, 555 § 4.

SECT. 4, second paragraph revised 1976, 415 § 45. (See 1976, 415 § 116.)

SECT. 5 repealed, 1976, 415 § 105. (See 1976, 415 § 116.)

SECT. 6 amended, 1966, 698 § 72; repealed, 1976, 415 § 105. (See 1976, 415 § 116.)

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, 36; 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; paragraph (j) added, 1976, 415 § 46. (See 1936, 357 § 3; 1947, 666 §§ 2A, 4; 1956, 619 § 6; 1957, 617 § 13; 1976, 415 § 116.)

SECT. 2 revised, 1957, 617 § 5; paragraph inserted after fifth paragraph, 1961, 300; section amended, 1973, 565 §§ 1, 2; revised,

1976, 415 § 47. (See 1957, 617 § 13; 1973, 565 § 8; 1976, 415 § 116.)

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; section revised, 1976, 415 § 48. (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; 1976, 415 § 116.)

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; repealed, 1976, 415 § 106. (See 1936, 357 § 3; 1957, 383 § 4; 617 § 13; 1976, 415 § 116.)

SECT. 6 amended, 1957, 617 § 10; 1973, 565 § 6; repealed, 1976, 415 § 106. (See 1957, 617 § 13; 1976, 415 § 116.)

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; section revised, 1976, 415 § 49. (See 1957, 617 § 13; 1959, 540 § 2; 1976, 415 § 116.)

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; repealed, 1976, 415 § 106. (See 1957, 617 § 13; 1976, 415 § 116.)

SECT. 11 amended, 1957, 617 § 12; revised, 1976, 415 § 50. (See 1957, 617 § 13; 1976, 415 § 116.)

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; clause (d) stricken out and clause (d) and (e) inserted, 1977, 376 § 11. (See 1971, 497 § 15; 1977, 356 § 12.)

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; revised, 1975, 684 § 56; definition of "Meal" added, 1975, 684 § 57; definition of "Restaurant" added, 1975, 684 § 57; revised, 1975, 720 § 1. (See 1971, 555 § 67; 1973, 723 § 19; 1975, 684 § 97, 720 § 3.)

SECT. 2 revised, 1945, 663 § 2; 1946, 326 § 2; amended, 1953, 654 § 77; 1971, 555 § 44B, 901 § 1; revised, 1976, 415 § 51. (See 1971, 555 § 67; 1976, 415 § 116.)

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; clauses (e) and (f) added, 1975, 684 § 58. (See 1970, 888 § 31; 1975, 684 § 97.)

SECT. 2B added, 1975, 720 § 2 (exempting certain food or beverages from the meal excise law). (See 1975, 720 § 3.)

SECT. 3 revised, 1945, 663 § 3; 1946, 326 § 3; amended, 1971, 555 § 44C; revised, 1975, 684 § 96. (See 1971, 555 § 67; 1975, 684 § 97.)

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.)

SECTS. 4-9 stricken out, 1975, 684 § 96. (See 1975, 684 § 97.)

SECT. 10 amended, 1953, 654 § 81; revised, 1955, 540 § 4; repealed, 1966, 14 § 33. (See 1955, 540 §§ 5-7.)

Chapter repealed, 1975, 684 § 87. (See 1975, 684 § 97.)

Chapter repealed, 1977, 363A § 43. (See 1977, 363A § 76.)

Chapter 64C. — Cigarette Excise.

New chapter inserted, 1945, 547 § 1. (See 1945, 547 §§ 2, 3, 731 § 9; 1949, 77.)

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, 465 § 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, first sentence amended, 1976, 415 § 52; third sentence revised, 1966, 541 § 1; sentence added, 1966, 435 § 1. (See 1966, 435 § 7, 541 § 2; 1976, 415 § 116.)

SECT. 2, seventh sentence amended, 1956, 90 § 1; section revised, 1976, 415 § 53. (See 1956, 90 § 3; 1976, 415 § 116.)

SECT. 3 revised, 1956, 90 § 2; repealed, 1976, 415 § 107. (See 1956, 90 § 3; 1976, 415 § 116.)

SECT. 4 amended, 1953, 654 § 82; repealed 1976, 415 § 107. (See 1976, 415 § 116.)

SECT. 5 amended, 1976, 415 § 54. (See 1976, 415 § 116.)

SECT. 6 amended, 1953, 654 § 83; 1956, 720 § 1; revised, 1960, 774 § 7; second, third and fourth sentences revised, 1964, 563 § 5; 1966, 14 § 22; third sentence stricken out, 1966, 435 § 2; second and fourth sentences revised, 1969, 361 § 1; 1971, 245 § 1; section revised, 1976, 415 § 55. (See 1956, 720 §§ 2-4; 1960, 774 §§ 6, 8, 9, 10; 1964, 563 § 4; 1966, 435 §§ 6, 7; 1969, 361 § 5; 1971, 245 § 4; 1976, 415 § 116.)

SECT. 7, first two sentences stricken out and three sentences inserted, 1957, 373 § 1; section repealed, 1976, 415 § 107. (See 1957, 373 § 2; 1976, 415 § 116.)

SECT. 8 amended, 1976, 415 § 56. (See 1976, 415 § 116.)

SECT. 9, first paragraph amended, 1964, 469; paragraph added, 1956, 322 § 1; section repealed, 1976, 415 § 107. (See 1956, 322 § 2; 1976, 415 § 116.)

SECT. 10, third sentence revised, 1976, 415 § 57. (See 1976, 415 § 116.) 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.

SECTS. 22-25 repealed, 1976, 415 § 107. (See 1976, 415 § 116.)

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; subsection (b) revised, 1976, 415 § 58. (See 1969, 361 § 5; 1971, 245 § 4; 1976, 415 § 116.)

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; section revised, 1976, 415 § 59. (See 1969, 361 § 5; 1976, 415 § 116.)

SECT. 32 repealed, 1976, 415 § 107. (See 1976, 415 § 116.)

SECT. 33 amended, 1976, 415 § 60. (See 1976, 415 § 116.)

SECT. 34 amended, 1976, 415 § 61. (See 1976, 415 § 116.)

SECT. 39 amended, 1976, 415 § 62. (See 1976, 415 § 116.)

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; fifth paragraph, second sentence revised, 1977, 584.

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; revised, 1976, 415 § 63. (See 1976, 415 § 116.)

SECT. 5 repealed, 1976, 415 § 108. (See 1976, 415 § 116.)

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. 2, fourth paragraph revised, 1975, 819 § 1; section revised, 1976, 415 § 64. (See 1975, 819 § 7; 1976, 415 § 116.)

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; section revised, 1976, 415 § 65. (See 1956, 718 §§ 14, 15; 1960, 411 § 3; 1965, 451 §§ 8, 9A, 10; 1969, 546 § 34; 1971, 497 § 15; 1976, 415 § 116.)

SECT. 5 revised, 1957, 382 § 2, 728 § 2. (See 1957, 382 § 4; 728 § 5.)

SECT. 7 revised, 1957, 382 § 3. (See 1957, 382 § 4.)

SECTS. 6-8 repealed, 1976, 415 § 109. (See 1976, 415 § 116.)

SECT. 11 revised, 1961, 64; amended, 1976, 415 § 66. (See 1976, 415 § 116.)

SECT. 13 revised, 1971, 497 § 5. (See 1971, 497 § 15.)

SECT. 16 added, 1975, 819 § 2 (relative to arrests for violation of the special fuels tax laws); repealed, 1976, 415 § 109. (See 1975, 819 § 7; 1976, 415 § 116.)

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. 2 revised, 1975, 819 § 3; 1976, 415 § 67. (See 1975, 819 § 7; 1976, 415 § 116.)

SECT. 3, first paragraph revised, 1956, 718 § 12B; first sentence amended, 1965, 451 § 5; revised, 1971, 497 § 6; two sentences added, 1957, 728 § 3; second paragraph amended, 1975, 819 § 4. (See 1956, 718 §§ 14, 15; 1957, 728 § 5; 1971, 497 § 15; 1975, 819 § 7.)

SECT. 4, first sentence revised, 1957, 377 § 1; stricken out and two sentences inserted, 1975, 819 § 5. (See 1957, 377 § 4; 1975, 819 § 7.)

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; section revised, 1976, 415 § 68. (See 1956, 718 §§ 14, 15; 1960, 375 § 3; 1971, 497 § 15; 1976, 415 § 116.)

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.)

SECTS. 7-9 repealed, 1976, 415 § 110. (See 1976, 415 § 116.)

SECT. 11 repealed, 1976, 415 § 111. (See 1976, 415 § 116.)

SECT. 12 revised, 1976, 415 § 69. (See 1976, 415 § 116.)

SECT. 14 revised, 1971, 497 § 8. (See 1971, 497 § 15.)

SECT. 16 added, 1975, 819 § 6 (relative to arrests for certain violations of the motor vehicle law; repealed, 1976, 415 § 110. (See 1975, 819 § 7; 1976, 415 § 116.)

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. 3 paragraph added, 1976, 415 § 70. (See 1976, 415 § 116.)

SECT. 6 revised, 1976, 415 § 71. (See 1976, 415 § 116.)

SECT. 7 repealed, 1976, 415 § 111; 1977, 829 § 13. (See 1976, 415 § 116.)

SECT. 7A added, 1970, 699 (providing for the abatement of excises on certain room occupancy accounts; first sentence revised, 1976, 415 § 72. (See 1976, 415 § 116.)

SECT. 7B added, 1972, 523 § 2 (further regulating the liability for room occupancy and meal excises).

SECTS. 8-10 repealed, 1976, 415 § 111; 1977, 829 § 13. (See 1976, 415 § 116.)

SECT. 11 repealed, 1977, 363A § 62. (See 1977, 363A § 76.)

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 (11) stricken out, 1976, 415 § 73; paragraph (12), clause (f) added, 1970, 563 § 1. (See 1970, 563 § 2; 1971, 555 § 67; 1976, 415 § 116.)

SECT. 2 revised, 1975, 684 § 59; sentence added, 1976, 415 § 74. (See 1975, 684 § 97; 1976, 415 § 116.)

SECT. 3, second paragraph revised, 1967, 797 § 2; section revised, 1970, 683; paragraph (c) amended, 1971, 555 § 42. (See 1971, 555 § 67.)

SECT. 4 revised, 1975, 684 § 60. (See 1975, 684 § 97.)

SECT. 5 amended, 1975, 684 § 61; 1977, 363A § 44. (See 1975, 684 § 97; 1977 363A § 76.)

SECT. 6, paragraph (c) amended, 1970, 566 § 7; paragraph (e) amended, 1968, 341; paragraphs (g)-(h) revised, 1971, 555 § 44; paragraph (g) revised, 1975, 684 § 62; 1977, 363A § 45; paragraph (h) last sentence revised, 1977, 363A § 46; paragraph (i) revised, 1971, 1088; paragraph (j) revised, 1977, 902; 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 (r) second sentence revised, 1977 363A § 48; paragraph amended, 1977, 620 § 1; paragraph (s) amended, 1977, 620 § 2; 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; paragraph (bb) added, 1975, 684 § 63; paragraph (cc) added, 1977, 363A § 47; paragraph (dd) added, 1977, 989. (See 1968, 87 § 2; 1971, 555 § 67; 1975, 684 § 97.)

SECT. 7, paragraph (a) revised, 1975, 684 § 64; paragraph (c) second paragraph revised, 1975, 684 § 65; section revised, 1976, 415 § 75. (See 1975, 684 § 97; 1976, 415 § 116.)

SECT. 8, paragraphs (f)-(i) added, 1968, 89 § 1. (See 1968, 89 § 3.)

SECT. 9, first three sentences, stricken out, 1976, 415 § 76. (See 1976, 415 § 116.)

SECT. 13, paragraph (a) amended, 1971, 749 § 1; paragraph (b) amended, 1973, 922 § 4; clause (3) revised, 1975, 514 § 3.

SECT. 14, repealed, 1969, 546 § 4. (See 1969, 546 § 34.)

SECTS. 10-15 repealed, 1976, 415 § 112. (See 1976, 415 § 116.)

SECT. 16, first sentence stricken out, 1976, 415 § 77. (See 1976, 415 § 116.)

SECT. 20, first two sentences revised, 1970, 601 § 7; second paragraph amended, 1973, 708 § 7. (See 1970, 601 § 1; 1973, 708 § 10.)

SECT. 22, third sentence stricken out and two sentences inserted, 1968, 447 § 1.

SECT. 17-22 repealed, 1976, 415 § 112. (See 1976, 415 § 116.)

SECT. 24, third paragraph revised, 1968, 61 § 1; section repealed, 1976, 415 § 112. (See 1976, 415 § 116.)

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; section repealed, 1976, 415 § 112. (See 1976, 415 § 116.)

SECT. 30 repealed, 1976, 415 § 112. (See 1976, 415 § 116.)

SECT. 30A added, 1973, 706 § 1 (filing of bond or deposit by non-resident contractors; revised, 1975, 684 § 66. (See 1975, 684 § 97.)

SECT. 31 repealed, 1976, 415 § 112. (See 1976, 415 § 116.)

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. 1 amended, 1976, 415 § 78. (See 1976, 415 § 116.)

SECT. 2 revised, 1975, 684 § 67; sentence added, 1976, 415 § 79. (See 1975, 684 § 97; 1976, 415 § 116.)

SECT. 4, second paragraph revised, 1967, 797 § 3; paragraph added, 1971, 555 § 47. (See 1971, 555 § 67.)

SECT. 5 revised, 1975, 684 § 68. (See 1975, 684 § 97.)

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. 9 revised, 1976, 415 § 80. (See 1976, 415 § 116.)

SECT. 10 repealed, 1976, 415 § 113. (See 1976, 415 § 116.)

SECT. 11, first three sentences stricken out, 1976, 415 § 81. (See 1976, 415 § 116.)

SECT. 15, first paragraph amended, 1971, 749 § 2; second paragraph amended, 1973, 922 § 5; 1975, 514 § 4.

SECTS. 12-16 repealed, 1976, 415 § 113. (See 1976, 415 § 116.)

SECT. 17, first sentence stricken out, 1976, 415 § 82. (See 1976, 415 § 116.)

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.

SECTS. 18-23 repealed, 1976, 415 § 113. (See 1976, 415 § 116.)

SECT. 25, second paragraph, second sentence revised, 1968, 61 § 2; section repealed, 1976, 415 § 113. (See 1976, 415 § 116.)

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.

SECTS. 29-31 repealed, 1976, 415 § 113. (See 1976, 415 § 116.)

SECT. 31A added, 1973, 706 § 2 (filing of bond or deposit by non-resident contractors); revised, 1975, 684 § 69. (See 1975, 684 § 97.)

SECT. 32 repealed, 1976, 415 § 113. (See 1976, 415 § 116.)

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; 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; repealed, 1976, 415 § 114. (See 1971, 555 § 67; 1976, 415 § 116.)

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, 1958, 543 § 1. (See 1948, 543 § 2.)

SECT. 15A added, 1977, 179 (authorizing certain fiduciaries to settle and pay certain taxes on future interests).

SECTS. 17-20 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

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. 27 revised, 1976, 415 § 83. (See 1976, 415 § 116.)

SECT. 28 repealed, 1976, 415 § 114. (See 1976, 415 § 116.)

SECT. 31 revised, 1976, 415 § 84. (See 1976, 415 § 116.)

SECT. 32 amended, 1939, 451 § 26; last sentence stricken out, 1945, 523 § 4; last sentence revised, 1971, 555 § 60; 1976, 415 § 85. (See 1971, 555 § 67; 1976, 415 § 116.)

SECT. 33 revised, 1963, 417; 1964, 460 § 4; repealed, 1976, 415 § 114. (See 1976, 415 § 116.)

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, 1970, 565 § 1. (See 1970, 565 § 2.)

SECT. 34 repealed, 1976, 415 § 114. (See 1976, 415 § 116.)

SECT. 35 revised, 1958, 313; 1973, 922 § 6; amended, 1975, 514 § 5; repealed, 1976, 415 § 114. (See 1976, 415 § 116.)

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, 55 § 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; second sentence revised, 1976, 415 § 87. (See 1971, 555 § 67; 1976, 415 § 116.)

SECT. 3 revised, 1969, 562.

SECT. 4 amended, 1970, 601 § 10; revised, 1976, 415 § 87. (See 1970, 601 § 11; 1976, 415 § 116.)

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; 1975, 684 § 73; clause (4) revised, 1976, 415 § 88; clause (5) added, 1976, 515 § 1. (See 1948, 605 §§ 3, 4; 1975, 684 § 97; 1976, 415 § 116; 515 § 35.)

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 65C. — Massachusetts Estate Tax.

New chapter inserted, 1975, 684 § 74. (See 1975, 684 § 97.)

SECT. 2, subsection (b), sentence added, 1976, 415 § 89. (See 1976, 415 § 116.)

SECT. 4 revised, 1976, 415 § 90. (See 1976, 415 § 116.)

SECT. 8 revised, 1976, 415 § 91. (See 1976, 415 § 116.)

SECT. 9 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

SECT. 10, subsection (b), first sentence revised 1976, 415 § 92. (See 1976, 415 § 116.)

SECTS. 11-12 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

SECT. 13 revised, 1977, 459 § 4. (See 1977, 459 § 7.)

SECT. 14, paragraph (e) revised, 1977, 466 § 1.

SECTS. 19-20 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

SECTS. 22-23 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

SECT. 24 first sentence amended, 1977, 459 § 5. (See 1977, 459 § 7.)

SECT. 25 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

SECT. 28 revised, 1976, 415 § 93. (See 1976, 415 § 116.)

Chapter 66. — Public Records.

SECT. 1 amended, 1945, 580 § 7; second sentence stricken out and two sentences inserted, 1976, 438 § 1.

SECT. 2 repealed, 1977, 80 § 1.

SECT. 3 revised, 1936, 305; 1941, 662 § 1; second sentence amended, 1975, 282.

SECT. 4 amended, 1950, 310; 1973, 1050 § 2; first sentence revised, 1977, 80 § 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; paragraph (b) revised, 1976, 438 § 2. (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. 17C added, 1975, 303 § 4 (providing for judicial orders relative to public records; revised, 1976, 397 § 7. (See 1976, 397 § 8.) (See 1975, 303 § 5.)

SECT. 18 amended, 1945, 393 § 6.

Chapter 66A. — Fair Information Practices.

New chapter inserted, 1975, 776 § 1. (See 1975, 776 § 5.)

SECT. 1, definition of "Criminal justice agency" added, 1976, 249 § 1; section revised, 1977, 691 § 6.

SECT. 2 clause (j) added, 1976, 249 § 2.

Chapter 67. — Parishes and Religious Societies.

SECT. 7 revised, 1945, 28.

SECT. 40 amended, 1952, 580; revised, 1972, 180 § 2; first paragraph amended, 1977, 691 § 7; clause (c) revised, 1977, 691 § 8; clause (f) revised, 1977, 691 § 9; clause (i) revised, 1977, 691 § 10; clause (j) stricken out, 1967, 691 § 11; clause (k) stricken out and clauses (k) and (l) inserted, 1977, 691 § 12.

SECT. 3, two sentences added, 1977, 691 § 13.

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; section revised, 1977, 771 § 1. (See 1954, 627 §§ 65, 67; 1977, 771 § 2.)

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. 7G added, 1977, 915 (providing that persons over sixty-five years of age shall not be charged tuition at state colleges, community colleges, or certain state universities).

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, 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, 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 for 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 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 education 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 (providing 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); revised, 1975, 669.

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).

SECT. 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).

SECT. 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; fifth sentence stricken out and two sentences inserted, 1977, 916; sixth sentence stricken out and two sentences inserted, 1977 408.

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; 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; second paragraph revised, 1976, 286 § 1, 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.

SECT. 7C added, 1976, 518 § 1 (relative to financial assistance to certain bus transportation programs.)

SECT. 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; revised, 1975, 305.

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, 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 13F-13I 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 (j) revised, 1975, 141 § 1; 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; 1975, 141 § 3.)

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; sentence inserted after second sentence, 1977, 823. (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; second sentence revised, 1977, 137.

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.)

SECT. 26B, first sentence revised, 1977, 480.

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; revised, 1976, 50 § 1.

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); repealed, 1976, 50 § 2.

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; 1977, 224.

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); amended, 1975, 141 § 2. (See 1975, 141 § 3.)

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. 37K added, 1975, 456 (authorizing school committees to permit students to operate certain business demonstration projects).

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 insurances).

SECT. 38M added, 1972, 95 (establishing student advisory committees to school committees).

SECT. 38N added, 1972, 136 (requiring school committees to hold public hearing on their proposed annual budgets).

SECT. 38O added, 1975, 371 (providing for school committee advisory committee on sex education).

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; section revised, 1975, 349. (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; 1975, 199.

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 inserted after second paragraph, 1976, 351; 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; 1975, 316. (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; section revised, 1975, 337; second paragraph, first sentence revised, 1977, 671. (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.)

SECT. 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; amended, 1975, 652.

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); revised, 1975, 569.

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; 1954, 378; first paragraph revised, 1977, 67 § 1; fourth paragraph revised, 1977, 67 § 2.

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; amended, 1975, 480. (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, first paragraph, second sentence revised, 1976, 38; 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; sentence added, 1977, 158. (See 1934, 97 § 2.)

SECT. 69 revised, 1935, 258; fourth sentence revised, 1977, 333; 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. 71D added, 1977, 348 § 2 (authorizing school committees to prepay certain tuitions).

SECT. 71E added, 1977, 639 (providing for the expenditure by school committees of receipts from certain 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.

SECT. 13, third paragraph revised, 1975, 375 § 1; stricken out and three paragraphs inserted, 1977, 383 § 1.

SECT. 13A added, 1975, 375 § 2 (further regulating the application of the distribution of special education funds); revised, 1977, 383 § 2.

Chapter 72. — School Registers and Returns.

SECT. 2, sentence inserted after first sentence, 1966, 14 § 62.

SECT. 2A added, 1966, 14 § 63 (providing for the filing by superintendents of schools of certain reports of student enrollment); first paragraph amended, 1973, 925 § 8C; paragraph added, 1972,

100 § 2; amended, 1973, 925 § 8D; section revised, 1977, 367 § 3. (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 teaches 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. 4A amended, 1932, 127 § 13; 1960, 403 § 11.

SECT. 4A amended, 1932, 127 § 4; 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 teaches 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, 1939, 308; section revised, 1950, 622; amended, 1966, 14 § 66; 1973, 925 § 8F. (See 1973, 925 § 84.)

SECT. 9 amended, 1938, 446 § 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; sentence inserted after second sentence, 1977, 237.

SECT. 35. second sentence revised, 1956, 455; section revised, 1962, 419 § 7.

SECT. 35A added, 1961, 525 (authorizing the Essex county agricultural school to give certain courses to high school graduates and to award associate degrees to those completing such courses); revised, 1962, 419 § 7A; amended, 1965, 572 § 25.

SECT. 36 revised, 1962, 419 § 8.

SECT. 37 revised, 1962, 419 § 9.

SECT. 37A added, 1963, 562 § 1 (authorizing certain industrial, technical, agricultural and vocational schools to establish courses beyond secondary level and authorizing said schools to grant certain degrees to persons completing such courses of instruction); revised, 1965, 572 § 26; amended, 1967, 268 § 3.

SECT. 42, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 1; 1947, 387; amended, 1953, 488 § 1; caption preceding section changed and section revised, 1957, 347 § 1; amended, 1965, 572 § 27; repealed, 1977, 864 § 12. (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, 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); repealed, 1977, 913 § 1.

SECT. 47E, paragraph added, 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 onfarm 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. 3 revised, 1977, 991.

SECT. 4 revised, 1977, 991.

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; paragraph added, 1975, 539. (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 annually a graduate of Kfar Silver Agricultural Training Institute in Israel be admitted to the University of Massachusetts).

SECTS. 31 and 32 stricken out and sections 31, 32 and 32A added, 1962, 648 § 2 (relative to the administration of the University of Massachusetts).

SECT. 32B added, 1972, 160 § 1 (establishing the David I. Walsh-Leverett Saltonstall visiting lectureship program).

SECT. 33 added, 1962, 621 (establishing scholarships for students of agriculture and others at the University of Massachusetts).

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. 36A added, 1977, 171 § 1 (relative to cremation and disposal of dissected bodies).

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).

Chapter stricken out and new chapter 75A inserted, 1973; 1175 § 7. (See 1973, 1175 § 14.)

The following references are to Chapter 75A, as so inserted:

SECT. 1A added, 1975, 532 (authorizing the trustees to delegate their authority).

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; paragraph added, 1976, 495.

SECT. 16 revised, 1969, 396 § 19.

SECT. 17 amended, 1969, 396 § 20.

SECT. 18 added, 1977, 913 § 2 (authorizing Southeastern Massachusetts University to grant certain scholarships).

Chapter 75C. — Private Correspondence Schools.

New chapter inserted, 1963, 652 § 1.

SECT. 1 amended, 1965, 34 § 1.

SECT. 1A added, 1977 826 § 2 (relative to the operation of correspondence schools).

SECT. 3, first paragraph revised, 1965, 34 § 2.

SECT. 4 revised, 1977, 826 § 3.

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; first sentence stricken out and two sentences inserted, 1977, 826 § 4.

SECT. 2, third to seventh sentences stricken out, 1977, 826 § 5.

SECT. 3, second paragraph amended, 1973, 737; revised, 1977, 826 § 6.

SECT. 7, fourth paragraph revised, 1977, 826 § 7.

SECT. 14 revised, 1977, 826 § 8.

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, 1947, 241 § 1; third sentence revised, 1965, 649 § 1; two sentences inserted after third sentence, 1969, 849 § 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; revised, 1977, 363A § 55. (See 1977, 363A § 76.)

SECT. 8 repealed, 1977, 363A § 56. (See 1977, 363A § 76.)

SECT. 9 revised, 1977 363A § 57. (See 1977, 363A § 76.)

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; revised, 1977, 545.

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).

SECT. 19 revised, 1976, 320.

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; revised, 1977, 565 § 4.

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); second paragraph, clause (3) stricken out, 1977, 565 § 5.

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; repealed, 1977, 565 § 6.

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. 5C added, 1975, 563 (requiring notice prior to certain eminent domain and easement takings).

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; 1975, 791.

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; section 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, 1969, 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, 630 § 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; revised, 1975, 522 § 1; 1977, 832 § 1; sentence added, 1968, 759 § 5. (See 1953, 634 § 2; 1975, 522 § 3; 1977, 832 § 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; 1977, 216 § 1; 749 § 2; 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; 1977, 216 § 2; 749 § 2.)

SECT. 13A added, 1943, 252 § 2 (relative to the time within which certain betterment and other assessments on unimproved land shall be paid).

SECT. 13B added, 1977, 749 § 1 (relative to deferral and recovery agreements).

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 purposes 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); revised, 1977, 893.

SECT. 7J added, 1963, 594 § 1 (providing persons displayed 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 purposes 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; amended, 1937, 218 § 2; last sentence revised, 1951, 532.

SECT. 13 revised, 1952, 563 § 1; third sentence amended, 1953, 354 § 1; stricken out and two sentences inserted, 1955, 379 § 1. (See 1952, 563 § 2; 1953, 354 § 2; 1955, 379 § 2.)

SECT. 13A added, 1936, 342 (authorizing the department of public works to accept in behalf of the commonwealth gifts to 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; sentence inserted after first sentence, 1975, 227; two sentences added, 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 pur-

pose 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 and 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 ways 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. 6, first sentence amended, 1975, 706 § 116. (See 1975, 706 § 312.)

SECT. 7, first sentence amended, 1975, 706 § 117. (See 1975, 706 § 312.)

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. 16A-16F added, 1977, 586 (providing, for a tax lien on certain unpaid annual sewer charges).

SECT. 19 revised, 1943, 252 § 4. (See 1943, 252 § 6.)

SECT. 23 revised, 1964, 736 § 4; second sentence revised, 1975, 228.

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. 7A added, 1977, 231 (requiring notice to the Massachusetts Bay Transportation Authority relative to certain road and highway repairs).

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; sentence added, 1975, 234.

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); second sentence amended, 1975, 706 § 118. (See 1975, 706 § 312.)

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; stricken out, 1975, 494 § 1. (See 1975, 494 § 15.)

SECT. 30A added, 1975, 494 § 2 (relative to permits for the movement of certain vehicles); temporarily suspended, 1977, 427 § 1. (See 1975, 494 § 15; 1977, 427 § 2.)

SECT. 31 revised, 1938, 171 § 2.

SECT. 32 revised, 1975, 494 § 3; temporarily suspended, 1977, 427 § 1. (See 1975, 494 § 15; 1977 427 § 2.)

SECT. 33 revised, 1975, 494 § 4. (See 1975, 494 § 15.)

SECT. 34 revised, 1974, 851 § 4. (See 1974, 851 § 12.)

SECT. 35, last sentence revised, 1955, 91; section revised, 1974, 851 § 5; last sentence revised, 1975, 494 § 5. (See 1974, 851 § 12; 1975, 494 § 15.)

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. 15 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. 4A, sentence added, 1975, 79.

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; sentence added, 1976, 466.

SECT. 8 revised, 1977, 686.

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; section revised, 1977, 838.

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 "Bus or motorbus" inserted, 1977, 35 § 1; 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; revised, 1975, 494 § 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; amended, 1977, 829 § 8; definition of "motor cycle" revised, 1950, 321 § 1; 1965, 85 § 1; 1970, 138; 1976, 261 § 1; definition of "motorized bicycle" inserted, 1976, 261 § 2; definition of "motor vehicles" amended, 1932, 182; 1938, 36; revised, 1948, 93; 1950, 321 § 2; sentence inserted after first sentence, 1976, 261 § 3; 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; 1975, 878 § 1; 1976, 552 § 1; definition of "school pupil" inserted, 1975, 878 § 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; 1975, 494 § 15, 878 § 6.)

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, 1950, 502 § 5. (See 1948, 572 § 3.)

SECTS. 1B-1D added, 1976, 261 § 4 (regulating motorized bicycles).

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; first paragraph revised, 1977, 737 § 1; third paragraph revised, 1956, 179; fourth paragraph revised, 1932, 5; amended, 1955, 283 § 1; third and fourth paragraphs stricken out and one paragraph inserted, 1967, 736 § 1; fifth paragraph amended, 1956, 59; sentence inserted after first sentence, 1961, 568 § 1; revised, 1965, 102; 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; third sentence revised, 1977, 687; 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; 1975, 701; paragraph added, 1952, 554. (See 1955, 283 § 3; 1961, 568 § 3; 1962, 231 § 3; 1967, 736 § 11; 1971, 754 § 4; 1973, 925 § 84; 1977, 737 § 3; 687 § 2.)

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 and third sentences stricken out and one sentence inserted, 1975, 377 § 1; second paragraph, three sentences added, 1952, 77. (See 1945, 590 § 2; 1973, 1114 § 351; 1975, 377 § 164.)

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, 1970, 254; stricken out, 1971, 959; section revised, 1973, 871, 1198 § 2;

amended, 1974, 652; third sentence revised, 1975, 259. (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 reposessor 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; 1975, 621; sentence inserted, 1969, 260; sentence inserted after ninth sentence, 1951, 370; 1968, 109; eleventh sentence revised, 1952, 253; 1971, 175; twelfth and thirteenth sentence 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; first paragraph, sentence added, 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; 1975, 59; 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; sentence added, 1975, 233; (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; clause (13) added, 1975, 313; section revised, 1975, 878 § 2; clause (1), second sentence stricken out, 1976, 552 § 1A; clause (6), first sentence revised, 1976, 552 § 2; clause (7), first sentence revised, 1976, 552 § 3. (See 1950, 459 § 2; 1973, 925 § 84; 1975, 878 § 6.)

SECT. 7C revised, 1948, 307; first sentence amended, 1951, 419 § 1; sentence added, 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, 1975, 878 § 3; 1976, 552 § 4. (See 1975, 878 § 6.)

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 establishing 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. 7R added, 1977, 417 (requiring that certain motor vehicles display vehicle identification numbers).

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, 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; 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, 1968, 551; section revised, 1973, 361 § 1. (See 1948, 399 § 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; paragraph inserted after first paragraph, 1975, 878 § 4; two paragraphs inserted after second paragraph, 1976, 552 § 5; third paragraph, sentence added, 1977, 368. (See 1973, 925 § 84; 1975, 878 § 6.)

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; section revised, 1975, 261 § 5. (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. 8D added, 1975, 879 § 1 (relative to anatomical donor cards). (See 1975, 879 § 2.)

SECT. 8E-8K added, 1977, 666 § 1 (relative to identification cards for persons who do not possess licenses to operate motor vehicles). (See 1977, 666 § 2.)

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; stricken out and six sentences inserted, 1977, 705. third sentence revised, 1959, 259; last sentence revised, 1961, 73 § 2; stricken out and six sentences inserted, 1977, 705. (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, 1950, 139; amended, 1966, 144 § 4. (See 1963, 713 § 4.)

SECT. 10A added, 1952, 126 (requiring operators of trackless trolleys to be licenses to operate motor vehicles); paragraph added, 1952, 287 § 1; section repealed, 1953, 276. (See 1952, 287 § 2.)

SECT. 11, first sentence revised, 1952, 377 § 2; sentence added, 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, first sentence revised, 1977, 469; 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; 1975, 878 § 5; amended, 1977, 127; 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; 1975, 878 § 6.)

SECT. 14A added, 1949, 279 (providing for the protection of blind persons while crossing ways); last sentence revised, 1961, 60.

SECT. 14B added, 1951, 649 (providing that motor vehicle operators give uniform signals on all ways); first paragraph, clauses 1, 2 and 3 revised, 1965, 149; paragraph added, 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 vehicle 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; section revised, 1975, 173 § 1; first sentence revised, 1975, 329 § 1; fifth sentence stricken out, 1975, 494 § 7. (See 1932, 271 § 7; 1975, 329 § 2, 494 § 15.)

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; 1975, 706 § 119; sentence inserted after first sentence, 1968, 694 § 3; paragraph added, 1955, 135; amended, 1962, 338 § 19; second sentence stricken out, 1968, 222. (See 1975, 706 § 312.)

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; revised, 1977, 35 § 2; 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; section revised, 1977, 781 § 1. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2; 1977, 781 § 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; 1975, 494 § 8; 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; third paragraph revised, 1975, 494 § 9; fourth paragraph, sentence added, 1975, 494 § 10; 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; section temporarily suspended, 1977, 427 § 1. (See 1975, 494 § 15; 1977, 427 § 2.)

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); revised, 1975, 494 § 11; temporarily suspended, 1977, 437 § 1. (See 1975, 494 § 15; 1977, 427 § 2.)

SECT. 19E added, 1975, 494 § 11A (relative to the operation of certain vehicles on interstate and defense highways). (See 1975, 494 § 15.)

SECT. 20, first sentence revised, 1951, 567; amended, 1956, 389 § 3; 1966, 110; section revised, 1967, 182; 1974, 851 § 10; 1975, 494 § 12; temporarily suspended, 1977, 427 § 1. (See 1975, 494 § 15; 1977, 427 § 2.)

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; first sentence amended, 1977, 612; 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; section revised, 1977, 899. (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; second paragraph, first sentence revised, 1977, 560. (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; 1975, 156 § 1; (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; amended, 1977, 666 § 2; paragraph inserted after first paragraph, 1974, 206 § 1; revised, 1975, 156 § 2; paragraph added, 1967, 151; amended, 1973, 212. (See 1977, 666 § 3.)

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. 24D revised, 1975, 505 § 1; sixth paragraph revised, 1975, 758 § 4.

SECT. 24E revised, 1975, 505 § 2.

SECT. 24F added, 1975, 218 (imposing liability on persons convicted of using motor vehicles without authority).

SECT. 24G added, 1976, 227 (imposing penalties or causing the death of persons as a result of certain operation of motor vehicles).

SECT. 24G added, 1976, 266 § 5. (relative to the removal and sale of certain motor vehicles); stricken out, 1977, 829 § 9. (See 1976, 266 § 23.)

SECT. 24H added, 1977, 829, § 9 (relative to the removal of abandoned or stolen motor vehicles).

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; sentence inserted after seventh sentence, 1976, 382; 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 other 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; 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; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; last sentence revised, 1947, 463; sixth paragraph (inserted by 1935, 409 § 1) revised, 1951, 630 § 1; paragraph inserted after subdivision (6), 1948, 432 § 2; paragraph in lines 69-75 (as appearing in the Ter. Ed.) revised, 1948, 511 § 7; paragraph inserted after "registrar" in line 75 (as appearing in the Ter. Ed.) 1947, 401 § 2; 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, 1949, 644 § 4; section revised, 1951, 699 § 1; paragraph inserted after paragraph numbered (6), 1952, 173 § 1; fifteenth paragraph revised, 1951, 736 § 3; twenty-fourth paragraph revised, 1952, 459; section revised, 1952, 540; third paragraph revised, 1954, 241; first sentence of fifth paragraph revised, 1953, 304; sentence inserted, 1953, 607; subdivision (3) revised, 1956, 569; eleventh paragraph of subdivision (7) revised, 1959, 414; fourteenth paragraph of subdivision (7) revised, 1955, 488 § 2; section revised, 1959, 571 § 1; second paragraph revised, 1965, 819 § 3; amended, 1963, 713 § 3; revised, 1967, 696; 1975, 684 § 75; 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 (4) amended, 1968, 749 § 2; revised, 1975, 684 § 76; subdivision (5) amended, 1968, 749 § 3; revised, 1975, 684 § 76; subdivision (6) amended, 1968, 749 § 4; subdivision (7) amended, 1965, 679 § 13; paragraph inserted after second paragraph, 1967, 711 § 1; fifth paragraph revised, 1965, 700 § 3; 1975, 684 § 77; 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; first sentence revised, 1975, 560; 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; revised, 1975, 494 § 13. (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; 1975, 684 § 97.)

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; 1976, 266 § 6; 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; 1976, 266 § 23.)

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; para-

graph 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; section revised, 1975, 707 § 1; third and fourth paragraphs revised, 1976, 1 § 1; section revised, 1976, 266 § 7. (See 1971, 978 § 2; 1973, 917 § 2, 953 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23.)

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.)

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; paragraph inserted after first paragraph, 1975, 882 § 1. (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, 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, 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, first sentence stricken out and two sentences inserted, 1976, 90 § 1; 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. 41I 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.

SECT. 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; definition of "Personal flotation devices" inserted, 1975, 179 § 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. 5, subsection (g) revised, 1975, 179 § 2.

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 (c) revised, 1976, 100; 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; amended, 1975, 706 § 120. (See 1975, 706 § 312.)

SECT. 13, sentence added, 1962, 250.

SECT. 13A added, 1974, 714 § 1 (requiring scuba divers to display divers' flats so called, while swimming or diving); first sentence revised, 1975, 42; last sentence revised, 1975, 174.

SECT. 14, subsection (a), sentence inserted after second sentence, 1977, 576; subsection (b) revised, 1971, 110; 1974, 46, 714 § 2; subsection (c) revised, 1967, 27 § 3.

SECT. 16 revised, 1970, 589 § 1; repealed, 1977, 363A § 63. (See 1970, 589 § 4; 1977, 363A § 76.)

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; amended, 1975, 706 § 121. (See 1975, 706 § 312.)

SECT. 22, second paragraph, first sentence revised, 1975, 702 § 1; sentence added, 1976, 17; third paragraph revised, 1975, 702 § 2; sixth paragraph, first sentence revised, 1975, 702 § 3; two sentences, added, 1973, 808; last sentence revised, 1976, 16.

SECT. 23, second paragraph revised, 1975, 702 § 4.

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; fifth paragraph revised, 1976, 13.

SECT. 26, fourth paragraph amended, 1971, 264; seventh paragraph amended, 1970, 732 § 1.

SECT. 32, first sentence amended, 1975, 706 § 122. (See 1975, 706 § 312.)

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; 1975, 418; 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 §. (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; first two paragraphs revised, 1975, 221; 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 Certificate of Title.

New chapter inserted, 1971, 754 § 1. (See 1971, 754 § 4.)

SECT. 1, definition of "Owner" inserted, 1972, 732 § 3; definition of "Supporting documents" added, 1975, 392 § 1.

SECT. 2, paragraph (a) amended, 1972, 117; 1973, 81 § 1; clause (3) revised, 1975, 392 § 2; paragraph (b) amended, 1972, 732 § 4; stricken out, 1975, 392 § 3.

SECT. 4 revised, 1972, 53; 1975, 392 § 4; 1977, 228 § 1.

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; clause (3) revised, 1975, 392 § 5; paragraph (e) revised, 1973, 81 § 3.

SECT. 14, paragraph (a) amended 1975, 392 § 6.

SECT. 16, paragraph (a) amended, 1975, 392 § 7.

SECT. 17, paragraph (d) added, 1975, 392 § 8.

SECT. 20, first sentence revised, 1975, 392 § 9.

SECT. 22, paragraph (a) revised, 1973, 81 § 4.

SECT. 24, first paragraph, second sentence stricken out, 1975, 392 § 10; second paragraph, amended, 1975, 392 § 11.

SECT. 26 revised, 1973, 81 § 5.

SECT. 28, first paragraph revised, 1972, 170; amended, 1973, 81 § 6; second paragraph stricken out, 1975, 392 § 12.

SECT. 29, first paragraph amended, 1972, 55; second paragraph revised, 1972, 756.

SECT. 32, paragraph (a) amended, 1975, 392 § 13; paragraph (b) revised, 1975, 392 § 14.

SECT. 35 revised, 1973, 81 § 7; amended, 1975, 392 § 15; clause (e) revised, 1977, 228 § 2.

SECT. 36 amended, 1975, 392 § 16.

SECT. 37 revised, 1973, 81 § 8.

Chapter 90E. — Bikeways.

New chapter inserted, 1977, 356 § 13.

SECT. 3, first paragraph revised, 1977, 920, § 17; second paragraph, clause (c) added, 1977, 920 § 17.

Chapter 91. — Waterways.

SECT. 1, definition of "Department" revised, 1975, 706 § 123. (See 1975, 706 § 312.)

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); second paragraph amended, 1975, 706 § 124. (See 1975, 706 § 312.)

SECT. 10B added, 1970, 878 § 3 (establishing the Harbors and Inland Waters Maintenance Fund); third sentence revised, 1975, 706 § 125; section repealed, 1977 363A § 64. (See 1975, 706 § 312; 1977, 363A § 76.)

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. 14, first sentence amended, 1975, 706 § 126. (See 1975, 706 § 312.)

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); first sentence amended, 1975, 706 § 127. (See 1975, 706 § 312.)

SECT. 21, first sentence amended, 1972, 684 § 11; revised, 1973, 870. (See 1972, 684 § 136.)

SECT. 24 amended, 1975, 706 § 128; 1977, 363A § 69. (See 1975, 706 § 312; 1977, 363A § 76.)

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. 34, first sentence amended, 1975, 706 § 129. (See 1975, 706 § 312.)

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; first sentence amended, 1975, 706 § 130. (See 1975, 706 § 312.)

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, first paragraph, second sentence amended, 1975, 706 § 131; 1977, 363A § 70; paragraph added, 1968, 626. (See 1975, 706 § 312; 1977, 363A § 76.)

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.)

SECT. 1A, third paragraph stricken out, 1975, 814 § 1. (See 1975, 814 § 9.)

SECT. 2 revised, 1975, 814 § 2. (See 1975, 814 § 9.)

SECTS. 5 and 6 stricken out and sections 5, 5A, 5B and 6 inserted, 1959, 612 § 3. (See 1959, 612 §§ 5-10.)

SECT. 5 revised, 1975, 814 § 3 (See 1975, 814 § 9.)

SECT. 5A, first sentence revised, 1961, 230; section revised, 1975, 814 § 4. (See 1975, 814 § 9.)

SECTS. 5B and 6 stricken out and sections 5B, 6, 6A and 6B inserted, 1975, 814 § 5. (See 1975, 814 § 9.)

SECT. 7 revised, 1975, 814 § 6. (See 1975, 814 § 9.)

SECT. 8 amended, 1946, 432 § 5; revised, 1975, 814 § 7. (See 1975, 814 § 9.)

SECT. 8A added, 1975, 814 § 7. (See 1975, 814 § 9.)

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, 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, first paragraph, first sentence amended, 1975, 706 § 132; paragraph added, 1945, 693 § 1. (See 1975, 706 § 312.)

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 paragraphs 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. 32, fourth paragraph amended, 1975, 706 § 133. (See 1975, 706 § 312.)

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. 45 amended, 1975, 706 § 134. (See 1975, 706 § 312.)

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. 76A, first sentence amended, 1975, 706 § 135; fifth sentence amended, 1975, 706 § 136. (See 1975, 706 § 312.)

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 injuries and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name); repealed, 1977, 74 § 1.

SECT. 14A amended, 1939, 231; repealed, 1977, 74 § 1.

SECT. 14B amended, 1939, 313; repealed, 1977, 74 § 1.

SECT. 14C revised, 1943, 40; amended 1975, 537; repealed, 1977, 74 § 1.

SECT. 14D repealed, 1977, 74 § 1.

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).

SECT. 20A added, 1977, 826 § 9 (relative to licensing of private trade schools).

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; first paragraph amended, 1977, 826 § 10; paragraph added, 1956, 437.

SECT. 21B revised, 1952, 499 § 3; amended, 1954, 257 § 3; revised, 1955, 371 § 3; fourth sentence stricken out, 1977, 826 § 11.

SECT. 21C amended and sentence added, 1954, 681 § 6. (See 1954, 681 §§ 20, 22.)

SECT. 21D amended, 1954, 257 § 4; revised, 1955, 371 § 4; repealed, 1977, 826 § 12.

SECT. 21E-21G added 1977, 826 § 13 (further regulating private trade schools).

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; two sentences added, 1975, 187 § 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. 24D added, 1975, 170 § 1 (imposing penalties for failure to file certain reports with the commissioner of banks.)

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 SIMILARS 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; subsection revised, 1975, 90 § 1; subsection D revised, 1975, 90 § 2; subsections G, H and I added, 1975, 90 § 3.

SECT. 49 added, 1970, 883 § 1 (prohibiting certain collection practices); first paragraph revised, 1975, 155.

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).

SECT. 71-75 added, 1977, 978 § 1, under the caption REGULATION OF THE SALE OF HEARING AIDS.

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. 1, paragraph (h) revised, 1977, 717 § 1.

SECT. 4, subsection (2), paragraph (a) revised, 1977, 717 § 2; subsection (3) amended, 1972, 193; paragraph (a) - (m) stricken out and paragraph (a) - (n) inserted, 1977, 717 § 3.

SECT. 5A added, 1974, 619 (requiring motor vehicle dealers to include certain charges in prices advertised for vehicles); revised, 1977, 160.

SECT. 5B added, 1977, 717 § 4 (relative to the indemnification of franchisees).

SECT. 5C added, 1977, 717 § 4 (relative to the indemnification of manufacturers and others).

SECT. 8, paragraph added, 1972, 408.

SECT. 12 revised, 1977, 717 § 5.

SECT. 12A added, 1977, 717 § 5 (providing equitable relief from unfair competition or deceptive practices).

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.

SECT. 1, definition of "Secretary" inserted, 1977, 530 § 1; definition of "Urban Area" inserted, 1977, 530 § 1.

SECT. 2, clause (a) revised, 1977, 530 § 2; clause (f) added, 1977, 530 § 3.

SECT. 2A added, 1977, 530 § 4.

SECT. 3 amended, 1977, 530 § 5.

Chapter 93E. — Regulation of Dealers' Agreements for the Sale of Gasoline.

New chapter inserted, 1972, 772.

SECT. 1, fourth paragraph revised, 1976, 64 § 1.

SECT. 3A added, 1976, 64 § 2 (relative to the use of promotions, premiums, or rebates).

SECT. 4 amended, 1976, 64 § 3.

SECT. 4A added, 1976, 64 § 4 (relative to provisions in marketing agreements).

SECT. 5 revised, 1976, 64 § 5.

SECT. 5A added, 1976, 64 § 5 (relative to termination or cancellation of marketing agreements).

SECTS. 7A-7C added, 1976, 64 § 6 (relative to the enforcement of certain agreements).

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 4145 ("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") re-

vised and definition of "vegetable seeds" added, 1938, 363 § 1; paragraph 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; definition of "Commissioner" inserted, 1975, 706 § 137; paragraphs defining "Butter", "cheese", "cream cheese", "Half-and-half", "Heated milk" and "Pasteurized milk" stricken out, 1977, 940 § 2. (See 1937, 362 § 7; 1973, 607 § 9; 1975, 706 § 312.)

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.

SECT. 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; 1977, 940 § 3.

SECT. 12A added, 1955, 757 § 2 (defining "fortified non-fat milk"); first paragraph revised, 1961, 598 § 2; 1967, 425 § 2; amended, 1974, 297; section repealed, 1977, 940 § 4.

SECT. 12B added, 1955, 757 § 2 (defining "standardized milk"); revised, 1964, 190; second and third sentences revised, 1965, 223; section repealed, 1977, 940 § 4.

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; 1977, 940 § 5.

SECT. 13A revised, 1948, 227; repealed, 1965, 104 § 2.

SECT. 13B revised, 1967, 82; amended, 1977, 940 § 6.

SECT. 13C revised, 1967, 82; amended, 1977, 940 § 7.

SECT. 13D revised, 1967, 82; amended, 1977, 940 § 8.

SECT. 13E amended, 1967, 41; revised, 1977, 940 § 9.

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. 16, definition of "Director" amended, 1975, 706 § 138; section revised, 1977, 940 § 10. (See 1975, 706 § 312.)

SECT. 16A amended, 1977, 940 § 11.

SECT. 16B amended, 1977, 940 § 12.

SECT. 16C amended, 1941, 374; revised, 1946, 467; 1965, 632 § 1; 1977, 940 § 13.

SECT. 16D revised, 1965, 632 § 2; 1977, 940 § 14.

SECT. 16E revised, 1977, 940 § 15.

SECT. 16F revised, 1960, 687; amended, 1977, 940 § 16.

SECT. 16G revised, 1965, 632 § 3; amended, 1977, 940 § 17.

SECT. 16H revised, 1964, 262; 1977, 940 § 18.

SECTS. 16J-16L added, 1946, 542 (relative to the regulation of transportation, handling and sale of milk).

SECT. 16J revised, 1977, 940 § 19.

SECT. 16K revised, 1947, 379; first sentence amended, 1975, 706 § 139; section revised, 1977, 940 § 19. (See 1975, 706 § 312.)

SECT. 16L revised, 1967, 136.

SECT. 17 repealed, 1977, 940 § 20.

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; section repealed, 1977, 940 § 20.

SECT. 20 revised, 1939, 212.

SECT. 21 repealed, 1977, 940 § 20.

SECT. 22 repealed, 1977, 940 § 20.

SECT. 23 repealed, 1977, 940 § 20.

SECT. 24 repealed, 1977, 940 § 20.

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. 35, first paragraph amended, 1976, 136 § 1.

SECT. 36 amended, 1975, 706 § 140. (See 1975, 706 § 312.)

SECT. 37, first sentence amended, 1975, 706 § 141. (See 1975, 706 § 312.)

SECT. 40 amended, 1941, 298; fourth sentence revised, 1955, 757 § 4; section revised, 1976, 136 § 2.

SECT. 41 amended, 1972, 114; third sentence revised, 1976, 136 § 3.

SECT. 41A added, 1976, 136 § 4 (relative to the licensing of milk dealers).

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, 94 § 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. 42A, definition of "Commissioner" revised, 1975, 706 § 142. (See 1975, 706 § 312.)

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, 1955, 757 § 5; section repealed, 1977, 940 § 20.

SECT. 47 repealed, 1977, 940 § 20.

SECT. 48 revised, 1955, 757 § 6; amended, 1963, 326.

SECT. 48A, third paragraph revised, 1976, 136 § 5.

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; repealed, 1977, 940 § 20.

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); revised, 1977, 940 § 21.

SECT. 48E added, 1960, 43 (regulating the manufacture and sale of cultured milk products); repealed, 1977, 940 § 22.

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, 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 (d) and (e) stricken out, 1977, 694. 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); first sentence revised, 1976, 193 § 1.

SECT. 65U added, 1967, 215 § 10 (establishing standards of labeling for frozen desserts and mix); first sentence revised, 1976, 193 § 2.

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; tenth paragraph revised, 1975, 706 § 143. (See 1975, 706 § 312.)

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. 90C, first sentence amended, 1975, 706 § 144. (See 1975, 706 § 312.)

SECT. 90D first paragraph, second sentence revised, 1965, 52; fourth sentence revised, 1963, 116; seventh sentence amended, 1975, 706 § 145; second paragraph revised, 1975, 706 § 146. (See 1975, 706 § 312.)

SECT. 90E, second sentence amended, 1975, 706 § 147. (See 1975, 706 § 312.)

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. 101, first sentence amended, 1975, 706 § 148. (See 1975, 706 § 312.)

SECT. 106 amended, 1975, 706 § 149. (See 1975, 706 § 312.)

SECT. 107 revised, 1967, 217; first sentence amended, 1975, 706 § 150. (See 1975, 706 § 312.)

SECT. 108, second sentence amended, 1975, 706 § 151. (See 1975, 706 § 312.)

SECT. 109, second sentence amended, 1975, 706 § 152. (See 1975, 706 § 312.)

SECT. 117A, first sentence amended, 1951, 600 § 1; 1975, 706 § 153. (See 1951, 600 § 3; 1975, 706 § 312.)

SECTS. 117G-117L added, under caption, 1951, 600 § 2 (relative to the grading and marking of potatoes). (See 1951, 600 § 3.)

SECT. 117G, definition of "Grades" of "grades" amended, 1975, 706 § 154. (See 1975, 706 § 312.)

SECT. 117H, paragraph added, 1970, 229.

SECT. 117I, first sentence amended, 1975, 706 § 155. (See 1975, 706 § 312.)

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; fourth sentence revised, 1975, 706 § 156; second paragraph amended, 1952, 387. (See 1934, 340 § 18; 1975, 706 § 312.)

SECT. 148, second paragraph amended, 1934, 340 § 6A; 1975, 706 § 157. (See 1934, 340 § 18; 1975, 706 § 312.)

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 first paragraph amended, 1975, 706 § 158. definitions of "poultry sold or used for food" and "producer" inserted, 1955, 515 § 1. (See 1975, 706 § 312.)

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); first sentence amended, 1975, 706 § 159. (See 1975, 706 § 312.)

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; 1975, 390.

SECT. 181 amended, 1939, 261 § 10; revised, 1960, 244; 1965, 676; last paragraph revised, 1968, 467 § 13.

SECT. 182 amended, 1939, 261 § 11; revised, 1968, 467 § 14.

SECT. 184 amended, 1939, 261 § 12; 1968, 467 § 15.

Caption following section 184A revised, 1961, 600 § 2.

SECT. 185A repealed, 1937, 341 § 4.

SECT. 186 revised, 1948, 598 § 1; clause Thirteenth added, 1963, 487 § 1; section amended, 1961, 600 § 2; 1970, 891 §§ 2, 3.

SECT. 187 revised, 1948, 598 § 2; first paragraph revised, 1970, 891 § 4; following the words "In the case of a drug", clause First revised, 1972, 427; clause Ninth inserted, 1957, 284; last paragraph revised, 1954, 577 § 1; amended, 1957, 284; following the words "In the case of food", clauses First to Eighth stricken out and clauses First to Fourteenth inserted, 1970, 891 § 5; paragraph added, 1954, 577 § 2; words "In the case of a cosmetic" and clauses First to Third and paragraph added, 1961, 600 § 3.

SECT. 187A added, 1948, 598 § 3 (further regulating the sale of certain harmful drugs); revised, 1954, 577 § 3; first paragraph amended, 1955, 718 § 1; last sentence revised, 1967, 49; second paragraph amended, 1965, 229 § 1; 1956, 299 § 1; 1970, 443 § 4; third paragraph amended, 1965, 229 § 2; 1970, 443 § 5; fourth paragraph amended, 1956, 299 § 2; revised, 1970, 178; sixth paragraph amended, 1965, 229 § 3; 1970, 443 § 6; ninth paragraph amended, 1965, 27; last paragraph revised, 1960, 200; section repealed, 1971, 1071 § 2. (See 1954, 577 § 4; 1971, 1071 § 9.)

SECTS. 187B and 187C added, 1955, 610 (relative to the illegal possession of harmful drugs and the reporting of harmful drug intoxication to the department of public health).

SECT. 187B amended, 1965, 229 § 4; 1970, 443 § 7; repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187C repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187D added, 1955, 718 § 2 (providing a penalty for the unauthorized making or altering of a prescription); amended, 1965, 229 § 5; 1970, 443 § 8, 345; revised, 1971, 1071 § 5. (See 1971, 1071 § 9.)

SECT. 187E added, 1961, 509 (providing that manufacturers of harmful drugs be licensed by the department of public health); revised, 1965, 515 § 1; fourth paragraph revised, 1968, 128; section repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187F added, 1961, 603 (further regulating the shipment of harmful drugs into the commonwealth); revised, 1965, 515 § 2; repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187G added, 1969, 587 (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.)

SECT. 197 amended, 1960, 204 § 4; definition of "chiroprapist (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 food 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.

SECTS. 261A-261K stricken out and new sections 261A-261K inserted, 1959, 396 § 2.

SECT. 161A, 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. 261A-261L repealed, 1975, 203 § 1.

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.

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, 1964, 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 mark 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 1060, 234 § 4.)

SECT. 295G revised, 1941, 311; paragraph added, 1950, 496; section revised, 1960, 234 § 3. (See 1960, 234 § 4.)

SECTS. 295P-295W added, 1950, 515 § 2 (to prevent unfair discrimination, competition and destructive trade practices in the retail sale of motor fuel).

SECT. 295X added, 1960, 261 (prohibiting the sale of brake fluid which does not comply with the minimum standards prescribed by the registrar of motor vehicles); 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, 197; 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. 305D added, 1975, 787 (providing that certain restaurants have on their premises certain devices for removing lodged food).

SECT. 307 added, 1958, 610 (prohibiting the sale of tobacco products which have been contaminated by fire, smoke or water).

SECTS. 308-313 added, under caption; 1963, 487 § 3 (regulating the maintenance and operation of and the sale of foods and beverages through vending machines).

SECTS. 314-318 inserted, 1973, 891 § 1 (requiring the posting of certain information relating to the sale of electrical appliances). (See 1973, 891 § 3.)

SECT. 319 added, 1977, 399 § 1 (regulating the construction of containers in which soft drinks and malt beverages are sold). (See 1977, 399 § 2.)

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, paragraph (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 licenses 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) stricken out and subsections (d) and (e) added, 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 § 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; "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 (a^{1/2}) 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; paragraph (c) added, 1976, 498.

SECT. 19, paragraph (c) revised, 1972, 806 § 15.

SECT. 21 revised, 1976, 110.

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; paragraph (e) clause (17) added, 1977, 824.

SECT. 33, paragraph (b) revised, 1974, 102.

SECT. 34, first paragraph amended, 1974, 440; section paragraph revised, 1972, 806 § 23; amended, 1974, 207; third paragraph amended, 1972, 806 § 24; first sentence amended, 1975, 369.

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, subsection (c), subparagraph (4) amended, 1972, 806 § 30; subsection (d) revised, 1977, 556 § 3; subsection (e) amended, 1972, 806 § 31; subsection (a) subparagraph (5) added, 1977, 556 § 1; subsection (b) first sentence revised, 1977, 556 § 2.

SECT. 47A added, 1974, 318 (providing for the appointment of a custodian of controlled substances and narcotic drug seized by police departments); four paragraphs inserted after first paragraph, 1977, 798.

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 the 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, 1945, 273; last sentence revised, 1969, 704 § 45; sentence added, 1977, 116. (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 necessities 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. 46, sentence inserted after third sentence, 1977, 554.

SECT. 46A added, 1960, 447 § 2 (providing for the proper calibration and inspection of bulk milk tank containers).

SECT. 52, last sentence revised, 1963, 34.

SECT. 56, paragraph (*b*½) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74;

paragraph (*b*¹/₂) added, 1937, 305 § 1; section revised, 1949, 34 § 1; paragraph (*j*) revised, 1955, 184; 1960, 447 § 3; section revised, 1965, 55; 1977, 338 § 1. (See 1937, 305 § 2; 1949, 34 § 2; 1977, 338 § 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).

SECT. 56D added, 1975, 880 (authorizing the director to examine and test certain check out systems).

Chapter 99. — The Metric System of Weights and Measures.

SECT. 1, paragraph added, 1936, 209 § 1.

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, 1936, 209 § 1.

SECT. 2 revised, 1941, 81; 1948, 550 § 11; 1949, 297 § 3; first sentence revised, 1976, 87 § 1; third sentence revised, 1976, 87 § 2.

SECT. 5 amended, 1932, 156 § 1.

SECT. 6 revised, 1948, 550 § 12; 1949, 297 § 4.

SECT. 14 revised, 1932, 156 § 2; 1948, 550 § 13; 1949, 297 § 5.

SECT. 16 revised, 1932, 156 § 3.

SECTS. 18-21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).

SECT. 18 revised, 1948, 550 § 14; 1949, 297 § 6.

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

SECT. 1, paragraph inserted before first paragraph, 1941, 490 § 21; second paragraph revised, 1936, 218; section revised, 1958, 146; amended, 1968, 467 § 32; 1969, 704 § 47. (See 1969, 704 § 60.)

SECT. 2 amended, 1948, 372; 1957, 243; revised, 1959, 218.

SECT. 3 amended, 1939, 261 § 23; 1941, 490 § 22; second sentence revised, 1948, 493 § 1; amended, 1972, 684 § 16. (See 1948, 493 § 5; 1972, 684 § 136.)

SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)

SECT. 6A added, 1938, 85 (providing that applications for transient vendors' licenses shall contain irrevocable power of attorney for service of process, and providing for services of process under authority thereof).

SECT. 12A added, 1977, 407 (authorizing city and town licensing boards to issue special licenses relating to transient sales for charitable purposes).

SECT. 15 amended, 1937, 214; revised, 1937, 333; 1955, 757 § 11.

SECT. 16 revised, 1935, 42; amended, 1937, 130; sentence inserted after first sentence, 1976, 114.

SECT. 16A added, 1975, 173 § 2 (relative to the operation and equipping of motor vehicles used by certain hawkers and peddlers).

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 peddlers).

SECT. 23, sentence added, 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; revised, 1977, 314.

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.

SECT. 19, second sentence revised, 1975, 644.

SECT. 25 revised, 1975, 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; 1976, 19 § 1. (See 1973, 229 § 2; 1976, 19 § 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; revised, 1977, 961 § 1; fifth sentence revised, 1977, 961 § 2. 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. 2A, first paragraph revised, 1977, 961 § 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; amended, 1977, 961 § 4. (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 of 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 section 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. 4A revised, 1976, 252 § 1.

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 (*i*½) inserted, 1945, 288 § 1; last paragraph revised, 1945, 288 § 2; section revised, 1954, 588 § 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, first paragraph, second sentence revised, 1954, 558 § 4; fourth sentence stricken out and two new sentences inserted, 1938, 445 § 8; three sentences added, 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 of 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; revised, 1975, 149 § 1; paragraph (e) added, 1975, 149 § 2.

SECT. 402, paragraph (a) amended, 1977, 377 § 1; clause (1) revised, 1977, 377 § 2. (See 1977, 377 § 4.)

SECT. 403, sentence added, 1977, 377 § 3. (See 1977, 377 § 4.)

Chapter 110B. — Registration and Protection of Trademarks.

New chapter inserted, 1973, 897 § 5. (See 1973, 897 § 8.)

Chapter 110C. — Regulation of Take-over Bids in the Acquisition of Corporations.

New chapter inserted, 1976, 121.

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, 1938, 265 § 6; definition of "Farming" or "Agriculture" inserted, 1966, 217; "Inland waters" defined, 1951, 448 § 1.

SECTS. 1A and 1B added, 1951, 552 (providing that certain laws relating to pollution or contamination of waters shall apply to governmental agencies).

SECT. 1A repealed, 1966, 685 § 4.

SECT. 1B repealed, 1955, 685 § 4.

SECT. 2, first paragraph amended, 1973, 1168 § 18; paragraph added, 1964, 508 § 2; first two sentences revised, 1971, 544 § 1; paragraph revised, 1976, 486 § 17. (See 1964, 508 §§ 3, 4; 1973, 1168 § 40; 1976, 486 § 31.)

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); first paragraph amended, 1975, 706 § 160; second paragraph amended, 1974, 806 § 11; 1975, 706 § 161; fifth paragraph stricken out, 1974, 806 § 12. (See 1974, 806 § 41; 1975, 706 § 312.)

SECT. 2C added, 1971, 806 (authorizing the issuance of cease orders to violators of pollution regulations by the commissioner of public health); revised, 1975, 706 § 162. (See 1975, 706 § 312.)

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, first paragraph, two sentences added, 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. 4I added, 1971, 539 (authorizing the department of public health to establish a program for the prevention of the disease erythroblastosis fetalis).

SECT. 4J added, 1971, 1084 § 1 (authorizing payment by the department of public health for hospital or nursing care for certain multiple-handicapped children); amended, 1973, 1229 § 4N. (See 1973, 1229 § 13.)

SECT. 5, paragraph added, 1941, 388; 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; third sentence stricken out, 1975, 706 § 163. (See 1957, 678 § 2; 1975, 706 § 312.)

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; first sentence amended, 1975, 706 § 164; fourth paragraph amended, 1975, 706 § 165. (See 1974, 806 § 41; 1975, 706 § 312.)

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; third paragraph, second sentence amended, 1975, 706 § 166; paragraph added, 1973, 594 § 1; stricken out, 1977, 363A § 65. (See 1975, 706 § 312; 1977, 363A § 76.)

SECT. 5G added, 1961, 625 (authorizing the department of public health to require the installation and operation of treatment facilities necessary to delivery a safe water supply); amended, 1977, 526 § 1.

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, 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; 1976, 129.

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; sentence added, 1977, 128.

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; 1975, 706 § 167; revised, 1977, 526 § 2. (See 1975, 706 § 312.)

SECT. 20 revised, 1947, 76; 1972, 777 § 4.

SECT. 21, first sentence revised, 1968, 274.

SECT. 23, first sentence amended, 1975, 706 § 168; second sentence revised, 1975, 706 § 169. (See 1975, 706 § 312.)

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; amended, 1976, 486 § 18. (See 1968, 358 § 5; 1976, 486 § 31.)

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 procedure 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. 25B, definition of "Health care facility" amended, 1975, 881 § 3; definition of "Substantial capital expenditure" revised, 1977, 945 § 2. (See 1975, 881 § 4.)

SECT. 25C, first paragraph revised, 1977, 945 § 3, fourth paragraph amended, 1973, 1168 § 20; fifth paragraph stricken out and two paragraphs inserted, 1977, 945 § 4, paragraph added, 1973, 1168 § 21. (See 1973, 1168 § 40; 1977, 945 § 7.)

SECT. 25F amended, 1977, 945 § 5.

SECT. 25H added, 1977, 339 (providing for return and redistribution of certain unused medication).

SECT. 25H added, 1977, 945 § 6 (providing that sections 25B-25G are severable with regard to certain federal rules and regulations).

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; 1975, 706 § 170; paragraph added, 1963, 483; amended, 1970, 841 § 2; paragraph added, 1970, 841 § 3. (See 1975, 706 § 312.)

SECT. 31D added, 1967, 455 (relative to disposal of privy, cesspool and septic tank contents); revised, 1969, 795; first paragraph amended, 1975, 706 § 171; second paragraph, first sentence amended, 1975, 706 § 172; third sentence amended, 1975, 706 § 173. (See 1975, 706 § 312.)

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; third paragraph revised, 1977, 868 § 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. 53A added, 1977, 359.

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 school and hospital for state minor wards). (See 1954, 508 §§ 3-5.)

SECT. 62J revised, 1969, 619; paragraph added, 1975, 752 § 1.

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. 62Q, second sentence revised, 1975, 752 § 2.

SECT. 63 amended, 1962, 598 § 3, 546 § 2; section caption preceding section revised, 1963, 517 § 2.

SECT. 63A added, 1975, 752 § 3 (relative to the admission of certain persons to public health hospitals).

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; revised, 1975, 752 § 4.

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; section revised 1957, 604; amended, 1963, 23; revised, 1964, 653; first sentence revised, 1965, 203; section revised, 1967, 891 § 7; first sentence revised, 1975, 210; 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 new sections 71-72A and 73 inserted, 1941, 661 § 1; stricken out and new sections 71-72A and 73 inserted, 1952, 602 § 9. (See 1941, 661 § 2; 1952, 602 § 18.)

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; fourteenth and fifteenth paragraphs revised, 1977, 868 § 2; 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 § 2.

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; paragraph added, 1975, 877 § 1. (See 1973, 1229 § 13; 1975, 877 § 3.)

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); revised, 1975, 122.

SECT. 72E added, 1975, 877 § 2 (providing for the inspection of long term care facilities). (See 1975, 877 § 3.)

SECT. 73 amended, 1957, 545 § 4; 1973, 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. 73B added, 1976, 400 (exempting facilities operated for the religious of the Roman Catholic Church from inspection by the department of public health).

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.)

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 § 2. (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.)

SECT. 80, first paragraph revised, 1968, 492 § 10; amended, 1973, 1229 § 46; second paragraph amended, 1965, 362. (See 1973, 1229 § 13.)

SECT. 81A added, 1977, 513.

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, 1962, 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 trustee 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 § (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, 1054, 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; third sentence amended, 1975, 706 § 174; paragraph added, 1971, 261. (See 1975, 706 § 312.)

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. 127F, first paragraph, first sentence stricken out and three sentences inserted, 1975, 467 § 1.

SECT. G, sentence added, 1971, 843; amended, 1973, 591 § 2. (See 1971, 843 § 27; 1973, 591 §§ 22.)

SECT. 127H, first paragraph, third sentence revised, 1972, 201; third paragraph, clause (b) revised, 1975, 467 § 2.

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); first paragraph, first sentence revised, 1975, 274 § 1; second paragraph, first sentence amended, 1975, 274 § 2; third sentence amended, 1975, 274 § 2A; third paragraph, second sentence amended, 1975, 274 § 3.

SECT. 127M added, 1973, 848 (restricting the construction and maintenance of certain sewage disposal systems); revised, 1975, 190; repealed, 1975, 615.

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, 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, 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, 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); amended, 1971, 373. (See 1967, 718 § 10.)

SECT. 137 revised, 1961, 326.

SECT. 141 revised, 1937, 278.

SECT. 142A added, 1954, 672 § 2 (relative to the control of atmospheric pollution); revised, 1959, 422; first sentence amended, 1975, 706 § 175. (See 1954, 672 §§ 2, 5, 6; 1975, 706 § 312.)

SECTS. 142B and 142C added, 1960, 676 § 1 (relative to control of air pollution in the city of Boston and vicinity). (See 1960, 676 §§ 2, 3.)

SECT. 142B, second paragraph amended, 1965, 472; third paragraph revised, 1971, 800; fifth paragraph revised, 1972, 359 § 1; third sentence amended, 1975, 706 § 176; paragraph inserted after fifth paragraph, 1971, 797. (See 1974, 494 § 2.)

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); first paragraph amended, 1975, 706 § 177; second paragraph amended, 1972, 359 § 2; third sentence revised, 1975, 706 § 178. (See 1975, 706 § 312.)

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. 142H added, 1975, 99 (authorizing the issuance of permits for certain ceremonial bonfires).

SECT. 142I added, 1976, 77 (authorizing certain bonfires during the period between July second and July sixth).

SECT. 143 revised, 1933, 269 § 2; 1948, 480 § 1; amended, 1956, 275 § 1; second paragraph revised, 1975, 706 § 179. (See 1975 § 312.)

SECT. 147 amended, 1948, 480 § 2; 1975, 706 § 180. (See 1975, 706 § 312.)

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; second paragraph, first sentence amended, 1975, 706 § 181; paragraph inserted after second paragraph, 1973, 1217 § 6; sentence inserted after first

sentence, 1975, 500 § 4; second sentence revised, 1975, 706 § 182; paragraph added, 1976, 118. (See 1955, 310 §§ 2, 3; 1975, 706 § 312.)

SECT. 151 amended, 1943, 332 § 9; revised, 1956, 275 § 2.

SECT. 152, first sentence amended, 1975, 706 § 183. (See 1975, 706 § 312.)

SECT. 154 amended, 1934, 340 § 9; sixth sentence revised, 1967, 347 § 4; eighth sentence revised, 1967, 347 § 5.

SECT. 159 amended, 1951, 448 § 2; first sentence amended, 1975, 706 § 312.)

SECT. 160 amended, 1951, 448 § 3; second sentence amended, 1977, 526 § 3; third sentence amended, 1977, 526 § 3A.

SECT. 160A added, 1960, 613 (regulating cross connections between public water supplies and other water supplies.)

SECT. 160B added, 1975, 706 § 185 (relative to violations of standards or regulations regulating the quality of water). (See 1975, 706 § 312.)

SECT. 161 repealed, 1961, 48.

SECT. 162 amended, 1951, 448 § 4.

SECT. 163 amended, 1951, 448 § 5.

SECT. 166 repealed, 1977, 526 § 4.

SECTS. 171-173 stricken out and section 171 inserted, 1975, 384.

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. 174A, second sentence amended, 1975, 706 § 186. (See 1975, 706 § 312.)

SECT. 175 revised, 1941, 353; 1963, 453; first sentence amended, 1975, 706 § 187 (See 1975, 706 § 312.)

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 flourescopic, 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; subsection (b), first paragraph amended, 1975, 410. (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); first paragraph, first sentence amended, 1977, 324.

SECT. 202 added, 1977, 598 § 5 (relative to fetal death reports). (See 1977, 598 § 6.)

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 half-way 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.

SECT. 14 added, 1977, 649 (providing immunity from liability for certain persons aiding injured or incapacitated persons).

Chapter 111E. — Clinical Laboratories.

New chapter inserted, 1975, 881 § 1. (See 1975, 881 § 4.)

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, 1936, 247 § 2; section amended, 1938, 210; paragraph added, 1939, 415 § 1; section revised, 1939, 451 § 37; amended, 1941, 722 § 9; second sentence stricken out and four sentence 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, 1946, 365; section revised, 1959, 344 § 1; third sentence stricken out and three sentences inserted, 1960, 177; 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, 1970, 540; section revised, 1971, 662; first paragraph amended, 1973, 925 § 16; 1974, 723 §§ 1, 2; third sentence revised, 1975, 138; 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; section revised, 1975, 362 § 2. Affected 1938, 259; 1948, 221. (See 1933, 171 § 2; 1936, 247 §§ 3-6; 1939, 415 §§ 3, 4; 1959, 344 § 3; 1973, 925 § 84; 1975, 362 § 13.)

SECT. 2A amended, 1945, 396 § 3; 1954, 519 § 2; 1959, 334 § 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; 1975, 362 § 3; second paragraph clause (g) stricken out and clauses (g) and (h) inserted 1977, 165; paragraph inserted after third paragraph, 1977, 623. (See 1937, 425 § 15; 1975, 362 § 13.)

SECT. 7, second sentence amended, 1975, 846 § 1.

SECT. 8 revised, 1948, 550 § 18.

SECT. 9 revised, 1933, 152; 1945, 186; amended, 1955, 526; revised, 1960, 583, 1962, 578; amended, 1973, 925 § 17; 1060 § 1; revised, 1977, 252. (See 1973, 925 § 84; 1060 § 3.)

SECT. 9A, first sentence amended, 1966, 527; third sentence amended, 1963, 780; section revised, 1972, 534; 1976, 106.

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); revised, 1976, 470 § 2; sixth paragraph, second sentence revised, 1977, 707.

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 numbered by 1971, 335 § 1) (permitting physicians to render emergency medical treatment of minor without civil liability); revised, 1975, 564.

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); revised, 1976, 551.

SECTS. 12H-12R added, 1974, 706 § 1 (protecting unborn children and maternal health within constitutional limits); stricken out, 1977, 397.

SECT. 12K-12U added, 1977, 397.

SECT. 12R, sentence inserted after first sentence, 1977, 497.

SECT. 12V added, 1977, 555 (exempting from civil liability certain individuals for rendering emergency cardiopulmonary resuscitation).

SECT. 12W added, 1977, 654 (requiring a physician to have consent in writing before performing certain surgical or medical procedures).

SECT. 12X added, 1977, 762 § 1 (rendering unenforceable certain restrictive covenants upon physicians). (See 1977, 762 § 2.)

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 prescriptions 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 physician 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; section amended, 1977, 87. (See 1973, 925 § 84.)

SECT. 23E revised, 1972, 482 § 2.

SECT. 23G, first sentence amended, 1972, 684 § 21. (See 1972, 684 § 136.)

SECTS. 23A-23O revised, 1975, 584 § 1. (See 1975, 584 § 2.)

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; section revised, 1976, 444.

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 §; 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; paragraph added, 1977, 653. (See 1963, 488 § 2; 1972, 684 § 136.)

SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5.

SECT. 41A added, 1975, 679 (authorizing certain medicines and drug substances to be manufactured or sold without controls).

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; first sentence revised, 1977, 757 § 1A.

SECT. 43A added, 1977, 757 § 2 (relative to registration of dentists).

SECT. 44 amended, 1965, 583 § 2; 1972, 684 § 26; first sentence revised, 1977, 757 § 3. (See 1972, 684 § 136.)

SECT. 45, second sentence amended, 1932, 180 § 18; paragraph added, 1939, 415 § 2; section revised, 1949, 564 § 1; first paragraph amended, 1972, 684 § 27; 1973, 925 § 20; second sentence revised, 1977, 757 § 4. (See 1939, 415 § 3; 1948, 221; 1972, 684 § 136; 1973, 925 § 84.)

SECT. 45A amended, 1949, 564 § 2; revised, 1965, 583 § 3; 1977, 757 § 5.

SECT. 46, clause Third amended, 1934, 108.

SECT. 46A added, 1977, 757 § 6 (providing for competency reexamination).

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 prescription blanks).

SECT. 51 revised, 1949, 576; first paragraph revised, 1971, 620; amended, 1977, 757 § 7; second paragraph amended, 1965, 583 § 6; stricken out and three paragraphs inserted, 1977, 757 § 7A; fourth paragraph revised, 1977, 757 § 8; last paragraph stricken out and two paragraphs inserted, 1965, 583 § 7; last paragraph amended, 1972, 684 § 28. (See 1972, 684 § 136.)

SECT. 51A added, 1977, 757 § 9 (relative to rules and regulations).

SECT. 52 revised, 1948, 123; 1952, 117; amended, 1977, 757 § 10.

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; first sentence amended, 1977, 757 § 11.

SECT. 52C added, 1954, 408 § 3 (restricting advertising by dental technicians).

SECT. 52D added, 1977, 757 § 12 (relative to suspension, revocation or cancellation of license).

SECT. 53 amended, 1949, 564 § 3; first sentence amended, 1977, 757 § 13.

SECT. 54 revised, 1958, 533 § 3; second sentence revised, 1969, 104; 1974, 810 § 4; 1975, 451 § 1.

SECT. 54A added, 1974, 810 § 5 (regulating the practice of veterinary medicine); definition of "Approving authority" stricken out, 1975, 451 § 2; inserted, 1975, 706 § 188. (See 1975, 706 § 312.)

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724; 1952, 585 § 24; stricken out and two paragraphs inserted, 1957, 492; same two paragraphs stricken out and one paragraph inserted, 1958, 533 § 4; first paragraph stricken out and two paragraphs inserted, 1965, 46; first paragraph, second and third sentences revised, 1967, 347 § 6; second sentence amended, 1968, 538 § 1; 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; 1975, 451 § 3. (See 1939, 251 §§ 2, 3, 4; 1945, 711; 1951, 433 ff 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 licenses 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. 56C added, 1975, 451 § 4 (providing for practical examinations of certain applicants).

SECT. 58 revised, 1974, 810 § 8; second paragraph, clause 8 added, 1977, 132.

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; clause 10 added, 1975, 451 § 5.

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.)

SECT. 65 amended, 1977, 757 § 14.

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); revised, 1976, 91. (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; third sentence amended, 1972, 684 § 31; fourth and fifth sentence revised, 1969, 603 § 1; 1973, 265 § 1; fourth sentence amended, 1972, 684 § 32; fifth sentence amended, 1972, 684 § 33; stricken out and four sentences inserted, 1977, 884 § 1. (See 1959, 415 § 5; 1969, 603 § 7; 1972, 684 § 136.)

SECT. 74A, third sentence amended, 1951, 87; section revised, 1953, 340 § 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; revised, 1977, 85; fourth sentence amended 1972, 684 § 35; fifth sentence amended, 1972, 684 § 36; stricken out and four sentences inserted 1977, 884 § 2. 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. 74C added, 1977, 884 § 3 (relative to the appointment of an advisory council).

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 1956, 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, §§ 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; definition of "Professional nursing" revised, 1975, 846 § 2. (See 1957, 595 § 8.)

SECT. 80C added, 1977, 129 (providing for the practice of nurse mid-wifery).

SECT. 80D added, 1977, 129 (relative to the advisory committee of nurse - midwifery).

SECT. 81 revised, 1953, 350 § 10; 1957, 595 § 5. (See 1957, 595 §§ 6, 7, 8; 1958, 354 §§ 1-4.)

SECTS. 81A-81C added, 1941, 620 § 3.

SECT. 81A-81Q added, under caption, 1941, 643 § 2. (See 1941, 643 §§ 3-5.)

SECT. 81A stricken out, section 81D added, 1941, 722 § 9A.

SECT. 81L amended, 1941, 722 § 9B.

SECTS. 81B-81Q stricken out, sections 81E-81T, inclusive, added, 1941, 722 § 9C.

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; sentence added, 1975, 846 § 3.

SECT. 81D revised, 1958, 584 § 2; definition of "Land surveying" and "Land surveyor" revised, 1970, 707 § 3; definition of "Practice of engineering" amended, 1970, 707 § 2.

SECT. 81E revised, 1958, 584 § 3; first sentence revised, 1970, 707 § 4; third paragraph amended, 1975, 588 § 1.

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; first two paragraphs revised, 1975, 588 § 2. (see 1972, 684 § 136.)

SECT. 81L, first paragraph, second sentence revised, 1975, 588 § 3; paragraph inserted after first paragraph, 1958, 584 § 6; stricken out, 1970, 707 § 7; second paragraph, third sentence revised, 1975, 588 § 3A.

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; sixth sentence amended, 1975, 588 § 4. (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. 81Q, second sentence amended, 1975, 588 § 5.

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; 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 §§ 2, 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 §§ 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, 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, 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, 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, 1950, 61; paragraph added, 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, 1936, 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; 1977, 806.

SECT. 87U amended, 1937, 385 § 2; revised, 1941, 626 § 3; amended, 1949, 345; 1958, 85; revised, 1977, 806.

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; section revised, 1977, 806. (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; second paragraph, sentence added, 1946, 550 § 2; 1951, 253; section revised, 1977, 806. (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; revised, 1977, 806.

SECT. 87Y revised, 1949, 579; 1977, 806.

SECT. 87Z amended, 1936, 385 § 5; revised, 1943, 565 § 5; paragraph added, 1953, 274; revised, 1955, 435; paragraph added, 1955, 333; section revised, 1977, 806.

SECT. 87AA revised, 1941, 626 § 7; 1943, 565 § 6; paragraph added, 1953, 537 § 1; 1960, 462; 1965, 531 § 2; section revised, 1977, 806.

SECT. 87BB amended, 1937, 385 § 6; revised, 1943, 565 § 7; first paragraph amended, 1960, 442 § 1; 1966, 456 § 4; second paragraph revised, 1960, 442 § 1; 1966, 456 § 4; second paragraph revised, 1960, 442 § 2; paragraph inserted after second paragraph, 1971, 334; section revised, 1977, 806.

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; section revised, 1977, 806. (See 1966, 456 § 8; 1972, 684 § 136.)

SECT. 87DD revised, 1943, 565 § 9; 1977, 806.

SECT. 87EE revised, 1937, 385 § 7; 1977, 806.

SECT. 87FF revised, 1977, 806.

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; sentence added at end, 1956, 550 § 3; last sentence amended, 1966, 456 § 7; section revised, 1977, 806. (See 1966, 456 § 8.)

SECT. 87HH revised, 1977, 806.

SECT. 87II amended, 1937, 385 § 8; revised, 1941, 626 § 10; 1943, 565 § 11; 1977, 806.

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; section revised, 1975, 222. (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; 1975, 732. (See 1963, 735 § 2.)

SECT. 87ZZ, paragraphs (a) (b) and (c) revised, 1960, 658; paragraph (a) amended, 1972, 684 § 52; revised, 1975, 300; 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. 87EEE, definition of "Electrolysis" amended, 1976, 154.

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 "Technical 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).

SECT. 87AAAA revised, 1975, 736.

SECTS. 87CCCC-87DDDD added, under caption, 1971, 942 § 2 (regulating the certification of operators of drinking water supply facilities).

SECT. 87CCCC, third and fourth sentences revised, 1975, 622.

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).

SECT. 123 amended, 1977, 829 § 10.

SECTS. 130-137 added, 1977, 818 § 2 (further regulating the registration and licensing of social workers). (See 1977, 818 § 4.)

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.)

SECT. 4 amended, 1977, 171 § 2.

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.

SECT. 13, subsection (a), sentence added, 1977, 171 § 3.

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 of representatives of deceased persons of certain options regarding services); revised, 1975, 124.

SECT. 6 amended, 1936, 319 § 2; 1975, 706 § 189. (See 1936, 319 § 7; 1975, 706 § 312.)

SECT. 7 revised, 1936, 319 § 7. (See 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. 10A added, 1977, 272 (relative to the ownership of certain unclaimed graves in municipal cemeteries).

SECT. 19 revised, 1948, 550 § 48. (See 1948, 550 § 51.)

SECT. 20, sentence added, 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. 35 amended, 1975, 706 § 190. (See 1975, 706 § 312.)

SECT. 36 amended, 1975, 706 § 191. (See 1975, 706 § 312.)

SECT. 42A added, 1969, 268 (regulating visiting hours in certain cemeteries); two sentences added, 1970, 285.

SECT. 42B added, 1970, 415 (prohibiting the use of a cemetery for the making of a commerical 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. 43E, first sentence amended, 1975, 706 § 192. (See 1975, 706 § 312.)

SECT. 43F, first sentence amended, 1975, 706 § 193. (See 1975, 706 § 312.)

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, 1951, 590 § 2; section revised, 1954, 627 § 35; definition of "Dependent" revised, 1969, 601; 1977, 828; definition of "Institution" inserted, 1967, 570 § 1; definition of "Reside" added, 1965, 793 § 1; definition of

'Veteran' amended, 1954, 688 § 4; 1956, 692 § 1; clause (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; 1976, 305; eighth paragraph amended, 1952, 597; last paragraph stricken out and two paragraphs inserted, 1951, 546; paragraph added, 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; sentence added, 1976, 214.

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; amended, 1977, 273 §§ 1-2.

SECT. 12, first sentence revised, 1977, 372.

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, 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); revised, 1977, 815 § 3.

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.)

SECT. 11 added, 1977, 784 (authorizing the trustees of the Soldier's Home in Massachusetts to procure certain insurance).

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, first paragraph revised, 1975, 531 § 1; 618 § 1; second sentence revised, 1975, 684 § 25D; sentence added, 1975, 758 § 1; paragraph added, 1974, 623 § 2. (See 1974, 623 § 4; 1975, 684 § 97.)

SECT. 2A added, 1974, 533 (providing public assistance to residents of certain disaster areas).

SECT. 3, fourth paragraph amended, 1973, 1210 § 19; revised, 1977, 825 § 1. (See 1973, 1210 § 39.)

SECT. 4 revised, 1975, 531 § 2; 618 § 2.

SECT. 9 revised, 1973, 925 § 36; 1974, 787 § 1. (See 1973, 925 § 84.)

SECT. 10 amended, 1973, 1210 § 20. (See 1973, 1210 § 39.)

SECT. 20 revised, 1975, 531 § 3; 618 § 3; repealed, 1975, 684 § 25E. (See 1975, 684 § 97.)

SECT. 21 repealed, 1975, 531 § 4; 618 § 4.

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; paragraph inserted after third paragraph, 1975, 684 § 25A½. (See 1974, 623 § 4; 1975, 684 § 97.)

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; section revised, 1977, 825 § 2. (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.

SECT. 2, first paragraph, first sentence amended, 1976, 283 § 28A. (See 1976, 283 § 34.)

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. 4, four paragraphs inserted after third paragraph, 1977, 878 § 1. (See 1977, 878 § 2.)

SECT. 5, third sentence revised, 1973, 1210 § 26. (See 1973, 1210 § 39.)

SECT. 6, first paragraph revised, 1975, 531 § 5; 618 § 5; 684 § 25F; 751; clause (17) added, 1971, 1084 § 2; revised, 1973, 1068 § 2; second sentence revised, 1976, 283 § 31. (See 1975, 684 § 97; 1976, 283 § 34.)

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; 1977, 825 § 3. (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; first sentence revised, 1975, 684 § 25H; 758 § 3; 1976, 283 § 29; sentence inserted after first sentence, 1975, 758 § 3. (See 1970, 701 § 4; 1975, 684 § 97; 1976, 283 § 34.)

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 reference 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, 885 § 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 D amended, 1975, 276 § 1; subsection E amended, 1975, 276 § 2; 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; 1975, 276 § 3; two sentences inserted after second sentence, 1977, 799; 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, 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, 1973, 1073 § 5 (providing care and services for certain children).

SECT. 39E, sixth paragraph, third sentence revised, 1976, 412 § 1.

SECT. 39G, first paragraph, clause (c) revised, 1976, 412 § 2.

SECT. 39H, second paragraph, second sentence revised, 1977, 543.

SECTS. 51A-51G added, 1973, 1076 § 5 (providing protective services for certain children who have been injured, abused or neglected).

SECT. 51A amended, 1975, 276 § 4; first paragraph, sentence added, 1977, 942; third paragraph, sentence added, 1977, 501.

SECT. 51E, paragraph inserted after first paragraph, 1975, 528 § 1.

SECT. 51F, first paragraph, sentence added, 1975, 528 § 2.

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; first sentence revised, 1975, 813; 1977, 431 § 2; 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 sentence stricken out, two sentences inserted, 1976, 533; 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; 1975, 840 § 1; fourth paragraph, second sentence revised, 1977, 829 § 11. (See 1948, 310 § 31; 1964, 308 § 13; 1975, 840 § 3.)

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); revised, 1975, 840 § 2. (See 1964, 308 § 13; 1975, 840 § 3.)

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; repealed, 1975, 840 § 2A.

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 § 4. 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, 1959, 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, 1942, 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); sec-

ond 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 § 74. (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; amended, 1975, 706 § 194. (See 1952, 605 §§ 15, 19-21; 1969, 838 § 74; 1975, 706 § 312.)

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).

SECT. 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; 1942, 317.)

SECT. 26I-26II stricken out and new sections 26I-26NN inserted, 1946, 574 § 1. (See 1946, 574 § 2.)

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; 196, 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 "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, 272 § 1; sentence added, 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 of stricken out and four sentences inserted, 1969, 369 § 2; first sentence 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, 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, 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, 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).

SECT. 26SS-26VV revised, 1954, 667 § 1.

SECT. 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 re-use); repealed, 1969, 751 § 2.

SECT. 226HHH revised, 1962, 643 § 3; third paragraph amended, 1968, 766 § 2; section repealed, 1969, 751 § 2.

SECTS. 26III and 26JJJ added, 1964, 721 (providing for the rehabilitation of dwelling accommodations).

SECT. 26JJJ, paragraph added, 1967, 461; section repealed, 1969, 751 § 2.

SECTS. 26KKK, 26LLL and 26MMM added, 1966, 707 § 2 (providing a rental assistance program for families of low income); repealed, 1969, 751 § 2.

SECTS. 23-26MMM repealed, 1972, 751 § 2.

SECT. 27 repealed, 1933, 364 § 7.

SECTS. 28-37 repealed, 1954, 508 § 2. (See 1954, 508 §§ 3-5.)

SECT. 31 amended, 1948, 559.

SECT. 38 repealed, 1966, 214 § 1.

SECT. 39 amended, 1941, 351 § 17; repealed, 1958, 613 § 4.

SECT. 40 amended, 1941, 656 § 13; repealed, 1966, 214 § 1. (See 1941, 656 § 17.)

SECT. 41 revised, 1958, 179; repealed, 1967, 658 § 77.

SECT. 42 amended, 1932, 180 § 22; 1941, 406; 1958, 613 § 7; 1964, 339 § 2; two sentences added, 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; revised, 1975, 827 § 1. (See 1960, 652 §§ 12-15.)

SECT. 5, first sentence amended, 1960, 652 § 4; section revised, 1975, 827 § 2.

SECT. 6, first two paragraphs stricken out and four paragraphs inserted, 1953, 647 § 2; paragraph added, 1956, 640 § 1; section revised, 1975, 827 § 3.

SECT. 6A added, 1960, 652 § 5; four paragraphs added, 1975, 827 § 4.

SECTS. 6B-6C added, 1975, 827 § 5 (further regulating the development of urban redevelopment entities).

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; section revised, 1975, 827 § 6.

SECT. 10, two paragraphs added, 1953, 647 § 3; section revised, 1956, 640 § 4; second paragraph, second sentence revised, 1969, 540 § 1; third paragraph, sentence added, 1975, 76; seventh paragraph revised, 1975, 119 § 1; section revised, 1975, 827 § 7; fifth paragraph, first sentence stricken out, two sentences inserted, 1976, 415 § 94. (See 1969, 540 § 2; 1975, 119 §§ 2, 3; 1976, 415 § 116.)

SECT. 11 revised, 1975, 827 § 8.

SECT. 12, paragraph added, 1947, 487 § 2.

SECT. 13 revised, 1975, 827 § 9.

SECT. 14, first paragraph revised, 1975, 827 § 10.

SECT. 15, first paragraph revised, 1953, 647 § 4.

SECT. 16 stricken out and sections 16 and 16A inserted, 1953, 647 § 5.

SECTS. 16-16A revised, 1975, 827 § 11.

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; section revised, 1975, 827 § 12; introductory paragraph revised, 1977, 578. (See 1960, 652 §§ 12-15.)

SECT. 18A added, 1946, 129 (authorizing savings banks to invest in urban redevelopment projects); revised, 1975, 827 § 13.

SECT. 18B added, 1953, 647 § 9 (relative to the forming of urban redevelopment corporations); first sentence amended, 1969, 751 § 4; section revised, 1975, 827 § 14.

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; 1975, 827 § 15; clause (e) revised, 1975, 827 § 16; clause (f) amended, 1966, 421 § 2; sixth paragraph revised, 1975, 827 § 17; paragraph added, 1975, 827 § 18.

SECT. 18D added, 1975, 827 § 19.

Chapter 121B. — Housing and Urban Renewal.

New chapter inserted, 1969, 751 § 1.

SECT. 1, definition of "Commissioner" stricken out, 1975, 163 § 21; definition of "Handicapped persons of low income" inserted after definition of "Federal legislation", 1970, 812 § 1; amended, 1975, 163 § 22; definition of "Elderly persons of low income" revised, 1973, 1215 § 15A; definition of "Development Cost" inserted after the definition of "Department", 1976, 4 § 1; definition of "Veteran," second sentence revised, 1977, 815 § 4.

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) inserted. 1970, 851 § 2.

SECT. 15, sentence inserted after fifth sentence, 1970, 359 § 1.

SECT. 21 amended, 1973, 834; second sentence revised, 1975, 641.

SECT. 26 amended, 1970, 694 § 2; clause (j) revised, 1976, 477 § 5; clause (k) added, 1973, 884 § 1; clause (l) added, 1974, 698 § 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; fourth paragraph revised, 1977, 610.

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 sentence amended, 1975, 163 § 23; 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. 32A added, 1977, 146 (regulating the parking of certain motor vehicles in a housing project area).

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, 803 § 8; third, fourth and fifth paragraphs stricken out and two paragraphs inserted, 1971, 1114 § 4; section revised, 1973, 1215 § 11; first paragraph revised, 1975, 163 § 25; 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; section revised, 1976, 4 § 2; third sentence revised, 1976, 477 § 6; eighth paragraph, second sentence revised, 1977, 815 § 5. (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. 34B added, 1976, 4 § 3 (relative to guarantees by the commonwealth of certain votes of the housing authority).

SECT. 35 revised, 1970, 359 § 3; 1976, 4 § 4.

SECT. 37 revised, 1970, 359 § 4; first paragraph, second sentence amended, 1975, 163 § 24; second paragraph, third sentence revised, 1972, 802 § 9; paragraph stricken out, 1974, 541 § 9; section revised, 1976, 4 § 5. (See 1972, 802 § 77; 1974, 541 § 24.)

SECT. 38, caption preceding said section revised, 1970, 812 § 2; paragraph added, 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; three sentences added, 1977, 996 § 4.

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; revised, 1977, 996 § 4; 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; stricken out, 1975, 825 § 1; section revised, 1976, 4 § 6; 1977, 996 § 6.

SECT. 41A added, 1975, 825 § 2; revised, 1976, 4 § 7.

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. 43A added, 1977, 996 § 7 (further regulating private dwelling units leased by a local housing authority).

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. 46, clause (h) added, 1975, 581.

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; first paragraph, second sentence amended, 1975, 163 § 26; second paragraph amended, 1976, 157 § 1; third paragraph amended, 1976, 157 § 2; fifth paragraph amended, 1976, 157 § 3.

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. 1, paragraph added, 1975, 752 § 5.

SECT. 2 revised, 1977, 864 § 13.

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; revised, 1975, 752 § 6; 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; sentence 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; revised, 356 § 1.

SECT. 7 revised, 1971, 760 § 5; paragraph (c) revised, 1976, 356 § 2.

SECT. 8, two paragraphs added, 1971, 760 § 6; paragraph (f) amended, 1973, 569 § 4; section revised, 1976, 356 § 3.

SECT. 9 revised, 1971, 760 § 7.

SECT. 10, first paragraph amended, 1973, 925 § 48; sentence inserted after the second sentence, 1976, 356 § 4; 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; revised, 1975, 114 § 1; paragraph (d) revised, 1971, 760 § 10; paragraph (e) revised, 1971, 760 § 10; third sentence revised, 1975, 114 § 2.

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; subsection (a) first sentence revised, 1977, 631.

SECT. 28 amended, 1976, 205.

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; 1975, 197 § 1; definition of "Drug offense" revised, 1975, 197 § 2; 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; second and third paragraphs revised, 1975, 197 § 3; fifth and sixth paragraphs revised, 1975, 197 § 4; eleventh, twelfth and thirteenth paragraphs revised, 1975, 197 § 5; sixteenth paragraph revised, 1975, 197 § 6; twenty-second paragraph revised, 1975, 197 § 7.

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. 6A added, 1976, 496 (providing that the movement of certain sexually dangerous persons within a treatment center may be restricted).

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; 1954, 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, 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, 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); revised, 1977, 1002.

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 SECT. 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 § 112. (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 §§ 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, 1951, 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; amended, 1975, 706 § 195; second sentence amended, 1975, 706 § 196. (See 1975, 706 § 312.)

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; 1975, 706 § 197. (See 1975, 706 § 312.)

SECT. 84 amended, 1941, 490 § 28; first sentence amended, 1975, 706 § 198. (See 1975, 706 § 312.)

SECT. 85, caption preceding section revised, 1956, 715 § 17; section revised, 1950, 727 § 1; amended, 1955, 770 § 48; revised, 1956, 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. 1955, 770 §§ 117, 123.)

SECT. 97 revised, 1943, 113; 1955, 770 § 58; amended, 1956, 738; revised, 1958, 634; 1968, 627. (See 1955, 770 §§ 117, 123.)

SECT. 97A added, 1968, 624 (permitting transfer of prisoners sentences 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. 11A 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, 410 § 1; 1943, 120; 1977, 582 § 1.

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; revised, 1977, 582 § 2.

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.)

SECT. 129-139 stricken out and new sections 129-136A inserted, 1941, 690 § 2. (See 1941, 690 §§ 8-10.)

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 inseted, 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; section revised, 1975, 765. (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); amended, 1977, 220.

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, 1956, 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 § 74; 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. 140 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 offenses who are on probation or parole). (See 1937, 307 § 2.)

SECT. 151F revised, 1957, 229 § 2.

SECT. 151G revised, 1957, 229 § 3.

SECT. 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); amended, 1977, 829 § 22.

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; fourth paragraph, sentence added, 1941, 297; 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 "Commissioner" revised, 1975, 706 § 199; definition of "Department" revised, 1975, 706 § 199; definition of "Riding school operator" inserted, 1972, 717 § 1; definition of "Trustees" revised, 1973, 43 § 1. (See 1975, 706 § 312.)

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, 1975, 619.

SECT. 2A added, 1972, 527 (requiring licensing or 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; 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); fourth sentence revised, 1975, 706 § 200. (See 1975, 706 § 312.)

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; second sentence amended, 1975, 706 § 201. (See 1975, 706 § 312.)

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; revised, 1975, 77 § 1; sentence inserted after the third sentence, 1977, 113 § 1. (See 1975, 77 § 2; 1977, 113 § 2.)

SECT. 41 revised, 1957, 319 § 1. (See 1957, 319 § 2.)

SECT. 42 revised, 1932, 166; paragraph added, 1947, 180.

SECT. 44, first sentence revised, 1969, 849 § 75; amended, 1977, 924 § 1; sentence inserted after first sentence, 1971, 991; amended, 1977, 924 § 2. (See 1969, 849 § 79; 1977, 924 § 4.)

SECT. 44A added, 1977, 924 § 3 (further regulating the budget of the Suffolk county trustees for county cooperative extension service). (See 1977, 924 § 4.)

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.)

SECTS. 84-101 added, 1975, 203 § 2 (further regulating the sale of agricultural and other seeds).

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; 1975, 852 § 2A; 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; first sentence amended, 1975, 706 § 202; second sentence amended, 1975, 706 § 203; third paragraph, clause (a) revised, 1971, 951 § 2; clause (b) revised, 1946, 575 § 2; 1958, 229 § 2; 1971, 955; clause (c) amended, 1941, 382; three sentences added, 1975, 852 § 2B; clause (d) revised, 1946, 575 § 3; 1953, 663; 1971, 721 § 1; stricken out, 1972, 813 § 1; clause (e) revised, 1939, 505 § 1; 1958, 116; 1971, 87 § 1; 1975, 852 § 2C; clause (f) amended, 1935, 454 § 3; revised, 1971, 721 § 2; 1973, 327 § 1; clause (g) revised, 1971, 87 § 2; 1975, 852 § 2D; 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; first paragraph revised, 1976, 217 § 1; clause (l) revised, 1965, 209 § 1; clause (n) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the parimutuel system of betting, on publicly owned premises); clause (n) added, 1935, 471 § 1 (forbid-

ding the 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; stricken out, 1976, 217 § 2; 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; 1964, 686 § 2; 1975, 706 § 312.)

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; fifth paragraph revised, 1975, 852 § 3; 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 entertaining, 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 commerical 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; section revised, 1976, 217 § 3. (See 1935, 471 § 2.)

SECT. 13B added, 1937, 322 (prohibiting and penalizing the use of drugs for the purposes 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; section revised, 1976, 217 § 4. (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, 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; repealed, 1977, 363A § 72. (See 1936 § 4; 1941, 729 § 15; 1955, 540 §§ 5-7; 1977, 363A § 76.)

Chapter 128B. — Conservation of Soil and Soil Resources and Prevention and Control of Erosion.

New chapter inserted, 1945, 531.

SECT. 2, paragraph (2) revised, 1947, 73 § 1.

SECT. 3, first paragraph revised, 1955, 307 § 1; third paragraph, subdivision 1 revised, 1956, 513 § 1; subdivision 5 revised, 1949, 517; subdivision 9 added, 1956, 513 § 2. (See 1955, 307 § 2.)

SECT. 5 revised, 1947, 73 § 2; 1954, 244.

SECT. 7, subdivision 1 revised, 1956, 513 § 3; subdivisions 3 and 4 revised, 1956, 513 § 4; subdivision 6 revised, 1956, 513 § 5.

Chapter repealed, 1963, 664 § 4. (See 1963, 664 §§ 5-7.)

**Chapter 129. — Livestock Disease Control
(former title, Animal Industry).**

Title changed, 1941, 490 § 35.

SECT. 1 revised, 1934, 340 § 12; definition of "Agents" revised, 1967, 347 § 8; 1975, 706 § 204; definition of "Contagious disease" revised, 1966, 54; definitions of "Director" and "Division" revised, 1967, 347 § 9; 1975, 706 § 205; definition of "Domestic animals" added, 1935, 70; definition of "Pet shop" added, 1971, 993 § 1. (See 1934, 340 § 18; 1975, 706 § 312.)

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 of 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; first sentence revised, 1975, 706 § 206; third sentence amended, 1977, 363A § 71. (See 1975, 706 § 312; 1977, 363A § 76.)

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. 22A added, 1977, 385 (relative to the restraint of certain police dogs).

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 importation or transportation of certain cattle unless tested and vaccinated for brucellosis). (See 1954, 647 § 4; 1956, 527 §§ 5, 6.)

SECT. 36D revised, 1956, 527 § 3; amended, 1960, 371; revised, 1965, 72 § 2; amended, 1966, 91 § 2.

SECT. 36E revised, 1956, 527 § 3.

SECTS. 36F and 36G added, 1956, 527 § 4 (relative to the testing of cattle for brucellosis).

SECT. 36G revised, 1977, 793 § 1. (See 1977, 793 § 2).

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; amended, 1975, 706, 207. (See 1934, 340 § 18; 1975, 706 § 312.)

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; second sentence amended, 1975, 706 § 208. (See 1975, 706 § 312.)

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. 40A added, 1977, 43 (prohibiting the use of hog cholera vaccine).

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).

SECTS. 45-48 added, 1977, 857 (regulating the dealing in and transportation of equine 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, 559 § 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.)

SECT. 1, definition of "Canned lobster meat or crab meat" inserted, 1956, 512; definitions of "Coastal warden" stricken out, 1964, 524 § 5; definition of "Commissioner" revised, 1975, 706 § 209; definition of "Department" revised, 1975, 706 § 210; "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. (See 1975, 706 § 312.)

SECT. 2, second paragraph revised, 1949, 566 § 1; amended, 1950, 628 § 1; revised, 1951, 360; last paragraph revised, 1945, 98 § 3; stricken out and three paragraphs inserted, 1962, 715 § 6.

SECT. 2A added, 1962, 715 § 7 (establishing the marine fisheries fund); repealed, 1977, 363A § 66. (See 1977, 363A § 76.)

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); amended, 1975, 706 § 211. (See 1975, 706 § 312.)

SECT. 17, subsection (3) revised, 1977, 447 § 1; subsections (8) and (9) added, 1968, 438 § 1; subsection (10) added, 1971, 1104; subsection (ii) added, 1977, 153.

SECT. 17A added, 1962, 715 § 8 (relating to the management of marine fisheries).

SECT. 17B added, 1973, 931 § 1 (relating to aquaculture); amended, 1977, 971 § 1.

SECT. 19, second paragraph amended, 1975, 706 § 212. (See 1975, 706 § 312.)

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; revised, 1975, 706 § 213; sentence added, 1972, 789 § 4. (See 1975, 706 § 312.)

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. 28 amended, 1975, 706 § 214. (See 1975, 706 § 312.)

SECT. 31 amended, 1945, 98 § 4; revised, 1960, 233.

SECT. 32 revised, 1976, 133.

SECT. 33 amended, 1945, 98 § 5.

SECT. 37, paragraph contained in lines 10 and 11 amended, 1943, 149; revised, 1943, 533 § 1; 1948, 76 § 1; section revised, 1960, 152; amended, 1971, 91; fourth paragraph, first sentence revised, 1977, 69 § 1. (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; sixth sentence revised, 1977, 476; 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; 1975, 431; 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; 1977, 69 § 2. (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); amended, 1975, 32; first paragraph revised, 1977, 13; third paragraph revised, 1977, 69 § 3.

SECT. 38B added, 1975, 484 § 1 (further regulating the issuance of commercial fisherman permits for the taking of lobsters in coastal waters); first paragraph revised, 1975, 729.

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; first sentence revised, 1977, 69 § 4. (See 1951, 408 § 2.)

SECT. 45 revised, 1963, 300 § 2; repealed, 1964, 524 § 6.

SECT. 46 repealed, 1964, 524 § 6.

SECT. 47, third sentence revised, 1963, 300 § 4.

SECT. 52, first paragraph, sentence added, 1970, 236; fourth paragraph, two sentences inserted after first sentence, 1972, 33; last paragraph revised, 1977, 447 § 2.

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; 1975, 706 § 215. (See 1954, 243 § 2; 1975, 706 § 312.)

SECT. 74A added, 1956, 288 § 1 (authorizing the department of public health immediately to designate shellfish areas as con-

taminated in the event of emergencies); revised, 1975, 706 § 216. (See 1975, 706 § 312.)

SECT. 75, first paragraph, first sentence revised, 1977, 331; six sentences inserted after second sentence, 1977, 447 § 3; second paragraph amended, 1956, 288 § 2; 1965, 124.

SECT. 76, paragraph inserted after third paragraph, 1948, 365; section revised, 1961, 506 § 1; first sentence amended, 1975, 706 § 217; third sentence amended, 1975, 706 § 218. (See 1975, 706 § 312.)

SECT. 77 revised, 1961, 506 § 2; first sentence amended, 1975, 706 § 219; revised 1977, 30. (See 1975, 706 § 312.)

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, 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; 1975, 129.

SECT. 100C added, 1959, 206 (regulating the methods of taking shad); revised, 1975, 129.

SECT. 100D added, 1977, 971 § 2 (relative to the commercial harvest of eels in the waters of the Commonwealth).

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); eighth paragraph amended, 1975, 351; section revised, 1975, 706 § 220. (See 1965, 768 § 4; 1975, 706 § 312.)

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 "Coastal waters", "Commissioner", "Department", "Director" and "Division" revised, 1976, 706 § 221; definition of "Loaded Shotgun or rifle" revised, 1975, 162; definitions of "Falcon" and "Falconry" inserted, 1973, 496 § 1; definition of "Raptors" inserted, 1973, 496 § 2. (See 1975, 706 § 312.)

SECT. 4, clause (2) amended, 1973, 496 § 3; revised, 1973, 1071 § 1; clause (10) amended, 1975, 706 § 222; clause (12) amended, 1975, 706 § 223; clause (15) added, 1968, 718. (See 1973, 1071 § 11; 1975, 706 § 312.)

SECT. 5, paragraph inserted after first paragraph, 1972, 422; second and third paragraphs revised, 1975, 706 § 224. (See 1975, 706 § 312.)

SECT. 6 amended, 1975 706 § 225, (See 1975, 706 § 312.)

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; second paragraph, sentence inserted after second sentence, 1977, 983 § 1; third paragraph amended, 1973, 206; two sentences added, 1976, 178; paragraph inserted after sixth paragraph, 1974, 420 § 1; seventh paragraph amended, 1973, 430 § 10; revised, 1976, 381. (See 1977, 983 § 3.)

SECT. 12 amended, 1972, 706 § 2; first sentence revised, 1975, 706 § 226. (See 1975, 706 § 312.)

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; 1975, 217; second paragraph amended, 1975,

706 § 227; fourth paragraph revised, 1971, 60; 1973, 156 § 2. (See 1973, 925 § 84; 1975, 706 § 312.)

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; second paragraph amended, 1975, 706 § 228. (See 1971, 1071 § 11; 1975, 706 § 312.)

SECT. 20 amended, 1972, 706 § 4; fourth sentence amended, 1975, 706 § 229; section revised, 1977, 921 § 1. (See 1975, 706 § 312.)

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, 1973, 1071 § 4; fourth paragraph, clause (4) revised, 1973, 1071 § 5; clause (7) revised, 1973, 1071 § 6; clauses (9)-(10) added, 1973, 496 § 4; stricken out and clauses (9)-(11) inserted, 1977, 542 § 1; fifth paragraph amended, 1977, 542 § 2; 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, 1973, 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. 30 amended, 1975, 706 § 230. (See 1975, 706 § 312.)

SECT. 31 amended, 1972, 135; second paragraph clause (3) amended, 1972, 706 § 9; 1973, 496 § 6.

SECT. 32, third sentence amended, 1975, 706 § 231. (See 1975, 706 § 312.)

SECT. 33 revised, 1969, 280.

SECT. 39, first paragraph revised, 1975, 498; first sentence revised, 1976, 115.

SECT. 39A added, 1974, 842 § 1 (regulating certain activities in mountain regions of Berkshire county); section revised, 1975, 688 § 1; tenth paragraph, fourth sentence revised, 1975, 706 § 232; fifteenth and sixteenth paragraphs revised, 1975, 706 § 233; seventeenth paragraph, fourth sentence revised, 1975, 706 § 234, eighteenth paragraph, first sentence revised, 1975, 706 § 235; eighth

sentence revised, 1975, 706 § 236; section revised, 1977, 418 § 1. (See 1975, 706 § 312.)

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; first paragraph, fourth sentence revised, 1975, 706 § 237; fifth sentence revised, 1977, 131; 601 § 1; sixth sentence revised, 1975, 706 § 238; second paragraph revised, 1975, 363 § 1; eleventh paragraph, second sentence, 1975, 706 § 239; twelfth paragraph, third sentence revised, 1975, 706 § 240; thirteenth paragraph revised, 1975, 706 § 241; first sentence revised, 1976, 53; fifteenth and sixteenth paragraphs revised, 1975, 706 § 242; seventeenth paragraph revised, 1975, 363 § 2; eighteenth paragraph, second sentence stricken out, two sentences inserted, 1975, 363 § 3; three paragraphs inserted, 1977, 625 § 2; nineteenth paragraph, first sentence revised, 1975, 334; second sentence revised, 1975, 706 § 243. (See 1975, 706 § 312; 1977, 601 § 2.)

SECT. 40A added, 1968, 444 § 1 (protecting the inland wetlands of the commonwealth); revised, 1972, 782; first paragraph amended, 1974, 818 § 2; first sentence revised, 1975, 706 § 244; third paragraph amended, 1975, 706 § 245; sixth paragraph, first sentence amended, 1975, 706 § 246; third sentence amended, 1975, 706 § 247; seventh paragraph revised, 1975, 706 § 248. (See 1975, 706 § 312.)

SECT. 41 revised, 1970, § 136.

SECT. 42 revised, 1970, 612; third paragraph, first sentence amended, 1975, 706 § 249; fourth sentence amended, 1975, 706 § 250. (See 1975, 706 § 312.)

SECT. 45, sentence inserted after first sentence, 1971, 498; third sentence revised, 1975, 147; 706 § 251. (See 1975, 706 § 312.)

SECT. 46 amended, 1975, 706 § 252. (See 1975, 706 § 312.)

SECT. 52A added, 1977, 971 § 3 (further regulating the taking of eels).

SECT. 57, second sentence amended, 1973, 402 § third sentence revised, 1968, 214; amended, 1973, 496 § 7.

SECT. 59, second paragraph, first sentence amended, 1975, 706 § 253. (See 1975, 706 § 312.)

SECT. 63 amended, 1970, 732 § 2.

SECT. 65 amended, 1970, 183; paragraph added, 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. 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; 1975, 30; 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; eighth paragraph stricken out and two paragraphs inserted, 1977, 5793; 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; revised, 1975, 706 § 254. (See 1948, 660 § 26; 1975, 706 § 312.)

SECT. 1A, added, 1948, 660 § 3 (relative to the duties of the chief moth superintendent); amended, 1949, 761 § 1.

SECT. 2 amended, 1975, 706 § 255. (See 1975, 706 § 312.)

SECT. 4 revised, 1948, 660 § 4; amended, 1949, 761 § 2.

SECT. 5 repealed, 1932, 180 § 27.

SECT. 6 revised, 1941, 455; amended, 1952, 363.

SECT. 8 revised, 1948, 660 § 5; 1949, 761 § 3; 1956, 657 § 2.

SECT. 9 revised, 1952, 308 § 1.

SECT. 11 revised, 1937, 415 § 3; 1948, 660 § 6; first sentence amended, 1949, 761 § 4; 1950, 422; 1955, 340; section revised, 1956, 657 § 3; first paragraph revised, 1967, 52.

SECT. 11A added, 1952, 480 § 1 (relative to elimination of white pine blister rust by department of conservation); revised, 1956, 657 § 4. (See 1952, 480 § 3.)

SECT. 12 amended, 1937, 415 § 4; revised, 1948, 660 § 7; 1956, 657 § 5.

SECT. 12A added, 1945, 401 (relative to suppression of gypsy moth, 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; fourth sentences amended, 1975, 706 § 256. (See 1975, 706 § 312.)

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 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, § 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; section amended, 1975, 706 § 257. (See 1975, 706 § 312.)

SECT. 31, third sentence amended, 1975, 706 § 258. (See 1975, 706 § 312.)

SECT. 32 amended, 1975, 706 § 259. (See 1975, 706 § 312.)

SECT. 33 amended, 1935, 373; 1936; 415 § 1.

SECT. 34, new paragraph added, 1935, 233.

SECT. 34A, first paragraph revised, 1950, 574; paragraph added, 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 com-

monwealth under control of the department of conservation); amended, 1975, 706 § 260. (See 1975, 706 § 312.)

SECT. 38A added, 1969, 458 (directing the department of natural resources to construct trails for horseback riding, hiking and snowmobiling); amended, 1974, 806 § 14; revised, 1975, 706 § 261. (See 1974, 806 § 41; 1975, 706 § 312.)

SECTS. 40-45 added, under caption, 1943, 539.

SECTS. 42, 43 and 44 revised, 1952, 427.

SECT. 42, two sentences added, 1977, 566.

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; first sentence amended, 1975, 706 § 262. (See 1954, 419 § 6; 1975, 706 § 312.)

SECT. 2 amended, 1941, 490 § 37; 1954, 419 § 3; 1975, 706 § 263. (See 1954, 419 § 6; 1975, 706 § 312.)

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. 2A, first sentence amended, 1975, 706 § 264. (See 1975, 706 § 312.)

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; fifth sentence amended, 1975, 706 § 265. (See 1975, 706 § 312.)

SECT. 3A added, 1958, 656 § 3 (relative to the taking of certain lands by the department of natural resources); first sentence amended, 1975, 706 § 266. (See 1975, 706 § 312.)

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; amended, 1975, 706 § 267. (See 1954, 419 § 6; 1968, 501 § 7; 1975, 706 § 312.)

SECT. 11 added, 1960, 517 (establishing a conservation program for cities and towns); first sentence amended, 1975, 706 § 268; third

sentence stricken out and two sentences inserted, 1966, 179; third sentence amended, 1975, 706 § 269. (See 1975, 706 § 312.)

SECTS. 11A-11D added, 1977, 780 § 1 (providing for the acquisition of agricultural preservation restrictions by the Commonwealth).

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); third paragraph amended, 1975, 706 § 270; sixth paragraph amended, 1975, 706 § 271; section revised, 1977, 897 § 1. (See 1975, 706 § 312.)

SECTS. 14-15 added, 1971, 742 (establishing the Cape Cod Bay Ocean Sanctuary and the Cape and Islands Sanctuary).

SECT. 14, second paragraph, fourth sentence amended, 1975, 706 § 272; third and fourth paragraphs revised, 1974, 822 § 1; fourth paragraph revised, 1975, 706 § 273; fifth paragraph amended, 1975, 706 § 274; sixth paragraph amended, 1975, 706 § 275; section revised, 1977, 897 § 1. (See 1975, 706 § 312.)

SECT. 15, third paragraph amended, 1975, 706 § 276; fourth and fifth paragraphs revised, 1974, 822 § 2; fifth paragraph revised, 1975, 706 § 277; section revised, 1977, 897 § 1. (See 1975, 706 § 312.)

SECT. 16 added, 1972, 130 (establishing the North Shore Ocean Sanctuary); third paragraph revised, 1974, 822 § 3; fourth paragraph amended, 1975, 706 § 278; fifth paragraph amended, 1975, 706 § 279; section revised, 1977, 897 § 1. (See 1975, 706 § 312.)

SECT. 17 added, 1975, 130 (establishing a Squannacook and Nissitissit Rivers Sanctuary); revised, 1977, 897 § 2.

SECT. 18 added, 1976, 369 (establishing a South Essex Ocean Sanctuary).

Chapter 135. — Unclaimed and Abandoned Property.

SECT. 1 revised, 1947, 441 § 1.

SECTS. 2-4 repealed, 1947, 441 § 2.

SECT. 8 amended, 1938, 98 § 1; 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, 196, 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; clause (49) added, 1975, 697; clause (50) added, 1977, 722.

SECT. 7, first paragraph revised, 1964, 384 § 1.

SECT. 12 revised, 1976, 112 § 2.

SECT. 13 revised, 1968, 24 § 4; 1972, 271 § 2; amended, 1974, 205 § 2A; revised, 1974, 493 § 2; 1976, 112 § 3. (See 1968, 24 § 7; 1974, 205 § 3.)

SECT. 14, first paragraph revised, 1963, 275; 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; definition of "Restaurant" amended, 1936, 368 § 1; definition of "Tavern" amended, 1934, 121 § 1; 1935, 253 § 1; 1968, 45; 1973, 430 § 10A, definition of "Wines" revised, 1941, 637 § 1; section revised, 1977, 929 § 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, 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 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, 1973, 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; revised, 1977, 812; 929 § 2; paragraph added, 1937, 264; 1971, 586 § 1; eighth paragraph stricken out, 1975, 396. (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; two sentences inserted after second sentence 1975, 444.

SECT. 14 amended, 1934, 370 § 3; first paragraph, first sentence amended, 1975, 509; 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; last two sentences revised, 1975, 665; 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; 1975, 690 § 1; third paragraph revised, 1975, 690 § 2.

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; first paragraph, first sentence revised, 1975, 666; 1977, 929 § 3.

SECT. 19B added, 1977, 929 § 4 (providing for the issuance of farmer-vinery licenses).

SECT. 20 revised, 1934, 385 § 12; first paragraph amended, 1936, 368 § 6; paragraph inserted, 1936, 368 § 7; section revised, 1943, 542 § 10; first two paragraphs revised, 1977, 929 § 5.

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, 1939, 394; 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; section revised, 1976, 415 § 95. [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.]; section revised, 1976, 415 § 95; 1977, 929 § 6. (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. 1955, 322.

SECT. 23, fourth paragraph, sentence added, 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; next to last paragraph, sentence added, 1939, 470 § 2; section revised, 1943, 542 § 12; first paragraph amended, 1965, 399; 1971, 260 § 1; third paragraph revised, 1977, 929 § 7; 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; 1976, 514.

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; first sentence amended, 1977, 74 § 2.

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; first paragraph, revised, 1977, 929 § 8; 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; seventh paragraph revised, 1977, 929 § 9.

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; section revised, 1977, 929 § 10. (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; first paragraph revised, 1977, 929 § 11.

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; revised, 1977, 929 § 12.

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 § 31; amended, 1974, 216 § 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; revised, 1977, 929 § 13.

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; 1977, 929 § 14. (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; 1977, 859.

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; 1977, 929 § 15.
SECT. 71 amended, 1953, 654 § 97.
SECTS. 72-75 repealed, 1934, 372 § 1.
SECT. 76 revised, 1934, 372 § 2; next to last sentence revised, 1934, 385 § 22; section revised, 1935, 440 § 43.
SECT. 77 revised, 1943, 542 § 19.

Chapter 139. — Common Nuisances.

- SECT. 1 revised, 1966, 195; first sentence revised, 1970, 649 § 2.
SECT. 2, first sentence revised, 1970 649 § 3; sentence added, 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. 3B added, 1977, 804 § 1 (further regulating the disbursement of insurance proceeds). (See 1977, 804 § 1.
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 licenses 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; repealed, 1975, 256 § 1.

SECT. 9 amended, 1975, 256 § 2.

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; first sentence revised, 1977, 284 § 1.

SECT. 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; second sentence revised, 1975, 239.

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; third sentence revised, 1975, 706 § 280. (See 1950, 802 § 4, 5; 1975, 706 § 312.)

SECT. 32C amended, 1950, 326 § 5; 1954, 134 § 5; revised, 1964, 59 § 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, 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; first sentence amended, 1975, 706 § 281. (See 1975, 706 § 312.)

SECT. 32I revised, 1964, 592 § 12.

SECT. 32J revised, 1964, 592 § 13; 1973, 1007 § 1; second paragraph, subparagraph (4) added, 1975, 692.

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; subsection (C), paragraph (3) revised, 1977, 203.

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; repealed, 1977, 553.

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. 96A added, 1975, 186 (requiring registration for the sale of certain securities by small loan companies).

SECT. 97 amended, 1969, 790 § 1; 1973, 1149 § 2. (See 1973, 1149 § 33.)

SECT. 98 amended, 1957, 97; sentence added, 1975, 170 § 2.

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); repealed, 1975, 401 § 2.

SECT. 102 revised, 1969, 790 § 2; amended, 1973, 1149 § 3; paragraph added, 1975, 187 § 2. (See 1973, 1149 § 33.)

SECT. 103 revised, 1962, 351 § 1.

SECT. 105 repealed, 1969, 221.

SECT. 107 revised, 1969, 221.

SECT. 108 revised, 1957, 765 § 6. (See 1957, 765 § 21.)

SECT. 110, first sentence amended, 1962, 351 § 2; third sentence amended, 1959, 136 § 2; 1956, 689 § 5; section revised, 1962, 795 § 2; first sentence revised, 1967, 196 (See 1956, 689 § 9.)

SECT. 114A added, 1956, 689 § 8 (further regulating the rate of interest and charges on loans of fifteen hundred dollars or less and relating to certain other loans); revised, 1962, 795 § 3; two sentences added, 1973, 646; last sentence revised, 1969, 168; stricken out, 1975, 401 § 3. (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; 1937, 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; 1976, 239; 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; clause (o) revised, 1975, 378 § 1; 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, 1956, 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; sentence added, 1975, 113 § 1; paragraph added, 1973, 892 § 7. (See 1953, 319 §§ 39, 40; 1974, 649 § 3; 1975, 113 § 4; 1976, 34.)

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, 1956, 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 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; sentence added, 1975, 378 § 2.

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; third paragraph amended, 1974, 706 § 282. (See 1975, 706 § 312.)

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; definition of "Livestock or fowls" amended, 1975, 706 § 283. (See 1934, 320 § 34; 1975, 706 § 312.)

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 the 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; second paragraph, sixth sentence amended, 1975, 706 § 284. (See 1975, 706 § 312.)

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, 1972, 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; section revised, 1976, 289 § 2. (See 1934, 320 § 34.)

SECT. 151B added, 1975, 146 (providing payment to veterinarians for emergency treatment to certain dogs and cats).

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; revised, 1976, 289 § 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; paragraph added, 1976, 530. (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); second sentence amended, 1975, 706 § 285. (See 1934, 320 § 34; 1975, 706 § 312.)

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. 174C inserted, 1976, 139 § 1; repealed, 1976, 299 § 1.

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.

SECT. 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; revised, 1975, 213.

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); revised, 1975, 748 § 1.

SECT. 206 added, 1975, 397 § 1 (regulating the equipment and inspection of semi-public outdoor inground swimming pools); revised, 1976, 253 § 1; first paragraph, sentence inserted after the second sentence, 1977, 233.

Chapter 140A. — Regulation of Certain Credit Transactions.

New chapter inserted, 1955, 587 § 1. (See 1969, 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, subsection ($g\frac{1}{2}$) inserted, 1977, 52 § 1; subsection (j) revised, 1977, 52 § 2; subsection ($k\frac{1}{2}$) inserted, 1973, 273 § 2; revised, 1977, 52 § 3; subsection (l) revised, 1977, 52 § 4; subsection (n) revised, 1977, 52 § 5; subsection (r) revised, 1977, 52 § 6; subsection (u) revised, 1974, 17 § 1.

SECT. 2 subsection (e) added, 1975, 592 § 1.

SECT. 3, subsection (i) added, 1975, 592 § 2; revised, 1977, 52 § 7. (See 1975, 592 § 2.)

SECT. 4, subsection (a) amended, 1973, 802 § 1.

SECT. 5, subsection (a) revised, 1974, 17 § 2; subsection (e) revised, 1977, 980; subsection (i) added, 1972, 229 § 1; subsection (j) added, 1975, 592 § 3; stricken out, 1977, 52 § 8.

SECT. 6, subsection (a) amended, 1973 802 § 2; clause (1) amended, 1975, 592 § 4; subsection (b) amended, 1973, 802 § 3; first paragraph amended, 1977, 52 § 9; clauses (1)-(3) revised, 1977, 52 § 10; clause (2) revised, 1975, 592 § 5; clause (8) amended, 1975, 592 § 6; subsection (c) revised, 1973, 802 § 4; clause (1) revised, 1977, 52 § 11; subsection (d) revised, 1975, 592 § 7; sentence added, 1977, 52 § 12; subsection (e) revised, 1972, 229 § 2; subsection (f) revised, 1977, 52 § 13; subsection (g) added, 1977, 52 § 14. (See 1975, 592 § 12.)

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; section revised, 1977, 52 § 15.

SECT. 6C added, 1974, 556 (regulating the application of funds of credit cardholders by card issuers to satisfy certain debts).

SECT. 6D added, 1976, 192. (relative to balances on open end credit plans); second, third and fourth paragraphs revised, 1977, 10.

SECT. 6E added, 1977, 52 § 16 (relative to payments in excess of new balances).

SECT. 7, subsection (a) amended, 1975, 592 § 8; revised, 1977, 52 § 17; subsection (b), clause (3) amended, 1974, 713 § 1; clause (7) revised, 1974, 17 § 3; subsection (c), clause (8) amended, 1974, 713 § 2; subclause (i) revised, 1977, 52 § 18; subsection (d), clause (3) amended, 1974, 713 § 3; revised, 1977, 52 § 19; clause (4) added, 1970, 824 § 2; subsection (n) revised, 1977, 52 § 20; subsection (o) revised, 1972, 229 § 3; subsection (p) added, 1972, 229 § 4; subsection (q) added, 1977, 52 § 21.

SECT. 8, subsection (a) revised, 1975, 592 § 8A; first sentence revised, 1975, 695; subsection (b) amended, 1972, 229 § 5; subsection (c) amended, 1972, 229 § 6; subsection (g) amended, 1972, 229 § 7; clause (5) added, 1975, 592 § 9.

SECT. 9, subsections (c) and (d) revised, 1974, 17 § 4; subsection (e) added, 1972, 229 § 8; subsection (f) added, 1975, 592 § 10.

SECT. 9A added, 1975, 109 (relative to annual percentage rates charged by creditors).

SECT. 10, subsection (b) amended, 1972, 229 § 9; subsections (e), (f) and (g) added, 1975, 592 § 11; subsection (h) added, 1977, 429.

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. 2B added, 1977, 163 (relating to reciprocity of licensing with other states).

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; section revised, 1977, 843 § 3.

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; 1977, 843 § 4.

SECT. 3A added, 1963, 431 § 3 (providing that apprentice plumbers be licensed); second paragraph revised, 1977, 843 § 5; two paragraphs added, 1973, 951.

SECT. 3B added, 1969, 731 § 2 (relative to requirements for plumbing corporation or partnership certificates); revised, 1977, 843 § 6.

SECT. 4, first sentence revised, 1947, 382; second sentence revised, 1962, 488; third sentence revised, 1977, 378 §§ 1-2; paragraph added, 1946, 502; revised, 1954, 627 § 30; 1967, 282; section revised, 1977, 843 § 6. (See 1954, 627 §§ 65, 67; 1977, 378, § 3.)

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, 1963, 431 § 4; section revised, 1965, 645 § 1; last sentence revised, 1966, 209; section revised, 1971, 533; 1977, 843 § 7.

SECT. 6 revised, 1934, 347 § 2; third sentence revised, 1965, 645 § 2; section revised, 1977, 843 § 7.

SECT. 7 revised, 1977, 843 § 7.

SECT. 8 repealed, 1965, 358 § 1.

SECT. 9, first sentence revised, 1977, 843 § 8.

SECT. 11 amended, 1945, 703 § 11; revised, 1954, 627 § 31; 1977, 843 § 9. (See 1954; 627 §§ 65, 67.)

SECT. 12 revised, 1977, 843 § 9.

SECT. 13 amended, 1934, 284; 1954, 157; revised, 1963, 228 § 2; 1965, 358 § 2; 1971, 604 § 2; amended, 1973, 193; first sentence amended, 1975, 706 § 286; section revised, 1977, 843 § 9. (See 1965, 358 § 3; 1975, 706 § 312.)

SECT. 15 revised, 1952, 112.

SECT. 16 amended, 1963, 431 § 5; revised, 1977, 843 § 10.

SECT. 17 revised, 1936, 234; 1941, 518 § 1; paragraph added, 1945, 477; section revised, 1955, 612 § 1.

SECT. 18 revised, 1941, 518 § 2; clause E revised, 1976, 39 § 1.

SECT. 19 revised, 1941, 518 § 3; 1955, 612 § 2; clause A revised, 1976, 39 § 2.

SECT. 21 added, 1938, 302 (providing for regulation of plumbing in buildings owned and used by the commonwealth); revised 1977, 843 § 11.

SECT. 22 added, 1941, 518 § 4 (providing for the enforcement of certain laws relative to the marking, construction and installation of hot water tanks).

Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.

SECT. 1, definition of "Alteration" revised, 1945, 480; definition of "Building" inserted, 1945, 480; definition of "Clinic" inserted, 1971, 779 § 1; definition of "Commissioner" inserted, 1945, 480; definition of "Day care services for children" inserted, 1962, 720 § 1; stricken out and definition of Day care center inserted, 1972, 785 § 9; definition of "Group residence" inserted, 1971, 1098 § 1; definition of "Inspector" amended, 1943, 544 § 7B; revised, 1945, 480; 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; 1972, 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; two sentences added, 1975, 426. (See 1945, 722 § 2; 1972, 802 § 77; 1973, 1152 § 3; 1974, 541 § 24.)

SECT. 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; first paragraph, first sentence stricken out and two sentences inserted, 1975, 144 § 2. (See 1945, 722 § 2; 1972, 802 § 77; 1974, 541 § 24; 1975, 144 § 3.)

SECT. 3B revised, 1945, 645 § 2; sentence inserted after the 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.)

SECT. 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, 718 § 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 fixtures); first paragraph amended, 1972, 802 § 18; paragraph added, 1956, 403; revised, 1959, 355; 1977, 64; paragraph added, 1961, 531 § 2; revised, 1977, 64. (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.

SECT. 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, 164 § 6; amended, 1972, 802 § 20; second sentence revised, 1968, 406; amended, 1977, 868 § 3; sentence added, 1977, 868 § 4. (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.

SECT. 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, 1956, 214 § 1; 1972, 802 § 23. (See 1972, 802 § 77.)

SECT. 7, sentence added, 1949, 156 § 2; section revised, 1957, 214 § 2.

SECT. 8 amended, 1945, 697 § 1; 1949, 541 § 2; revised, 1956, 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 1946, 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, 539 § 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; 1946, 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 §§ 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, 799 § 4; revised, 1971, 1098 § 5. (See 1945, 722 § 2.)

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; fifth sentence amended, 1975, 158. (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, 1956, 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; repealed, 1976, 536 § 1.

SECTS. 3-93 repealed, 1976, 536 § 1.

SECT. 94, second paragraph stricken out, 1966, 707 § 6; section repealed, 1976, 536 § 1.

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).

SECTS. 96-98 repealed, 1976, 536 § 1.

Chapter 145. — Tenement Houses in Town.

SECT. 1 revised, 1966, 707 § 9; 1975, 554; repealed, 1976, 536 § 2.

SECTS. 3-17 repealed, 1976, 536 § 2.

SECT. 17A added, 1934, 168 (relative to the erection of garages in the yards of certain tenement houses); repealed, 1976, 536 § 2.

SECTS. 18-58 repealed, 1976, 536 § 2.

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).

SECTS. 61-63 repealed, 1976, 536 § 2.

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; sentence added, 1977, 291.

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. 39 revised, 1975, 94.

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; sentence inserted after seventh sentence, 1977, 505. (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; revised, 1975, 748 § 2. (See 1972, 684 § 136.)

SECT. 61 revised, 1975, 748 § 3.

SECT. 62 revised, 1971, 363; third paragraph amended, 1975, 523; section revised, 1975, 748 § 4.

SECT. 63 amended, 1952, 154; 1975, 524.

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).

SECTS. 81-85 added, 1975, 699 § 1; stricken out, 1977, 990 § 2; sections 81-88 inserted, 1977, 990 § 2. (See 1975, 699 § 2.)

Chapter 147. — State and Other Police, and Certain Power 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, 806 § 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) amend-

ed, 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; first sentence revised, 1977, 597.

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); revised, 1977, 918.

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 of 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 of 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, under caption, 1967, 340 (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.)

SECT. 23, clause 10 added, 1962, 361.

SECT. 25, first paragraph, sentence added, 1968, 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, 1956, 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; first sentence revised, 1977, 319.

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; two sentences added, 1975, 764.

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; first paragraph, third sentence revised, 1975, 171.

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; 1977, 118 § 1; fifth sentence stricken out and four sentences inserted, 1968, 373 § 3; fifth sentence amended, 1972, 684 § 70; revised, 1977, 118 § 2. (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; 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, 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^o.

SECT. 26A added, 1973, 395 § 1 (requiring sprinkler systems in high rise buildings); revised, 1975, 676 § 1. (See 1975, 676 § 3.)

SECT. 26B added, 1974, 214 § 1 (requiring automatic fire warning systems in certain buildings and structures); revised, 1975, 676 § 2. (See 1974, 214 § 2; 1975, 676 § 3.)

SECT. 26C added, 1975, 710 (requiring the installation of automatic smoke or heat detectors in certain hotels); amended, 1977, 962.

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. 37 paragraph added, 1977, 523.

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, 1972, 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 of labor 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; 1958, 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 § 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. 19C added, 1976, 452 (prohibiting the hiring of certain aliens).

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 strike-breaking).

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, lockout 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; first paragraph revised, 1975, 706 § 287. (See 1974, 835 § 185; 1975, 706 § 312.)

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 time 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 § 2.)

SECT. 44A, second sentence revised, 1957, 590 § 1; first paragraph revised, 1960, 692; amended, 1967, 535 § 1; second sentence revised, 1977, 968; 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. 44I, paragraph (3) revised, 1960, 771 § 7; paragraph (5) added, 1960, 771 § 8; paragraph (6) added, 1967, 884.

SECT. 44K revised, 1957, 590 § 3; 1967, 535 § 3.

SECT. 44M added, 1976, 433 § 1 (requiring estimates to be taken for solar and wind energy utilization for state construction).

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, 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, 461 § 5; 1947, 109 § 1; amended, 1955, 113; second paragraph, second sentence revised, 1969, 107; paragraph added, 1962, 107 § 2; 1967, 267; revised, 1977, 289. (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, first sentence, clause (10) amended, 1975, 376; 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; 1975, 202.

SECT. 62C 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, 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.

SECT. 104A added, 1977, 917 § 1 (providing for the protection and welfare of certain children).

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; 1977, 664.

SECT. 148A added, 1977, 590 (relative to employee rights under the wage and hours provisions of labor law).

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 interstate 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; amended, 1975, 586 § 2; third sentence revised, 1975, 586 § 3. [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, 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 or 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. 6, sentence inserted after first sentence, 1977, 790.

SECT. 7, fifth sentence amended, 1946, 590 § 1; 1957, 481.

SECT. 9, last sentence amended, 1946, 590 § 2.

SECT. 10 revised, 1973, 1192 § 2.

SECT. 11 added, 1949, 548 (providing that certain agreements for the arbitration and conciliation of labor disputes shall be valid); repealed, 1959, 546 § 3. (See 1959, 546 § 4.)

Chapter 150A. — Labor Relations.

New chapter inserted, 1938, 345 § 2 (incorporating the provisions of 1937, 436, relative to labor relations as an addition to the General Laws). (See 1938, 345 § 3, 4.)

SECT. 1, paragraph added, 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; sentence inserted after the first sentence, 1977, 188; 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 § 15. (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. 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 of 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; 1975, 689 § 11; first sentence revised, 1977, 278 § 1; definition of "Employer" or "public employer", sentence added, 1977, 937 § 1; 278 § 2; definition of "Incremental costs items" inserted, 1976, 480 § 20.

SECT. 3, first paragraph, second sentence revised, 1974, 526; paragraph added, 1975, 591; sentence added, 1977, 278 § 3; paragraph added, 1977, 753; 937 § 2.

SECT. 7, first paragraph amended, 1974, 589 § 1; section revised, 1976, 480 § 21; 1977, 278 § 4; paragraphs (b) and (c) revised, 1977, 937 § 3.

SECT. 9 revised, 1977, 347 § 1.

SECT. 10, paragraph (b) revised, 1974, 589 § 2.

SECT. 11, third paragraph, eighth sentence stricken out and three sentences inserted, 1977, 788.

SECT. 12, second sentence stricken out and two paragraphs inserted, 1977, 903.

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; 1977, 946 §§ 1-4. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3; 1962, 134 §§ 7, 8, 9; 1964, 644 §§ 7-11; 1966, 679 §§ 9, 10; 1971, 892 § 3; 1972, 752 § 3; 1974, 685 § 3; 1977, 946 § 5.)

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); paragraph added, 1976, 526 § 1.

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 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; paragraph added, 1976, 526 § 2. (See 1962, 399 § 3.)

SECT. 20A added, 1950, 349 § 2 (establishing a time during which certain actions may be brought under the minimum wage law); revised, 1967, 329.

Chapter 151A. — Employment Security (for title, Unemployment Compensation).

For legislation providing for the payment of unemployment compensation benefits to persons under 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; subsection (i) revised, 1977, 720 § 1; definition of "Payroll" revised, 1971, 940 § 1; subsection (k) revised, 1977, 720 § 2; 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 "Unemployed" and "Unemployment", paragraph (1), first sentence revised, 1976, 473 § 2; paragraph (3), sentence inserted after first sentence, 1976, 473 § 3; definition of "Wages" amended, 1948, 603 § 1; revised, 1951, 763 § 1; amended, 1954, 279 § 1; definition of "wages", paragraph (8) added, 1976, 473 § 4; definition of "American vessel" added, 1949, 639 § 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; 1976, 473 § 20.)

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. 4A revised, 1977, 720 § 3.

SECT. 4B repealed, 1977, 720 § 4.

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) 1947, 433; section revised, 1961, 393 § 1; subsection (a) amended,

1971, 940 § 5; revised, 1977, 720 § 5; subsection (b) revised, 1977, 720 § 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; revised, 1977, 720 § 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; amended, 1977, 720 § 7; subsection (q) added, 1968, 239; amended, 1977, 720 § 8; subsections (r)-(w) added, 1971, 940 § 8; subsection (v) revised, 1977, 720 § 9. (See 1949, 639 § 3; 1951, 763 § 22; 1954, 280 § 2; 1961, 393 § 2; 1971, 940 § 22; 1973, 925 § 84; 1977, 720 § 38.)

SECT. 6A added, 1977, 720 § 10 (further modifying the financial provisions of the employment security law). (See 1977, 720 § 38.)

SECT. 7 repealed, 1971, 940 § 10. (See 1971, 940 § 22.)

SECT. 8, introductory paragraph revised, 1977, 720 § 11; subsection (a) amended, 1950, 535; revised, 1970, 828; subsection (b) amended, 1977, 720 § 12; subsection (g) and (h) added, 1943, 534 § 2.

SECTS. 8A-8C added, 1977, 720 § 13 (further modifying the financial provisions of the employment security law).

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, first paragraph amended 1977, 720 § 14; 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, 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; 1977, 720 § 15; subsection (a) revised, 1972, 594 § 1; paragraph (2), sentence added, 1977, 720 § 16; subsection (b) (1) revised, 1956, 719 § 7; paragraph (3) revised, 1977, 720 § 17; subsection (d), paragraph (2) revised, 1966, 560 § 2; paragraph (3), sentence added, 1975, 473 § 5; paragraph (4) stricken out, 1970, 866 § 2; subsection (e), paragraph (3) amended, 1970, 866 § 3; paragraph (5) amended, 1977, 720 § 18; paragraph (6) revised, 1961, 614 § 2; amended, 1977, 720 § 19; subsection (f) revised, 1961, 614 § 3; 1973, 829 § 1; subsection (h), paragraph (2) amended, 1977, 720 § 20; paragraph (3) added, 1966, 362; revised, 1973, 829 § 2; subsection (i) revised,

1961, 614 § 4; 1977, 720 § 21; 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 revised, 1976, 473 § 6; subsection (o) added, 1954, 431 § 2; amended, 1965, 631; stricken out, 1977, 720 § 22; subsection (p) added, 1977, 720 § 23. (See 1947, 440 § 2, 602 § 2; 1947, 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; 1976, 473 § 20; 1977, 720 § 38.)

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; section revised, 1977, 720 § 24. (See 1971, 940 § 22; 1977, 720 § 38.)

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. 16 amended, 1976, 473 § 7. (See 1976, 473 § 20.)

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; last sentence revised, 1977, 720 § 25; subsections (b) and (c) revised, 1951, 763 § 6; subsection (e) stricken out, 1943, 534 § 3; subsection (f) added, 1951, 763 § 8. (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; clause revised, 1976, 473 § 8; 1977, 720 § 26. (See 1951, 763 § 22; 1963, 447 § 3; 1973, 899 § 5; 1976 § 473 § 20.)

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; 1976, 473 § 19; 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; 1975, 684 § 78; subsection (f) added, 1951, 763 § 10; subsection (g) and (h) added, 1977, 720 § 27. (See 1951, 763 § 22; 1956, 719 § 8;

1963, 447 § 3; 1969, 614 § 6; 1971, 940 § 22; 1973, 899 § 5; 684 § 97; 1976, 473 § 20.)

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, 1954, 431 § 3; second paragraph stricken out, 1977, 720 § 28. (See 1977, 720 § 38.)

SECT. 28A added, 1971, 940 § 15 (relative to benefits based on service in institutions of higher education); revised, 1977, 720 § 29. (See 1971, 940 § 22.)

SECT. 29, subsection (a) revised, 1943, 534 § 5; 1945, 484 § 4; 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 and 2; 1973, 899 §§ 3, 3A; subsection (b) revised, 1951, 763 § 12; 1954, 673; 1976, 473 § 9; 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 first sentence amended, 1976, 473 § 10; subsection (d) added, 1971, 940 § 17; amended, 1973, 558 § 1, 899 § 4; 1974, 464 §§ 1A, 2; paragraph (4) amended, 1976, 228 § 3; paragraph added, 1977, 720 § 30. (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, 1976, 473 § 20;)

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; second paragraph revised, 1976, 473 § 11. (See 1953, 410 § 2; 1956, 719 § 8; 1976, 473 § 20.)

SECT. 30A added, 1970, 866 § 1 (establishing an extended benefits program under the employment security law); subsection (1), paragraphs (b) and (c) revised, 1977, 381 § 1; paragraph (d), subparagraph (2) revised, 1977, 720 § 31; paragraph (d^{1/2}) inserted, 1977, 381 § 2; stricken out, 1977, 720 § 32; paragraph (e) amended, 1972, 483 § 1; subparagraph (2) revised, 1977, 381 § 3; paragraph (e) revised, 1977, 720 § 33; paragraph (k) subparagraph (3) revised, 1977, 381 § 4; paragraph added, 1971, 756 § 1. (See 1970, 866 § 5; 1971, 756 § 3; 1977, 381 § 5.)

SECT. 30B added, 1971, 756 § 2 (extending benefits under the employment security act). (See 1971, 756 § 3.)

SECT. 30C added, 1973, 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; subsection (b) revised, 1976, 473 § 12; amended, 1977, 720 § 34. (See 1951, 763 § 22; 1953, 560 § 3; 1976, 473 § 20.)

SECT. 39 revised, 1949, 659; 1951, 763 § 16; amended, 1971, 957 § 1; revised, 1976, 473 § 13. (See 1951, 763 § 22; 1976, 473 § 20.)

SECT. 40 revised, 1951, 763 § 17; amended, 1970, 421. (See 1951, 763 § 22.)

SECT. 41 amended, 1971, 957 § 2; revised, 1976, 473 § 14. (See 1976, 473 § 20.)

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; thirteenth sentence revised, 1975, 377 § 2; fifteenth sentence revised, 1975, 377 § 3; section revised, 1976, 473 § 15. (See 1951, 763 § 22; 1954, 681 §§ 20, 22; 1973, 1114 § 351; 1975, 377 § 164; 1976, 473 § 20.)

SECT. 42B added, 1971, 957 § 4 (providing for recovery of benefits of 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; repealed, 1976, 473 § 16. (See 1976, 473 § 20.)

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; revised, 1977, 706. (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; first sentence revised, 1976, 473 § 17. (See 1976, 473 § 20.)

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; sentence inserted after first sentence, 1976, 473 § 18. (See 1951, 763 § 22; 1976, 473 § 20.)

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; revised, 1976, 463 § 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; 1975, 637 § 1; 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, 168; amended, 1973, 325; first paragraph amended, 1975, 637 § 2; paragraph added, 1947, 424; 1957, 426 § 3; two paragraphs added, 1966, 361; subsection 15 added, 1975, 84; revised, 1975, 367 § 3. (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; eighth

sentence revised, 1976, 463 § 3; ninth sentence amended, 1972, 212; six sentence inserted after tenth sentence, 1968, 727; paragraph amended, 1969, 751 § 11; paragraph added, 1965, 569; amended, 1969, 751 § 12.

SECT. 6 amended, 1957, 426 § 5; seventh sentence revised, 1954, 681 § 13. (See 1954, 681 §§ 20, 22.)

SECT. 7 amended, 1963, 613 § 3; 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 Education 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 § 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 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 151E. — Prohibition of Certain Discrimination by Business.

New chapter inserted, 1976, 297 § 1. (See 1976, 297 § 2.)

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 § 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; second paragraph revised, 1976, 392.

SECT. 9 revised, 1949, 442; amended, 1953, 314 § 6; second sentence revised, 1977, 390.

SECT. 9A revised, 1938, 381; amended, 1953, 314 § 6; 1974, 247.

SECT. 9B added, 1935 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, 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); revised, 1977, 777.

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; 383; 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, 156, 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; 1969, 529 § 1; 1971, 879 §§ 1, 4; 1973, 978 §§ 1, 4; 1976, 474 §§ 1, 3, 5. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7; 1973, 978 § 7; 1976, 474 § 12.)

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, 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; section revised, 1976, 474, §§ 2, 4, 6. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7; 1973, 978 § 7; 1976, 474 § 12.)

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; 1962, 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; 1976, 474 §§ 7, 8, 9. (See 1946, 321 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7; 1973, 978 § 7; 1976, 474 § 12.)

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; section revised, 1976, 474 §§ 10, 11. (See 1956, 735 § 4; 1974, 438 § 3; 1976, 474 § 12.)

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, 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; paragraphs 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. 41A added, 1975, 455 § 1 (requiring insurance companies to give certain notice of decisions to disclaim liability in certain cases). (See 1975, 455 § 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); revised, 1975, 883; second sentence stricken out and two sentences inserted, 1977, 856 § 1.

SECT. 47 revised, 1960, 792; 1977, 856 § 2.

SECTS. 48 and 49 amended, 1953, 314 § 6.

SECT. 48, paragraph added, 1977, 776 § 1. (See 1977, 776 § 2.)

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 of 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; 1977, 98 § 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; clause 5 stricken out, 1977, 98 § 2. (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; repealed, 1977, 98 § 3. (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; clause (c) amended, 1976, 252 § 2. (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. 6A added, 1976, 40 § 1 (relative to one correction of certain inaccurate or other records of businesses).

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, first sentence revised, 1975, 70 § 1; sentence inserted after first sentence, 1965, 685 § 10. (See 1965, 685 § 57.)

SECT. 21A added, 1977, 292 (relative to the restoration of reacquired shares to the status of authorized but unissued shares).

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 sentence 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. 49 amended, 1976, 252 § 3;

SECT. 50 amended, 1965, 685 § 20A. (See 1965, 685 § 57.)

SECT. 51, clause (a) amended, 1965, 685 § 21. (See 1965, 685 § 57.)

SECT. 53, first sentence amended, 1976, 252 § 4; last sentence revised, 1965, 685 § 22; sentence added, 1976, 41. (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; 1977, 98 § 4. (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; paragraph (1),

clause (iii), two sentences added, 1975, 70 § 2; clause revised, 1976, 327; 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; subsection (3) amended, 1975, 70 § 3; subsection (4) amended, 1975, 70 § 4; subsection (5), second sentence revised, 1976, 63 § 1; subsection stricken out, 1977, 98 § 5; paragraph added, 1976, 63 § 2. (See 1965, 685 § 57.)

SECT. 109A added, 1969, 392 § 25 (relating to further requirements for certain annual reports); first sentence revised, 1971, 929 § 5; second and third sentences revised, 1975, 70 § 5; section repealed, 1977, 98 § 6.

SECT. 110 repealed, 1965, 685 § 50. (See 1965, 685 § 57.)

SECT. 111, first three sentences stricken out, 1969, 392 § 26; section repealed, 1977, 98 § 6.

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, 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 § 3; 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; revised, 1977, 98 § 7.

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; section revised, 1976, 144 § 2.

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, 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; revised, 1976, 380. (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; paragraph added, 1975, 740.

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. 5, second sentence revised, 1976, 181.

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; 1975, 142; 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 second sentence, 1971, 560; revised, 1975, 331 § 1; fifth sentence revised, 1970, 335; 1972, 561; 1975, 331 § 2; 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; amended, 1975, 546. (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, 1947, 52 § 3; section revised, 1954, 553; amended, 1972, 684 § 100. (See 1972, 684 § 136.) § 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 railroad car and equipment 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. 235A amended, 1975, 706 § 288. (See 1975, 706 § 312.)

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 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. 113A added, 1976, 256 (providing penalties for the fraudulent use of passes).

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 (*e*^{1/2}) inserted after subsection (*e*), 1969, 574 § 1; subsection (*e*^{3/4}) inserted, 1971, 1100; subsection (*f*^{1/2}) inserted, 1977, 207; subsections (*g*)-(*h*) revised, 1973, 1140 § 7; subsection (*i*) amended, 1967, 81 § 1; revised, 1973, 1140 § 8; second and third paragraphs revised, 1975, 205; subsection (*l*) added, 1973, 1140 § 9; subsection (*m*) added, 1977, 640. (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. 12A added, 1976, 4 § 15 (relative to the issuance of certain notes).

SECT. 13, last paragraph stricken out, 1965, 650 § 2.

SECT. 19, third sentence revised, 1977, 970 § 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; third paragraph revised, 1977, 356 § 16;

fourth paragraph amended, 1965, 650 § 3; paragraph inserted after fourth paragraph, 1975, 859 § 3; two paragraphs inserted, 1977, 356 § 16A; fifth paragraph amended, 1971, 1075 § 5; seventh paragraph amended, 1973, 1140 § 15. (See 1973, 1140 § 30.)

SECT. 25 revised, 1976, 4 § 16.

SECT. 28, first paragraph amended, 1971, 1075 § 6; second sentence amended, 1975, 859 § 4A; 1977, 356 § 17; 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; section revised, 1976, 283 § 32c; amended, 1977, 363A § 74. (See 1976, 283 § 34; 1977, 363A § 76.)

Chapter 161B. — Transportation Facilities, Highway Systems and Urban Development Plans.

New chapter inserted, 1973, 1141 § 1.

SECT. 2, second paragraph, eighth clause amended, 1977, 928 § 1.

SECT. 3, revised, 1977, 928 § 2.

SECT. 4, first sentence amended, 1976, 312 § 1.

SECT. 5, first paragraph, first sentence revised, 1977, 928 § 3.

SECT. 6, clause (d) amended, 1976, 312 § 2; paragraph (f) amended, 1977, 928 § 4; paragraph (m) amended, 1977, 928 § 5.

SECT. 8, paragraph (c) amended, 1977, 928 § 6; paragraph (h) revised, 1977, 928 § 7.

SECT. 9, first sentence revised, 1977, 928 § 8.

SECT. 14, second paragraph revised, 1977, 928 § 9.

SECT. 15, first paragraph revised, 1977, 928 § 10j; second paragraph amended, 1977, 928 § 11.

Chapter 161C. — Rail Transportation in the Commonwealth.

New chapter inserted, 1975, 859 § 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; clause (b) revised; 1977, 258 § 1. (See 1973, 860 § 27.)

SECTS. 8A-8D added, 1973, 860 § 8 (further regulating certain utility corporations). (See 1973, 860 § 27.)

SECT. 9, second sentence stricken out, 1976, 357 § 1.

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; revised, 1976, 324 § 1.

SECT. 13 revised, 1950, 237; 1953, 85; 1967, 681; first sentence revised, 1976, 324 § 2; sentence added, 1976, 357 § 2; section revised, 1977, 276 § 1.

SECT. 13A added, 1977, 276 § 1 (authorizing gas and electric companies to mortgage assets pursuant to certain votes).

SECT. 14 amended, 1935, 222; 1961, 296; seventh sentence revised, 1977, 258 § 2.

SECT. 15 revised, 1950, 393; first sentence revised, 1955, 188; 1977, 276 § 2.

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; 1977, 258 § 3.

SECT. 19, sentence inserted after first sentence, 1953, 328; sentence inserted after second sentence, 1971, 308 § 2; section revised, 1973, 502 § 3; first sentence revised, 1977, 258 § 4.

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 § 2; revised, 1966, 146; revised, 1973, 933 § 1. (See 1937, 235 § 2.)

SECT. 40 revised, 1963, 347 § 2.

SECT. 41 revised, 1965, 180.

SECT. 55 revised, 1977, 156.

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, sixth sentence revised, 1977, 327; sentence inserted after seventh sentence, 1963, 347 § 3.

SECT. 57B added, 1977, 866 (providing for the appropriation of income from the investment or deposit of proceeds of municipal bonds or notes issued for gas or electric purposes).

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.)

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", "Liquefied natural gas", "Natural gas", "Propane air", and "Synthetic natural gas" added, 1974, 852 § 2; section revised, 1975, 617 § 1.

SECT. 69H, first paragraph revised, 1974, 852 § 3; second paragraph, first sentence revised, 1974, 852 § 4; 1975, 617 § 2; 1976, 468 § 1; 1977, 167; fifth paragraph, clause (3) revised, 1975, 617 § 3; clause (4) revised, 1974, 852 § 5; 1975, 617 § 3.

SECT. 69I, first, second and third paragraphs revised, 1974, 852 § 6; first paragraph, first two sentences stricken out and four sentences inserted, 1975, 617 § 4; third sentence stricken out and two sentences inserted, 1976, 468 § 2; sentence added, 1975, 617

§ 5; second paragraph clauses (2) and (3) revised, 1976, 468 § 3; third paragraph revised, 1975, 617 § 6; fourth paragraph, first sentence amended, 1974, 852 § 7; two paragraphs inserted after fourth paragraph, 1975, 617 § 7; fifth paragraph, clauses (2) and (3) revised, 1976, 468 § 4.

SECT. 69J, first paragraph, third sentence revised, 1974, 852 § 8; paragraph revised, 1975, 617 § 8; second paragraph revised, 1974, 852 § 9; 1975, 617 § 8; 1976, 468 § 5.

SECT. 69K, first paragraph revised, 1974, 852 § 10; stricken out and two paragraphs inserted, 1975, 617 § 9; revised, 1976, 468 § 6; sixth paragraph revised, 1974, 852 § 11; 1975, 617 § 10.

SECT. 69L, paragraph (A), clause (3) revised, 1974, 852 § 12; 1975, 617 § 11.

SECT. 69O, first paragraph, sentence added, 1976, 468 § 7; second paragraph, clause (1) revised, 1974, 852 § 13; clause (3) revised, 1974, 852 § 14; 1975, 617 § 12.

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. 69S added, 1976, 468 § 8 (relative to petitions to the council to exercise the power of eminent domain with respect to oil pipelines).

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 and electricity used for domestic purposes); paragraph added, 1977, 328.

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).

s SECT. 96 revised, 1939, 229 § 1; 1976, 324 § 3.

SECT. 97 amended, 1943, 55; revised, 1976, 324 § 4.

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. 15A 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. 124E revised, 1975, 422 (regulating the termination of utility services to certain persons).

SECT. 125A revised, 1963, 615 § 5.

SECT. 126 revised, 1961, 284; amended, 1977, 191 § 1.

SECT. 127 revised, 1961, 290; 1977, 191 § 2.

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. 1C added, 1976, 500 (requiring water companies to give written notice of installation of certain pipe connections).

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. 3 amended, 1975, 706 § 289. (See 1975, 706 § 312.)

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 water corporations to take by eminent domain certain property,

rights and easements); amended, 1975, 706 § 290. (See 1975, 706 § 312.)

SECT. 6 amended, 1975, 706 § 291. (See 1975, 706 § 312.)

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. 1, first paragraph, clause (b) amended, 1975, 674 § 1; clause (e) amended, 1975, 674 § 2.

SECT. 2, second paragraph, first sentence amended, 1972, 96 § 1; section revised, 1975, 674 § 3.

SECT. 2A, third sentence amended, 1972, 96 § 2.

SECT. 4, sixth sentence revised, 1975, 674 § 4.

SECT. 5, first paragraph amended, 1975, 674 § 5.

SECT. 6, third sentence amended, 1975, 674 § 6.

SECT. 7 revised, 1975, 674 § 7.

SECT. 8, first sentence revised, 1972, 402 § 1.

SECT. 9, first sentence amended, 1975, 674 § 8; second sentence stricken out and two sentences inserted, 1977, 552 § 1.

SECT. 11, first paragraph clause (e) revised, 1975, 674 § 9.

SECT. 13, revised, 1975, 674 § 10.

SECT. 14, first paragraph amended, 1972, 96 § 3; revised, 1975, 674 § 11; fourth paragraph amended, 1975, 674 § 12; fifth paragraph, second sentence stricken out, 1975, 674 § 13.

SECT. 15, first paragraph amended, 1975, 674 § 14; second paragraph revised, 1975, 674 § 15; fourth paragraph, first sentence amended, 1977, 552 § 2.

SECT. 19, first sentence amended, 1975, 674 § 16.

SECT. 21 added, 1972, 402 § 2 (providing a penalty for certain tampering with a duly licensed community antenna television system).

SECT. 22 added, 1975, 596 (relative to the installation of cable television facilities); second paragraph revised, 1977, 225.

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 saving 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; first three sentences revised, 1975, 684 § 238; third paragraph revised, 1950, 428; fourth paragraph, last sentence revised, 1972, 24; 1975, 876. (See 1948, 527 § 5; 1958, 654 § 4; 1973, 1149 § 33; 1975, 684 § 97.)

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; section revised, 1975, 463. (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; second sentence revised, 1975, 169; 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); sentence inserted after first sentence, 1975, 799.

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; third sentence revised, 1975, 226.

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 bank 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); first sentence revised, 1976, 97.

SECT. 54E added, 1977, 92 (authorizing certain banking associations and corporations to establish collective investment funds for certain temporary investments).

SECT. 55 added, 1950, 287 § 1 (relative to presentment of certain demand instruments payable by, at or through banks); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 56 added, 1957, 400 § 1 (relative to the insurance of loans in banks).

SECT. 56 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); revised, 1977, 491.

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. 65, first paragraph revised, 1977, 32.

SECT. 66 added, 1974, 222 (regulating common trust funds of corporate fiduciaries).

SECT. 67 added, 1975, 23 (requiring banks and credit unions to notify certain depositors relative to reduction or payment of certain debts); first sentence revised, 1975, 485.

SECT. 68 added, 1976, 445 (relative to the disposition of retirement plan benefits).

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 cooperate 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; revised, 1975, 743; first sentence revised, 1977, 204; second paragraph revised, 1976, 170 § 1. (See 1957, 1 § 7; 1972, 684 § 136; 1973, 1149 § 33.)

SECT. 8, first paragraph amended, 1973, 997; 1974, 140 § 1; second paragraph, first sentence stricken out, 1975, 549 § 1.

SECT. 10, first paragraph, provision 2 revised, 1962, 163 § 1; 1966, 225; 1975, 549 § 2; sentence added, 1975, 561 § 1; 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; second paragraph revised, 1976, 102.

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; first sentence revised, 1975, 571 § 1; 1977, 94 § 1; paragraph 2 amended, 1956, 175; 1963, 253 § 2; 1969, 751 § 13; first sentence revised, 1975, 685 § 1; 1976, 127 § 1.

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; 1975, 571 § 2; second paragraph amended, 1963, 253 § 4; section revised, 1977, 94 § 2.

SECTS. 22A and 22B added, 1962, 169 § 2 (authorizing the establishment of new types of deposit accounts).

SECT. 22A amended, 1966, 206 § 1; subsection 1, clause (a), first sentence revised, 1977, 94 § 3; clause (b), first sentence revised, 1977, 94 § 4; subsection 2 revised, 1977, 168.

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; paragraph inserted after first paragraph, 1977, 93.

SECT. 23 revised, 1956, 244 § 1; 1975, 348 § 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 2 revised, 1977, 63; 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; 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; first sentence amended, 1971, 352 § 2; revised, 1973, 42 § 2; 1976, 364 § 1; fourth sentence revised, 1973, 1144 § 1; 1975, 64 § 1; paragraph 6A inserted, 1964, 219; first sentence revised, 1966, 218 § 3; amended, 1973, 78 § 1; revised, 1976, 364 § 2; fifth sentence revised, 1969, 278 § 2; 1971, 52 § 1; 1973, 78 § 2; 1977, 62; paragraph 6B inserted, 1972, 336; first sentence amended, 1973, 78 § 3; revised, 1976, 364 § 3; paragraph 6C inserted, 1977, 775 § 1; paragraph 7 revised, 1961, 372; first two sentences revised, 1961, 278 § 3; paragraph 8, first sentence revised, 1963, 341 § 1; 1965, 263 § 1; 1972, 129 § 1; second sentence amended, 1972, 129 § 2; third sentence amended, 1960, 256; revised, 1969, 278 § 4; amended, 1971, 455 § 3; revised, 1975, 64 § 2; paragraph 9 revised, 1969, 278 § 5; paragraph 10, second and third sentences revised, 1963, 269; second sentence amended, 1968, 182; 1970, 303; revised, 1977, 28 § 1; fifth sentence revised, 1969, 322; paragraph 10A added, 1974, 110 § 1; clause (b) revised, 1975, 33 § 1; paragraph 11 revised, 1960, 289; amended, 1963, 301; paragraph 13 added, 1960, 804 § 3; paragraph 14 added, 1971, 352 § 3.

SECT. 36, paragraph 3A added, 1975, 635 § 1; 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; first sentence revised, 1975, 64 § 3.

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; section revised, 1977, 262. (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. 37C added, 1976, 229 § 1 (authorizing savings banks to make loans secured by second mortgages on residential property).

SECT. 38, paragraph 3 amended, 1961, 493 § 16; 1962, 169 § 6; 1969, 321; revised, 1977, 94 § 5; paragraph 6, first two paragraphs revised, 1963, 272; first paragraph amended, 1966, 218 § 5; 1973, 42 § 3; third paragraph amended, 1966, 218 § 6; first sentence revised, 1975, 64 § 4; 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; second sentence revised, 1975, 64 § 5; third sentence revised, 1968, 183; paragraph 8 added, 1963, 353; paragraph 9 added, 1970, 126; clauses (c) and (d) revised, 1977, 73.

SECT. 40, first sentence amended, 1962, 169 § 7; stricken out and two sentences inserted, 1963, 268; first sentence amended, 1977, 94 § 6; second sentence (as appearing in 1955, 432 § 1) revised, 1956, 88; 1966, 206 § 2; paragraph added, 1962, 169 § 8; first sentence revised, 1977, 94 § 7.

SECT. 41, first paragraph amended, 1972, 381 § 2; 1976, 229 § 2; paragraph 1 revised, 1962, 44; paragraph 2 revised, 1965, 42; first sentence revised, 1975, 64 § 6; paragraph 3 amended, 1972, 381 § 3; revised, 1976, 229 § 3; paragraph 4 added, 1975, 635 § 2.

SECT. 42, paragraph 4 revised, 1975, 547; 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. 45 revised, 1976, 478.

SECT. 46, subdivision B revised, 1976, 531; paragraph 4 revised, 1977, 288.

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; 1977, 282; 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; amended, 1976, 186 § 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; 1977, 109.

SECT. 51 amended, 1961, 493 § 17; first paragraph amended, 1966, 288 § 3; first sentence revised, 1969, 130; paragraph added, 1975, 52 § 1.

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, 481; 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); revised, 1975, 685 § 2.

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 2, second sentence revised, 1975, 548 § 1; paragraph 3, clause (a) revised, 1975, 548 § 2; 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; introductory paragraph revised, 1976, 170 § 2. (See 1973, 1149 § 33.)

SECT. 73, first sentence revised, 1957, 1 § 4; amended, 1961, 493 § 18; revised, 1976, 170 § 3; 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; amended, 1975, 620 § 1; paragraph added, 1969, 235.

SECT. 78 amended, 1973, 1149 § 11. (See 1973, 1149 § 33.)

SECT. 80 amended, 1957, 698 § 8; 1972, 684 § 103; revised, 1976, 252 § 5. (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 cooperative 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 revised, 1975, 755; second sentence revised, 205; paragraph added, 1967, 157 § 2; revised, 1976, 168 § 1. (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); revised, 1975, 348 § 2.

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 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; provision 1, clause (b) revised, 1977, 55; provision 1A inserted, 1976, 120; revised, 1977, 202; 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; first paragraph revised, 1975, 571 § 3; second paragraph, first sentence revised, 1975, 685; § 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 3, first sentence revised, 1975, 797; subsection 4 revised, 1963, 126; 1964, 221; first sentence revised, 1973, 96 § 1; last sentence revised, 1968, 186, 1970, 122; 1973, 96 § 2; 1975, 550 § 1; 1977, 146; subsection 5 added 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; 1975, 550 § 2; 1976, 117; sentence added, 1977, 70 § 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; 1977, 70 § 2; clause (c) revised, 1976, 28 § 1; clause (d) revised, 1976, 28 § 1; 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; clause (b) revised, 1977, 70 § 3; clause (c) revised, 1976, 28 § 2; clause (d) revised, 1976, 28 § 2; third sentence stricken out, 1973, 260 § 2; subsection 3C inserted, 1973, 260 § 3; revised, 1977, 775 § 2; subsection 3D inserted, 1977, 775 § 2;

subsection 4 revised, 1955, 146; 1958, 96; 1959, 108 § 2; 1960, 54; 1962, 125 § 1; amended, 1964, 227; revised, 1967, 227 § 2; amended, 1970, 223 § 1; 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 7A inserted, 1975, 635 § 3; 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. 24B added, 1977, 195 (authorizing co-operative banks to make loans secured by second mortgages on residential property).

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, 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; clause (i) amended, 1976, 186 § 2; clause (ii) amended, 1975, 78; 1976, 165; 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; sentence inserted after first sentence, 1977, 28 § 2; first two sentences revised, 1977, 260; subsection 6A inserted, 1974, 110 § 2; clause (b) revised, 1975, 33 § 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; fourth sentence revised, 1977, 34; subsection 9 and 10 added, 1969, 220; subsection 11 added, 1971, 404; subsection 12 added, 1971, 436; subsection 13 added, 1973, 96 § 4; subsection 14 added, 1975, 635 § 4. (See 1955, 432 § 4.)

SECT. 26A added, 1975, 52 § 2 (relative to investments of co-operative banks).

SECT. 27A added, 1971, 92 § 3 (authorizing certain corporations to issue certain mortgage-backed securities); revised, 1976, 69.

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, 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, 1974, 258 (authorizing co-operative banks to issue credit cards).

SECT. 3D added, 1974, 258 (authorizing co-operative banks to act as trustees under certain retirement plans); revised, 1975, 685 § 4.

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. 36 amended, 1976, 431.

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 § ; 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; second sentence, clause (f) revised, 1975, 25.

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; sentence inserted after first sentence, 1976, 168 § 2; 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; amended, 1975, 620 § 2; 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; 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 cooperate 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; revised, 1977, 143.

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, inserted by 1947, 189 § 1.)

SECT. 8 revised, 1946, 49 § 1; 1976, 72 § 1.

SECT. 9 revised, 1946, 49 § 2; 1976, 72 § 1.

SECT. 10, two sentences inserted after fifth sentence, 1945, 81; section revised, 1947, 87; third sentence revised, 1971, 122; 1974, 57; 1977, 21; 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; fourth and fifth sentences stricken out and one sentence inserted, 1976, 52; stricken out and three sentences inserted, 1977, 15; 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. 10C added, 1975, 15 (authorizing credit unions to act as trustees under certain retirement plans); revised, 1975, 687; sentence inserted after first sentence, 1976, 10.

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; revised, 1976, 6.

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; section revised, 1976, 134 § 1.

SECT. 19A added, 1938, 239 (relative to the liability of certain endorsers upon notes held by credit unions and authorizing the establishment of contingent funds by credit unions); revised, 1941, 79.

SECT. 20 amended, 1969, 319; 1974, 47; revised, 1976, 134 § 2.

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; section revised, 1977, 313. (See 1957, 151 § 2.)

SECT. 21A added, 1960, 26 (authorizing a credit union to change the location of its banking office; repealed, 1976, 72 § 2).

SECT. 21B added, 1975, 642 (authorizing credit unions to establish and maintain safe deposit vaults and rent boxes).

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 subdivision (A) revised, 1958, 133; 1959, 158 § 2; 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), first paragraph revised, 1977, 19; fourth paragraph, paragraph 1 revised, 1974, 72 § 1; 1975, 244 § 1; paragraph 2 revised, 1974, 72 § 1; 1975, 244 § 2; paragraph 3A revised, 1974, 72 § 2; 1975, 244 § 3; paragraph 5 revised, 1972, 232; paragraph 6, first paragraph revised, 1975, 14; subdivision (B),

subsection (a), paragraph 4 amended, 1972, 146; 1973, 95; 1974, 340; first sentence revised, 1976, 7; fifth sentence revised, 1977, 20; paragraph 7 added, 1977, 23; subsection (b), paragraph 8 amended, 1972, 356; 1974, 54; third paragraph revised, 1977, 22; paragraph 12 added, 1971, 522; paragraph 13 added, 1972, 156; revised, 1976, 9; paragraph 14 added, 1974, 12; paragraph 15 added, 1974, 338; subdivision (D), second and third sentences revised, 1976, 60 § 1; sentence inserted after third sentence, 1977, 28 § 33; fifth sentence revised, 1971, 573; sixth sentence revised, 1974, 173; subdivision (F) added, 1974, 56 § 2; subdivision (G) added, 1974, 339 § 2; second paragraph, third sentence stricken out, 1977, 24.

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); sentence added, 1975, 19; 1976, 60 § 2.

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; 1977, 47; sixth paragraph revised, 1972, 327 § 2; amended, 1975, 620 § 3; 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; second paragraph, fourth sentence revised, 1977, 635. (See 1973, 1149 § 33.)

SECT. 9 amended, 1962, 750 § 48; 1972, 684 § 107. (See 1972, 684 § 136.)

SECT. 10A added, 1975, 175 (authorizing the establishment of certain trust companies).

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; second paragraph revised, 1976, 180.

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; revised, 1976, 252 § 6; subsection E revised, 1976, 252 § 7; 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 A revised, 1976, 245; 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. 36 revised, 1977, 49.

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 securities for loans); revised, 1975, 657 § 1.

SECT. 48B added, 1974, 352 (authorizing trust companies to take second mortgages on real estate as security for certain loans); repealed, 1975, 657 § 2.

SECT. 48C added, 1975, 686 § 1 (authorizing trust companies to act as trustees or custodians under certain retirement plans).

SECT. 50 revised, 1968, 350; amended, 1974, 94; paragraph inserted after third paragraph, 1975, 24.

SECT. 51 revised, 1963, 376; first paragraph revised, 1969, 337 § 3; 1970, 305 § 3; amended, 1972, 84 § 3; clause 1 revised, 1976, 59 § 1; clause 2 revised, 1976, 59 § 2; clause 3 added, 1975, 686 § 2; second paragraph revised, 1964, 279; 1976, 127 § 2.

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; subsection D added, 1977, 28 § 4. (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. 67 amended, 1976, 58.

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 cooperate 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, 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 repealed, 1975, 126.

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. 14A added, 1975, 826 (allowing the commission to hold hearings for fire insurance ratings).

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.

SECT. 7 amended, 1977, 353.

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 therefore, 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, of-

ficers and directors of insurance companies); paragraph added, 1963, 848 § 2; revised, 1968, 391 § 2; 1970, 642 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 2B added, 1977, 801 § 1 (requiring insurance policies to be written in a form that can be easily understood).

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 paragraph 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; 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; section revised, 1975, 684 § 79; 1977, 1000 § 1. (See 1945, 593 § 2; 1971, 968 § 8; 1975, 684 § 97.)

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, 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; two sentences added, 1975, 542.

SECT. 22A revised, 1935, 234; first paragraph amended, 1946, 158; last paragraph amended, 1938, 181; section revised, 1951, 327; second paragraph stricken out, 1955, 384 § 3; section revised, 1965, 383.

SECTS. 22C and 22D added, 1968, 640 § 1 (regulating the cancellation of certain insurance policies). (See 1968, 640 § 2.)

SECT. 22C revised, 1970, 387; first paragraph amended, 1973, 408; revised, 1973, 551 § 1; first sentence amended, 1976, 266 § 8. (See 1973, 551 § 7; 1976, 266 § 23.)

SECT. 22E added, 1970, 670 § 8 (relative to automatic renewal of motor vehicle insurance policies); stricken out and sections 22 E-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; first sentence amended, 1976, 266 § 9. (See 1973, 551 § 7; 1976, 266 § 23.)

SECTS. 22F-22G repealed, 1973, 551 § 3. (See 1973, 551 § 7.)

SECT. 22H, first paragraph revised, 1975, 707 § 8; 750 § 1. (See 1975, 707 § 9.)

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; first paragraph revised, 1977, 221.

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; revised, 1977, 493; clause Eighteenth added, 1963, 848 § 4; stricken out, 1968, 391 § 4; clause Nineteenth added, 1977, 774 § 1.

SECT. 47A added, 1970, 484 § 1 (relative to certain permissible direct business 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); revised, 1975, 196 § 1. (See 1974, 785 § 4; 1975, 196 § 4.)

SECT. 48, first paragraph revised, 1946, 471 § 2; amended, 1965, 260 § 2; revised, 1968, 391 § 5; third paragraph revised, 1977, 774 § 2; lines 15-17, inclusive, stricken out and two paragraphs inserted, 1961, 168 § 1; lines 22 and 23 stricken out and paragraph inserted, 1946, 471 § 3; paragraph in lines 37-41, inclusive, revised, 1961, 168 § 2; 1962, 202 § 1; paragraph added, 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 (b) revised, 1976, 547 § 1; 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; 1976, 547 § 2; paragraph 5A added, 1947, 266 § 4; paragraph 6 revised, 1947, 266 § 5; 1968, 246 § 1; 1976, 547 § 3; 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; revised, 1976, 547 § 4; paragraph 7, last sentence revised, 1977, 286.

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; sixth sentence revised, 1976, 355 § 1. (See 1976, 355 § 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, 641 § 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. 97A added, 1977, 804 § 2 (further regulating the disbursement of insurance proceeds). (See 1977, 804 § 4.)

SECT. 99, clause Ninth revised, 1934, 95; amended, 1977, 801 § 2; 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; 1977, 801 § 3; clause Thirteenth added, 1974, 498 § 1; clauses Fourteenth and Fifteenth added, 1977, 804 § 3. (See 1951, 478 § 2; 1969, 425 § 2; 1973, 349 § 2; 1064 § 2; 1974, 498 § 2; 1977, 804 § 4.)

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.) 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^{1/2}) 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; subdivision 9 added, 1975, 85. (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); revised, 1975, 595 § 1.

SECT. 108B added, 1975, 127 § 1 (including services of dentists within certain coverage in insurance policies). (See 1975, 127 § 2.)

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; subdivision (I) added, 1975, 302; subdivision (J) added, 1976, 454 § 3. (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. 110G added, 1976, 371 § 1 (providing for the limited extension of medical benefits for certain persons).

SECT. 110H added, 1976, 471 (requiring companies providing health and accident insurance cancellable at age sixty-five to issue certain notices).

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 of 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. 112, sentence added, 1977, 437.

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; first sentence revised, 1976, 266 § 16; provision (2A) 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; paragraph added, 1976, 266 § 11. (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; 1976, 266 § 23.)

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, 1971, 977 § 1A; stricken out, 1975, 707 § 1A; first sentence revised, 1976, 1 § 2; paragraph stricken out, 1976, 266 § 12; paragraph inserted, 1972, § 23; paragraph inserted, 1975, 707 § 2; paragraph inserted after first paragraph, 1935, 459 § 4; sentence added, 1970, 785; paragraph inserted after first paragraph, 1970, 670 § 7; amended, 1974, 472 § 1; revised, 1975, 707 § 1B; 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; 1976, 266 § 13. (See 1935, 459 § 5; 1970, 670 § 10; 1973, 341 § 3; 599 § 3; 1974, 472 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23.)

SECT. 113C, paragraph added, 1968, 643 § 3; revised, 1970, 670 § 9; first sentence amended, 1971, 520 § 1; revised, 1975, 707 § 3; second sentence revised, 1971, 896 § 1; stricken out, 1976, 266 § 14. (See 1970, 670 § 10; 1971, 520 § 2; 1975, 707 § 9; 1976, 266 § 23.)

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, 278 § 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; first paragraph, second sentence revised, 1975, 707 § 4; third sentence stricken out and two sentences inserted, 1976, 266 § 15; fourth paragraph revised, 1976, 266 § 16; fourth sentence revised, 1977, 364 § 1; section revised, 1977, 365 § 3. (See 1973, 551 § 7; 1975, 707 § 9; 1976, 266 § 23; 1977, 364 § 2; 1977, 365 § 9.)

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); first two paragraphs stricken out and three paragraphs inserted, 1976, 266 § 17; 1973, 712. (See 1971, 1078 § 3; 1976, 266 § 23.)

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); revised, 1975, 707 § 5; second sentence revised, 1976, 1 § 3; section revised, 1976, 266 § 18. (See 1973, 630 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23.)

SECT. 113P added, 1976, 266 § 18 (establishing a merit rating plan); seventh paragraph, first sentence stricken out and two sentences inserted, 1976, 525 § 1; eighth paragraph, fifth sentence revised, 1976, 525 § 2; ninth paragraph, first sentence revised, 1976, 525 § 3. (See 1976, 266 § 23.)

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. 119B added, 1975, 771 § 1 (relative to refunds of premiums of certain life insurance policies upon the death of the insured). (See 1975, 771 § 3.)

SECT. 120A added, 1972, 804 § 1 (relative to the issuance of life insurance policies for certain mentally retarded persons); first sentence amended, 1975, 693. (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); repealed, 1975, 111 § 1. (See 1975, 111 § 2.)

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 fifth paragraph, 1961, 193; paragraph added, 1977, 741.

SECT. 134, provision 4, sentence added, 1938, 362 § 3; provision revised, 1939, 170; 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. 162C added, 1975, 759 (further regulating certain agreements between certain insurers and their agents).

SECT. 163, first paragraph, first sentence revised, 1971, 968 § 3; sixth and seventh sentences revised, 1977, 1000 § 2; paragraph added, 1941, 502; revised, 1943, 85; six paragraphs added, 1971, 961; seven paragraphs added, 1973, 1056; third to fifteenth paragraphs stricken out and six paragraphs inserted, 1977, 910. (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; third paragraph revised, 1977, 1000 § 3. (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; 1977, 1000 § 4; sixth sentence revised, 1977, 1000 § 4. (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; third paragraph revised, 1977, 1000 § 5. (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, third and fourth sentences revised, 1977, 1000 § 6; last sentence revised, 1941, 703.

SECT. 173 revised, 1946, 299; paragraph added, 1968, 108.

SECT. 174, first paragraph amended, 1965, 125; first sentence revised, 1977, 340; 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; first paragraph, first sentence revised, 1976, 141).

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; third and fourth sentences revised, 1977, 1000 § 7; second and third paragraphs stricken out and new paragraph inserted, 1941, 635 § 1; paragraph inserted after first paragraph, 1969, 144; paragraph inserted after second paragraph, 1976, 401; 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 sentence 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. 187H added, 1975, 771 § 2 (relative to refunds of premiums of certain life insurance policies upon cancellation thereof). (See 1975, 771 § 3.)

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).

SECT. 193F amended, 1977, 801 § 4.

SECT. 193G amended, 1977, 801 § 5.

SECT. 193H amended, 1977, 801 § 6.

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. 193S added, 1975, 242 (authorizing mergers of members of insurance holding company systems into their domestic insurance company subsidiaries).

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; sentence inserted after first sentence, 1977, 774 § 3; second sentence revised, 1971, 896 § 2.

SECT. 5 subdivision (a), paragraph (1) revised, 1970, 784.

SECT. 5A added, 1975, 362 § 4 (authorizing the commissioner to fix and establish classifications and charges for medical malpractice insurance); third paragraph stricken out, 1977, 613. (See 1975, 362 § 13.)

SECT. 6, subsection (a) amended, 1974, 53 § 3; subsection (f) added, 1955, 384 § 9.

SECT. 7, subsection (1c) added, 1974, 53 § 4.

SECT. 11, paragraph added, 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.)

SECT. 1, first paragraph, definition of "Covered claim", amended, 1975, 341 § 1; second paragraph revised, 1975, 341 § 1. (See 1975, 341 § 2.)

SECT. 4 revised, 1975, 341 § 2.

SECT. 5, subsection (1), clause (b) amended, 1975, 341 § 3; clause (c) revised, 1975, 341 § 4.

SECT. 6, subsection (1), clause (a) amended, 1975, 341 § 5; subsection (2) clause (c) revised, 1975, 341 § 6.

SECT. 7, subsection (1), clause (a) amended, 1975, 341 § 7.

SECT. 15 revised, 1975, 341 § 8.

Chapter 175E. — Regulation of Rates for Optional Motor Vehicle Insurance.

New chapter inserted, 1975, 707 § 6. (See 1975, 707 § 9.)

SECT. 4, clause (f), first sentence revised, 1976, 1 § 4. (See 1976, 1 § 5.)

Chapter stricken out and new chapter inserted, 1976, 266 § 19. (See 1976, 266 § 23.)

SECT. 7 revised, 1975, 707 § 6A. (See 1975, 707 § 9.)

Chapter 175F. — Medical Malpractice Self-Insurance Trust Funds.

New chapter inserted, 1977, 846.

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, subsection (1), paragraph (j) 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, 466 § 1; two sentences added, 1966, 229.

SECT. 41, subsection (6), paragraph (a) 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.

§ 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); revised, 1975, 196 § 2; second sentence amended, 1976, 203 § 1. (See 1974, 785 § 4; 1975, 196 § 4.)

SECT. 8C added, 1975, 595 § 2 (prohibiting the refusal of companies to insure blind and deaf persons as individuals).

SECT. 8D added, 1976, 371 § 2 (providing for the limited extension of medical benefits for certain persons).

SECT. 10, first paragraph revised, 1953, 287 § 6; third sentence amended, 1976, 454 § 4; 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 financing 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.

SECT. 31 added, 1976, 307 (relative to developing health maintenance organizations).

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; paragraph revised, 1971, 543 § 3; third paragraph amended, 1976, 454 § 5.

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); subparagraph (b) amended, 1977, 504 § 1. (See 1973, 1221 § 7.)

SECT. 4B added, 1974, 785 § 3 (extending the coverage of certain accident and sickness insurance to certain newborn infants); revised, 1975, 196 § 3; stricken out and section 4C inserted, 1976, 203 § 2. (See 1974, 785 § 4; 1975, 196 § 4.)

SECT. 4C added, 1975, 595 § 3 (prohibiting the refusal of companies to insure blind and deaf persons as individuals; stricken out and section 4D inserted, 1976, 203 § 3.

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. 6A added, 1976, 371 § 3 (providing for the limited extension of medical benefits for certain persons).

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; paragraph added, 1977, 341.

SECT. 11 revised, 1968, 432 § 7.

SECT. 12 amended, 1977, 504 § 2.

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.

SECT. 18 added, 1976, 308 (relative to developing health maintenance organizations).

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. 8, first paragraph, sentence inserted after first sentence, 1977, 801 § 7.

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; 1977, 744 § 4.

SECT. 3, clause (12) amended, 1977, 801 § 8.

Chapter 176E. — Dental Service Corporations.

New chapter inserted, 1962, 714.

SECT. 4, first paragraph revised, 1968, 241.

SECT. 7, fifth sentence stricken out, two sentences inserted, 1975, 892 § 1; paragraph added, 1975, 892 § 2. (See 1975, 892 § 3.)

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 176G. — Health Maintenance Organizations.

New chapter inserted, 1976, 454 § 1.

Chapter 176H. — Legal Service Plans.

New chapter inserted, 1977, 774 § 5.

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; 1976, 391. (See 1946, 112 § 2.)

SECT. 11 amended, 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; revised, 1977, 801 § 9. (See 1972, 421 § 8.)

SECT. 15A added, 1976, 176 (providing for payments into the general insurance guaranty fund for claims relating to unification of mortality).

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; first sentence amended, 1975, 185. (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).

SECT. 32 revised, 1977, 150 § 1. (See 1977, 150 § 2).

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; amended, 1976, 252 § 8. (See 1947, 559 § 7.)

SECT. 3A added, 1976, 40 § 2 (relative to the correction of certain inaccurate or other records of corporations).

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; 1. 7, 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 cases 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); first two

sentences stricken out, three sentences inserted, 1973, 113; first sentence amended, 1975, 346; fourth sentence revised, 1975, 307.

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. 17J added, 1977, 852 (relative to payroll deductions for public school teachers).

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; revised, 1976, 252 § 9; paragraph inserted after first paragraph, 1963, 832 § 2; second paragraph amended, 1957, 698 § 17; 1972, 684 § 117; last paragraph revised, 1964, 434; section revised, 1976, 458 § 5. (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 180A. — Management of Institutional Funds.

New chapter inserted, 1975, 886.

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. 4, fourth paragraph, clause (5) amended, 1975, 824 § 1; clause (6), second sentence revised, 1976, 63 § 3; clause (6) stricken out, 1977, 98 § 8; fifth paragraph, second sentence revised, 1975, 824 § 2; sixth paragraph, first sentence revised, 1975, 824 § 3; fifth

and sixth paragraphs stricken out, 1977, 98 § 9; paragraph added, 1976, 63 § 4.

SECT. 8 amended, 1973, 1114 § 21. (See 1973, 1114 § 351.)

SECT. 10 revised, 1977, 98 § 10.

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. 1A added, 1977, 152 (providing that the lack of a seal shall not void an instrument purporting to affect an interest in 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 sentence stricken out and one sentence inserted, 1951, 698; sentence added, 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 mortgages 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, water-course 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; sentence added, 1976, 4 § 30. (See 1976, 4 § 33.)

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; amended, 1975, 558 § 1.

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 related 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; stricken out, 1975, 356 § 1.

SECT. 28, paragraph added, 1974, 527 § 3; stricken out, 1975, 356 § 2.

SECTS. 31-33 added, 1969, 666 § 5 (protecting conservation and preservation restrictions and providing for public restriction tract indexes at the registries).

SECT. 31, first paragraph amended, 1976, 15; revised, 1977, 81; second paragraph amended, 1973, 1155 § 11; paragraph added, 1977, 780 § 2.

SECT. 32 amended, 1975, 706 § 292; second paragraph, third sentence amended, 1975, 706 § 293; third paragraph amended, 1975, 706 § 294; section revised, 1977, 780 § 3. (See 1975, 706 § 312.)

SECT. 33, first paragraph, first sentence amended, 1977, 780 § 4; third paragraph revised, 1975, 706 § 295; second sentence amended, 1977, 780 § 5; fourth paragraph, first sentence stricken out and two sentences inserted, 1977, 780 § 6; fifth paragraph amended, 1973, 602 § 2; revised, 1977, 780 § 7; second sentence revised, 1975, 706 § 296. (See 1973, 602 § 3; 1975, 706 § 312.)

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, first paragraph, clause (b) revised, 1935, 318 § 3; clause (c) revised, 1935, 318 § 4; 1973, 1114 § 22; clause (j^{1/2}) 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); clause (o) added, 1975, 405 (extending the jurisdiction of the land court to civil actions of trespass involving title to real estate); 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; 1977, 234 §§ 130-132; 872 §§ 127-129. (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; 1977, 234 § 198; 872 § 204.)

SECT. 15 revised, 1973, 1114 § 25; paragraph added, 1975, 417. (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. 37, third and fourth sentences stricken out, 1977, 151 § 1.

SECT. 38, first sentence revised, 1977, 151 § 2.

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; first paragraph, first sentence revised, 1975, 667 § 1. (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; 1975, 667 § 2.

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.)

SECT. 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; first sentence amended, 1977, 283; second paragraph revised, 1975, 609 § 1.

SECT. 9 amended, 1974, 726 § 1A. (See 1974, 726 § 2.)

SECT. 20 revised, 1975, 609 § 2.

SECT. 21 repealed, 1975, 609 § 3.

SECT. 22, first paragraph amended, 1975, 609 § 4.

SECT. 23 revised, 1975, 609 § 5.

SECT. 24 revised, 1975, 609 § 6.

SECT. 25 repealed, 1975, 609 § 7.

SECTS. 26-29 repealed, 1975, 609 § 8.

Chapter 186. — Estates for Years and at Will.

SECT. 11, sentence added, 1974, 320 § 1; section amended, 1977, 494 § 1.

SECT. 12 revised, 1946, 202; amended, 1973, 256 § 1; amended, 1974, 320 § 2; second sentence stricken out and two sentences inserted, 1977, 494 § 2.

SECT. 13 first sentence amended, 1973, 256 § 2; revised, 1976, 294; sentence added, 1973, 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 in-

serted, 1972, 639 § 1; second paragraph amended, 1973, 430 § 11; fourth paragraph, fourth sentence stricken out, 1975, 154; section revised, 1977, 979 § 1. (See 1970, 666 § 2; 1972, 639 § 2; 1977, 979 § 4.)

SECT. 15C added, 1971, 445 § 1 (regulating the inclusion of tax exclamation provisions in leases of residential property); paragraph added, 1975, 215. (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 § 55.)

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); revised, 1977, 182.

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).

SECT. 20 added, 1977, 159 § 1 (regulating the recovery of attorneys' fees and certain expenses by the landlord or tenant).

Chapter 187. — Easements.

SECT. 5 added, 1973, 918 (providing for public utility services in certain easements); revised, 1975, 610.

Chapter 188. — Homesteads.

SECT. 1 amended, 1939, 32 § 1; 1970, 119 § 1; 1973, 487 § 1; 1974, 750 § 1; 1975, 407 § 1; revised, 1977, 791 § 1. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5; 1975, 407 § 5.)

SECT. 3 revised, 1977, 791 § 2.

SECT. 4 amended, 1973, 925 § 64; revised, 1977, 791 § 3. (See 1973, 925 § 84.)

SECT. 6 revised, 1977, 791 § 4.

SECT. 7 revised, 1971, 423 § 6; 1977, 791 § 4.

SECT. 7A repealed, 1971, 423 § 7.

SECT. 8 revised, 1977, 791 § 4.

SECT. 9 amended, 1939, 32 § 2; 1970, 119 § 2; 1973, 487 § 2; 1974, 750 § 2; 1975, 407 § 2. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5; 1975, 407 § 5.)

Chapter 189. — Dower and Curtesy.

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 § 1.

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; paragraph (2) revised, 1976, 515 § 2. (See 1945, 238 § 2; 1956, 316 § 3; 1970, 637 § 2; 1976, 515 § 35.)

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 in 1941, 549 § 1. (See 1941, 549 § 2.)

SECT. 2 revised, 1961, 253 § 1.

SECT. 5 amended, 1961, 253 § 2.

Chapter 191. — Wills.

SECT. 1 first sentence amended, 1971, 291; 1976, 515 § 3. (See 1976, 515 § 35.)

SECT. 1A added, 1976, 515 § 4 (relative to the rules of construction for a will). (See 1976, 515 § 35.)

SECT. 2 amended, 1976, 515 § 5. (See 1976, 515 § 35.)

SECT. 9, paragraph added, 1976, 515 § 6. (See 1976, 515 § 35.)

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; paragraph added, 1976, 515 § 7. (See 1976, 515 § 35.)

SECT. 23 revised, 1976, 515 § 8. (See 1976, 515 § 35.)

Chapter 191A. — Disclaimer of Certain Property Interest Act.

New chapter inserted, 1975, 573 § 1.

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. 2 revised, 1976, 515 § 9. (See 1976, 515 § 35.)

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.)

SECTS. 13-16 added, 1976, 515 § 10 (relative to the appointment of temporary executors or administrators). (See 1976, 515 § 35.)

Chapter 193. — Appointment of Administrators.

SECT. 3 amended, 1938, 328; first sentence revised, 1975, 684 § 80. (See 1975, 684 § 97.)

SECT. 4 amended, 1951, 163 § 1, 684 § 1. (See 1951, 684 § 2.)

SECT. 5 amended, 1951, 163 § 2.

SECT. 7A added, 1976, 515 § 11 (relative to the appointment of temporary administrators); (See 1976, 515 § 35.)

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; first sentence revised, 1975, 526.

Chapter 195. — General Provisions relative to Executors and Administrators.

SECTS. 1-4 repealed, 1933, 221 § 1. (See 1933, 221 § 8.)

SECT. 5A added, 1976, 515 § 12 (relative to the powers of executors and administrators). (See 1976, 515 § 35.)

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; revised, 1975, 263; first sentence amended, 1975, 433; paragraph revised, 1975, 605; second paragraph, second sentence revised, 1976, 113; paragraph added,

1955, 413 § 1. (See 1955, 413 § 2; 1956, 317 § 3; 1958, 163 § 2; 1970, 888 § 31; 1973, 1210 § 39.)

SECT. 17 added, 1976, 515 § 13 (relative to the liability of executors and administrators). (See 1976, 515 § 35.)

Chapter 196. — Allowances to Widows and Children, and Advancements.

SECT. 2 amended, 1933, 36; revised, 1936, 214.

Chapter 197. — Payments of Debts, Legacies and Distributive Shares.

SECT. 1 revised, 1969, 493 § 1. (See 1969, 493 § 2.)

SECT. 2 amended, 1933, 221 § 3; revised, 1976, 515 § 14. (See 1933, 221 § 8; 1976, 515 § 35.)

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; 1976, 515 § 15. (See 1933, 221 § 8; 1971, 548 § 2; 1976, 515 § 35.)

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. 11 revised, 1976, 515 § 16. (See 1976, 515 § 35.)

SECT. 12 revised, 1976, 515 § 17. (See 1976, 515 § 35.)

SECT. 13 revised, 1976, 515 § 18. (See 1976, 515 § 35.)

SECT. 17 revised, 1976, 515 § 19. (See 1976, 515 § 35.)

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.)

SECT. 21 revised, 1976, 515 § 20. (See 1976, 515 § 35.)

SECT. 25A added, 1976, 515 § 21 (relative to property which a testator gives in his lifetime to a pecuniary legatee). (See 1976, 515 § 35.)

Chapter 199A. — General Provisions Regarding Certain Foreign Fiduciaries.

New chapter inserted, 1976, 515 § 22. (See 1976, 515 § 35.)

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; third sentence revised, 1975, 684 § 81. (See 1975, 684 § 97.)

Chapter 200A. — Abandoned Property.**New chapter inserted, 1950, 801.**

SECT. 1, definition of "Abandoned property" revised, 1975, 277 § 1; definition of "Commissioner" stricken out, 1969, 377 § 1; definition of "Date prescribed for payment or delivery" added, 1959, 470 § 2; definition of "Department" stricken out, 1969, 377 § 1; definition of "Person" revised, 1959, 470 § 1; 1975, 277 § 2. (See 1969, 377 § 19.)

SECT. 2 revised, 1975, 608 § 1.

SECT. 3 amended, 1975, 608 § 2.

SECT. 4 amended, 1975, 608 § 3.

SECT. 5 revised, 1958, 283; 1959, 470 § 3; amended, 1962, 248 § 1; 1975, 608 § 4.

SECT. 6 amended, 1975, 608 § 5.

SECT. 6A added, 1962, 248 § 2 (providing that certain unclaimed dividends or distributions due in liquidations shall be presumed abandoned).

SECT. 6B added, 1975, 889 § 1 (regulating the abandonment of travelers checks issued or sold in the commonwealth).

SECT. 7, paragraph (b) amended, 1957, 359 § 1; section revised, 1969, 377 § 2; paragraph (a) revised, 1975, 277 § 3; paragraph (c) stricken out, 1975, 277 § 4. (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; paragraph (c) added, 1975, 889 § 2. (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. 3 revised, 1976, 515 § 23. (See 1976, 515 § 35.)

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; three sentences inserted after fifth sentence, 1977, 567 § 1.

SECT. 6A added, 1974, 845 § 4 (providing for the appointment of guardians for certain mentally retarded persons); first paragraph, three sentences inserted after sixth sentence, 1977, 567 § 2.

SECT. 7 amended, 1941, 914 § 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; revised, 1976, 277; four sentences added, 1977, 567 § 3.

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, 1970n 120 § 3.

SECT. 33 amended, 1950, 420; sentence inserted after first sentence, 1954, 478 § 2; section revised, 1956, 314 § 12.

SECT. 34 revised, 1976, 548.

SECT. 37, paragraph added, 1976, 515 § 24. (See 1976, 515 § 35.)

SECT. 38, first paragraph, sentence added, 1976, 515 § 25; three paragraphs added, 1969, 422; revised, 1976, 515 § 26. (See 1976, 515 § 35.)

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; first sentence amended, 1974, 845 § 17; revised 1975, 339.

SECT. 50A added, 1976, 515 § 27 (relative to the termination of a power of attorney by the death, mental illness or disability of the principal). (See 1976, 515 § 35.)

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); second sentence revised, 1977, 466 § 2.

SECT. 38 added, 1976, 549 (further regulating the responsibility of executors and administrators in selling certain real estate).

Chapter 203. — Trusts.

SECT. 3A added, 1946, 287 § 1 (exempting trusts created by employers in connections 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. 14A added, 1976, 515 § 28 (relative to the liability of certain trustees on contracts). (See 1976, 515 § 35.)

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, 422. (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.

SECT. 1A added, 1976, 179 (relative to investments in certain common trust funds by national banking associations and foreign corporations acting as fiduciary).

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 and appointment and providing for the methods of releasing and disclaiming the same).

SECT. 30 amended, 1975, 573 § 4.

SECT. 34 repealed, 1975, 573 § 3.

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. 1 amended, 1976, 515 § 29; paragraph added, 1976, 515 § 29. (See 1976, 515 § 35.)

SECT. 4 amended, 1941, 45 § 1; 1976, 515 § 30. (See 1976, 515 § 35.)

SECT. 4A added, 1976, 515 § 31 (relative to sureties on bonds by temporary executors or administrators). (See 1976, 515 § 35.)

SECT. 5 amended, 1941, 45 § 2.

SECT. 19A revised, 1950, 65; 1945, 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; 1977, 17.

SECT. 27 revised, 1950, 66 § 2; 1954, 311 § 2; first sentence revised, 1963, 168 § 2; 1977, 18.

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; 1977, 16.

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, 1972, 255 § 1.

SECT. 8 amended, 1975, 400 § 1. (See 1975, 400 § 79.)

SECT. 9 amended, 1975, 400 § 2; repealed, 1977, 581 § 1. (See 1975, 400 § 79.)

SECT. 14, paragraph added, 1951, 469; section revised, 1975, 460 § 3; second paragraph revised, 1976, 486 § 19. (See 1975, 400 § 79; 1976, 486 § 31.)

SECT. 17 amended, 1945, 185, 1975, 400 § 4. (See 1975, 400 § 79.)

SECT. 18 amended, 1975, 400 § 5. (See 1975, 400 § 79.)

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; first sentence amended, 1976, 486 § 20. (See 1976, 486 § 31.)

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. 24 revised, 1977, 581 § 2.

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. 37 amended, 1976, 486 § 21. (See 1976, 486 § 31.)

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; first paragraph amended, 1975, 464 § 1; 1976, 51.

SECT. 39 revised, 1958, 438; third and fourth sentences stricken out and sentence inserted, 1965, 54; third sentence amended, 1968, 81 § 3; section revised, 1975, 464 § 2.

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; 1975, 400 § 6; 698 § 1; 1977, 609 § 1. (See 1967, 585 § 2; 1974, 358 § 3; 1975, 400 § 79; 698 § 4.)

SECTS. 1A-1B added, 1975, 698 § 2 (providing for an irretrievable breakdown of the marriage as a ground for an action for divorce). (See 1975, 698 § 4.)

SECT. 1A, third paragraph amended, 1977, 531 § 1.

SECT. 1B, second paragraph amended, 1977, 531 § 2.

SECT. 2 revised, 1937, 76 § 1; amended, 1975, 400 § 7. (See 1937, 76 § 2; 1975, 400 § 79.)

SECT. 3 amended, 1975, 400 § 8; revised, 1975, 698 § 3. (See 1975, 400 § 79; 698 § 4.)

SECT. 4 amended, 1975, 400 § 9. (See 1975, 400 § 79.)

SECT. 5 revised, 1964, 344; 1969, 162; 1975, 400 § 10. (See 1975, 400 § 79.)

SECT. 6 revised, 1973, 415; 1975, 400 § 11; sentence added, 1977, 183. (See 1975, 400 § 79.)

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; 1975, 400 § 12. (See 1958, 162 § 2; 1967, 674 § 2; 1975, 400 § 79.)

SECT. 7 repealed, 1975, 400 § 13. (See 1975, 400 § 79.)

SECT. 8 revised, 1975, 400 § 14. (See 1975, 400 § 79.)

SECT. 8A added, 1971, 290 (permitting the entry of a new libel for divorce during a contested hearing upon a libel); repealed, 1975, 400 § 15. (See 1975, 400 § 79.)

SECTS. 9-11 revised, 196 § 1. (See 1943, 196 § 2.)

SECT. 9 repealed, 1975, 400 § 16. (See 1975, 400 § 79.)

SECT. 10 repealed, 1975, 400 § 17. (See 1975, 400 § 79.)

SECT. 12 amended, 1975, 400 § 18; revised, 1977, 609 § 2. (See 1975, 400 § 79.)

SECT. 13 revised, 1977, 609 § 2.

SECT. 15 revised, 1975, 400 § 19. (See 1975, 400 § 79.)

SECT. 16 revised, 1975, 400 § 20. (See 1975, 400 § 79.)

SECT. 17 revised, 1975, 400 § 21. (See 1975, 400 § 79.)

SECT. 18, first sentence revised, 1974, 313; amended, 1975, 400 § 22; sentence added, 1974, 231. (See 1975, 400 § 79.)

SECT. 19 revised, 1932, 3; amended, 1975, 400 § 23. (See 1975, 400 § 79.)

SECT. 20 revised, 1975, 400 § 24; 1977, 609 § 3. (See 1975, 400 § 79.)

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); revised, 1975, 400 § 25; 1977, 609 § 3. (See 1953, 213 § 2; 1975, 400 § 79.)

SECT. 21, sentence added, 1934, 181 § 1; section revised, 1975, 400 § 26. (See 1934, 181 § 2; 1975, 400 § 79.)

SECT. 22, sentence added, 1962, 433; section revised, 1974, 358 § 2; 1975, 400 § 27. (See 1974, 358 § 3; 1975, 400 § 79.)

SECT. 23 revised, 1973, 379.

SECT. 24 amended, 1943, 168 § 1; revised, 1965, 640; amended, 1975, 400 § 28. (See 1965, 809 §§ 1, 2; 1975, 400 § 79.)

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. 28 revised, 1975, 400 § 29; sentence added, 1975, 661 § 1; revised, 1976, 279 § 1. (See 1975, 400 § 79.)

SECT. 29 revised, 1975, 400 § 30. (See 1975, 400 § 79.)

SECT. 31, paragraph added, 1977, 238; section amended, 1977, 829 § 12.

SECT. 32 amended, 1975, 400 § 31; revised, 1975, 400 § 32. (See 1975, 400 § 79.)

SECT. 32E added, 1977, 984 § 2.

SECT. 33 revised, 1936, 221 § 1. (See 1936, 221 § 2.)

SECT. 34 revised, 1974, 565; 1975, 400 § 33; 1977, 467. (See 1975, 400 § 79.)

SECT. 34A added, 1963, 415 (providing that a decree for alimony ordering a conveyance of real property shall, under certain circumstances, constitute a conveyance); revised, 1975, 400 § 34. (See 1975, 400 § 79.)

SECT. 34B added, 1970, 472 (permitting a judge of probate to order a husband or wife to vacate the marital home); revised, 1975, 321; 400 § 35. (See 1975, 400 § 79.)

- SECT. 35 amended, 1950, 57; 1975, 400 § 36. (See 1975, 400 § 79.)
SECT. 36 revised, 1975, 400 § 37; 1977, 495. (See 1975, 400 § 79.)
SECT. 37 revised, 1975, 400 § 38; 1977, 495. (See 1975, 400 § 79.)
SECT. 38 revised, 1933, 288.
SECT. 39 amended, 1975, 400 § 39. (See 1975, 400 § 79.)
SECT. 41 amended, 1975, 400 § 40. (See 1975, 400 § 79.)
SECT. 42 amended, 1975, 400 § 41. (See 1975, 400 § 79.)
SECT. 44 amended, 1955, 770 § 77. (See 1955, 770 §§ 117, 123.)
SECT. 45 amended, 1948, 279.
SECT. 46 amended, 1952, 86; revised, 1975, 400 § 42; 1976, 246 § 1; 486 § 22. (See 1975, 400 § 79; 1976, 246 § 2; 486 § 31.)
SECT. 47 revised, 1971, 544 § 2; repealed, 1976, 486 § 23. (See 1976, 486 § 31.)

Chapter 209. — Husband and Wife.

- SECT. 1, second sentence stricken out, 1971, 423 § 14.
SECT. 2 revised, 1963, 765 § 1.
SECT. 3 revised, 1975, 558 § 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; 1975, 407 § 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. 27 repealed, 1977, 581 § 3.
SECT. 28 revised, 1977, 581 § 4.
SECT. 30 revised, 1975, 400 § 43; 1977, 400. (See 1975, 400 § 79.)
SECT. 32, sentence added, 1938, 136; section revised, 1968, 370; 1974, 230; 1975, 400 § 44; 1977, 609 § 4; two paragraphs added, 1977, 984 § 1. (See 1975, 400 § 79; 1977, 984 § 3.)
SECTS. 32A-32C repealed, 1975, 400 § 45. (See 1975, 400 § 79.)
SECT. 32D added, 1970, 450 (providing that a decree for separate support may require one of the parties to convey real property); revised, 1975, 400 § 46. (See 1975, 400 § 79.)
SECT. 32F added, 1977, 984 § 2 (further regulating support orders). (See 1977, 984 § 3.)
SECT. 33 revised, 1933, 360; 1975, 400 § 47. (See 1975, 400 § 79.)
SECT. 34 revised, 1975, 400 § 48. (See 1975, 400 § 79.)
SECT. 35 amended, 1975, 400 § 49. (See 1975, 400 § 79.)

SECT. 36 revised, 1975, 400 § 50. (See 1975, 400 § 79.)

SECT. 37 revised, 1975, 400 § 51; sentence added, 1975, 661 § 2; revised, 1976, 279 § 2. (See 1975, 400 § 79.)

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. 4A added, 1976, 421 (providing for certain rights of fathers of children born out of wedlock).

SECT. 5A revised, 1950, 737 § 2; first paragraph, first sentence revised, 1970, 404 § 2; second sentence stricken out, two sentences added, 1975, 579; 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); second paragraph amended, 1976, 486 § 24; paragraph added, 1957, 274. (See 1976, 486 § 31.)

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; fourth sentence amended, 1975, 769 § 1. (See 1975, 769 § 2.)

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; first sentence amended, 1974, 260 § 31; 1975, 58 § 5A; second sentence amended, 1975, 858 § 5B.

SECT. 12 revised, 1977, 869 § 3. (See 1977, 869 § 5.)

SECT. 13, first paragraph amended, 1948, 247; revised, 1966, 342 § 1; paragraph added, 1943, 155 § 2; revised, 1977, 869 § 4. (See 1977, 869 § 5.)

SECT. 14 revised, 1966, 342 § 2; 1976, 486 § 25. (See 1976, 486 § 31.)

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; amended, 1977, 234 §§ 133-135; revised, 1977, 872 §§ 130-132. (See 1977, 234 § 198; 872 § 204.)

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; first sentence revised, 1977, 234 §§ 136-138; 872 §§ 133-135. (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; 1977, 234 § 198, 872 § 204.)

Chapter 211A. — Appeals Court.

New Chapter inserted, 1972, 740 § 1.

SECT. 2, first sentence revised, 1973, 428 § 4, 856 § 3; 1974, 558 § 3; 1977, 234 §§ 139-141; 1977, 872 §§ 136-138.) (See 1973, 428 § 19, 856 § 17; 1974, 558 § 20; 1977, 234 § 198; 872 § 204.)

SECT. 6 revised, 1974, 784; second paragraph, third sentence revised, 1977, 234 §§ 142-144, 872 §§ 139-141. (See 1977, 234 § 198, 872 § 204.)

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; third sentence revised, 1975, 599 § 3. (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 establishment 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; 1977, 234 §§ 145-147, 872 §§ 142-144. (See 1963, 772 § 3; 1973, 428 § 19, 856 § 17; 1974, 558 § 20; 1977, 234 § 198, 872 § 204.)

SECT. 14F added, 1975, 861 § 2 (providing for temporary service by certain retired justices of the Superior Court). (See 1975, 861 § 4.)

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; first sentence revised, 1977, 234 §§ 148-150, 872 §§ 145-147. (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; 1977, 234 § 198, 872 § 204.)

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. 3B added, 1975, 776 § 3 (regulating public and quasi-public departments, boards, authorities and commissions relative to records containing personal data and creating responsibilities relative thereto); amended, 1977, 691 § 14. (See 1975, 776 § 5.)

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. 2, amended, 1975, 400 § 52. (See 1975, 400 § 79.)

SECT. 3, first sentence amended, 1962, 567 § 2, 722 § 6; sentence added, 1949, 56; section revised, 1975, 400 § 53. (See 1975, 400 § 79.)

SECT. 4 revised, 1975, 400 § 54. (See 1975, 400 § 79.)

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; 1975, 400 § 55. (See 1954, 556 § 10; 1963, 820 § 2; 1970, 888 § 31; 1973, 1114 § 351; 1975, 400 § 79.)

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. 8A amended, 1975, 400 § 56. (See 1975, 400 § 79.)

SECT. 9, sentence added, 1945, 469 § 1; stricken out, 1947, 360; section revised, 1973, 1114 § 65; 1975, 400 § 57. (See 1945, 469 § 2; 1946, 88, 610 § 1; 1947, 97 § 1; 1973, 1114 § 351; 1975, 400 § 79.)

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; revised, 1975, 400 § 58. (See 1975, 400 § 79.)

SECT. 12 repealed, 1973, 1114 § 67. (See 1973, 1114 § 351.)

SECT. 13 amended, 1973, 1114 § 68; 1975, 400 § 59. (See 1973, 1114 § 351; 1975, 400 § 79.)

SECT. 14 revised, 1975, 400 § 60. (See 1975, 400 § 79.)

SECT. 15 revised, 1960, 207 § 3; repealed, 1975, 400 § 61 (See 1975, 400 § 79.)

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. 22 revised, 1975, 400 § 62. (See 1975, 400 § 79.)

SECT. 24 revised, 1975, 400 § 63. (See 1975, 400 § 79.)

SECT. 28 revised, 1975, 400 § 64. (See 1975, 400 § 79.)

SECT. 29 repealed, 1975, 400 § 65. (See 1975, 400 § 79.)

SECT. 30A amended, 1934, 330; revised, 1956, 664; 1963, 819 § 1.

SECT. 32 revised, 1975, 400 § 66. (See 1975, 400 § 79.)

SECT. 34, sentence added, 1971, 275; section amended, 1973, 1114 § 71; revised, 1975, 400 § 67. (See 1973, 1114 § 351; 1975, 400 § 79.)

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; section revised, 1975, 400 § 68. (See 1975, 400 § 79.)

SECT. 34B added, 1977, 973 (relative to certain contempt procedures in the probate court).

SECT. 36 revised, 1956, 187; 1957, 32; amended, 1958, 498; 1960, 331; revised, 1975, 400 § 69. (See 1975, 400 § 79.)

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); revised, 1975, 400 § 70. (See 1975, 400 § 79.)

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. 46 revised, 1975, 400 § 71. (See 1975, 400 § 79.)

SECT. 48 repealed, 1970, 317 § 2,

SECT. 51 repealed, 1955, 418 § 2. (See 1955, 418 § 3.)

SECT. 56A revised, 1975, 400 § 72. (See 1975, 400 § 79.)

SECT. 56B added, 1971, 947 (authorizing the appointment of a guardian ad litem to institute contempt proceedings involving minors); revised, 1975, 400 § 73. (See 1975, 400 § 79.)

SECT. 58 revised, 1947, 449 § 4; 1975, 400 § 74. (See 1947, 449 § 7; 1975, 400 § 79.)

SECT. 60 revised, 1975, 400 § 75. (See 1975, 400 § 79.)

SECT. 61 repealed, 1939, 65 § 1. (See 1939, 65 § 2.)

SECT. 62, paragraph in lines 4-6 revised, 1972, 489; 1975, 243; 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; 1975, 381; 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 § 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; 1975, 382; 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; 1975, 862 § 1. (See 1975, 862 § 12.)

SECT. 3A added, 1975, 820 § 2 (providing for temporary service by retired judges of probate and insolvency). (See 1975, 820 § 5.)

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; 1975, 862 § 2. (See 1975, 862 § 12.)

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. 9 revised, 1975, 400 § 76. (See 1975, 400 § 79.)

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. 15B added, 1975, 651 (providing for the recording of inventory information in all estates which involve interest in real property within a registry district other than the one in which any estate is probated).

SECT. 16 amended, 1975, 684 § 82, (See 1975, 684 § 97.)

SECT. 19 amended, 1948, 354 § 1; 1954, 529 § 2.

SECT. 21 revised, 1975, 400 § 77. (See 1975, 400 § 79.)

SECT. 22 revised, 1975, 400 § 78. (See 1975, 400 § 79.)

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. 28 amended, 1977, 678.

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 Duke 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 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; revised, 1976, 449.

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; 1975, 862 § 3; 1977, 234 §§ 151-153A, 872 §§ 148-151. (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; 1975, 862 § 12; 1977, 234 § 198, 872; 204.)

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; section revised, 1977, 234 §§ 154-156, 872 §§ 152-154. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3; 1969, 845 § 12; 1973, 428 § 19, 856 § 17; 1974, 558 § 20; 1977, 234 § 198; 1977, 872 § 204.)

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; section revised, 1977, 234 §§ 157-159, 872 §§ 155-157. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3; 1977, 234 § 198, 872 § 204.)

SECT. 38 repealed, 1937, 408 § 2.

SECT. 40 revised, 1937, 408 § 6; 1963, 819 § 4; 1967, 644; 1971, 680 § 3; repealed, 1975, 862 § 4. (See 1937, 408 § 9; 1975, 862 § 12.)

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; third paragraph under caption "*Plymouth*" revised, 1977, 697; 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; 1976, 254; amended, 1976, 522 § 1; two sentences added after first sentence, 1975, 587 § 1; second paragraph amended, 1966, 699 § 6; second sentence revised, 1969, 845 § 6; 1973, 428 § 9, 856 § 8; 1974, 558 § 7; 1977, 234 §§ 160-162, 872 §§ 158-160; fourth paragraph revised, 1971, 688; amended, 1972, 702; first sentence revised, 1973, 428 § 10, 856 § 9; 1974, 558 § 8; 1975, 862 § 5; 1977, 234 §§ 163-165, 872 §§ 161-163; second sentence revised, two sentences added after second sentence, 1975, 587 § 2. (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; 1976, 522 § 3; 1977, 234 § 198; 872 § 204.)

SECT. 6A added 1975, 862 § 6 (providing for temporary service by certain retired justices of the superior court).

SECT. 8 revised, 1936, 282 § 1; paragraph added, 1975, 587 § 3. (See 1936, 282 § 3; 1966, 699 § 11.)

SECT. 9, sentence added, 1934, 217 § 1; section revised, 1951, 604 § 1; first sentence amended, 1952, 156 § 1; revised, 1971, 717 § 1; second sentence revised, 1961, 526 § 1; 1975, 587 § 4; 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 § 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, 1941, 309 § 1; revised, 1960, 772; 1962, 595; 1966, 241; 1968, 481; revised, 1969, 860 § 2A; paragraph added, 1948, 642 § 1; two paragraphs added, 1967, 548 § 3; eighth paragraph revised, 1969, 860 § 3; 1970, 585 § 2; 1971, 765 § 3; paragraph added, 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; first paragraph; first sentence revised, two sentences added, 1975, 318 § 1; first paragraph amended, 1977, 445 § 1; 446 § 1; 819 § 1; second paragraph amended, 1977, 445 § 2; last paragraph revised, 1975, 318 § 2; paragraph added, 1975, 587 § 5.

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; 1975, 587 § 6; 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; first sentence revised, sentence added after first sentence, 1975, 377 § 4; sentence added, 1962, 722 § 7. (See 1934, 387 § 5; 1943, 296 § 6,

437; 1954, 556 § 10, 616 § 5; 1956, 426; 1958, 369 § 4; 1975, 377 § 164.)

SECT. 19A added, 1967, 549 § 1 (increasing number of assistant clerks in certain district courts); fifth sentence revised, 1975, 377 § 5. (See 1975, 377 § 164.)

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); second paragraph, first sentence revised, 1975, 377 § 6. (See 1969, 419 § 2; 1975, 377 § 164.)

SECT. 19C added, 1970, 582 (providing certain equity powers to district courts).

SECT. 20, first sentence, revised, 1973, 1114 § 72; section revised, 1975, 377 § 7. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 21 amended, 1953, 168; revised, 1960, 160; 1963, 810 § 3; 1964, 496 § 1; amended, 1967, 21 § 1; revised, 1970, 106 § 1; first sentence amended, 1971, 271 § 1; revised, 1976, 266 § 20; second sentence amended, 1975, 337 § 8; third sentence revised, 1973, 577; amended, 1973, 748 § 1; revised, 1975, 626; sentence inserted after third sentence, 1973, 577; sentence added, 1972, 452; stricken out and three sentences inserted, 1976, 266 § 21. (See 1964, 496 § 2; 1967, 21 § 2; 1970, 106 § 2; 1971, 271 § 2; 1975, 377 § 164; 1976, 266 § 23.)

SECT. 22 amended, 1937, 310; first sentence revised, 1954, 328 § 1; 1971, 858 § 2; 1975, 377 § 9; fifth sentence amended, 1975, 377 § 10. (See 1954, 328 § 4; 1975, 377 § 164.)

SECT. 23 amended, 1950, 500 § 1; revised, 1973, 748 § 2; first paragraph, sentence inserted after second sentence, 1976, 266 § 22; first paragraph amended, 1977, 979 § 2; fifth sentence amended, 1974, 166 § 1; second paragraph, first sentence revised, 1974, 377 § 11; fourth paragraph amended, 1974, 166 § 2. (See 1975, 377 § 164; 1977, 979 § 4.)

SECT. 24 amended, 1975, 377 § 12. (See 1975, 377 § 164.)

SECT. 25 amended, 1975, 377 § 13. (See 1975, 377 § 164.)

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; first sentence amended, 1973, 585; 1976, 235. (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; paragraph added, 1975, 552.

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; 1975, 862 § 7.

SECT. 43 amended, 1939, 347 § 3; revised, 1963, 810 § 6; 1975, 377 § 14. (See 1975, 377 § 164.)

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.)

SECTS. 45-46 repealed, 1975, 377 § 15. (See 1975, 377 § 164.)

SECT. 50 revised, 1963, 810 § 9; first paragraph, two sentences added, 1975, 587 § 7. (See 1963, 810 § 20.)

SECT. 52, third sentence amended, 1948, 398 § 2, sixth sentence revised, 1949, 462; 1961, 534; 1970, 623; 1975, 587 § 8.

SECT. 53, first sentence revised, 1950, 245; 1966, 697 § 1; first paragraph amended, 1948, 642 § 2; two sentences inserted after second sentence, 1975, 587 § 9; 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 salaries to temporary assistant clerks in the Boston Municipal Court); second sentence revised, 1975, 587 § 10.

SECT. 54 revised, 1975, 377 § 16; 836 § 1. (See 1975, 377 § 164.)

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, 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; first sentence revised, 1975, 715; 1977, 241 § 1; sentence added, 1975, 506; second paragraph revised, 1974, 534. (See 1936, 282 § 3; 1963, 810 § 21; 1977, 241 § 4.)

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. 58B added, 1975, 862 § 8 (further regulating the duties of certain judges of probate and making special justices of the district courts and of the Boston Juvenile Court full time).

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; clause (8) amended, 1977, 729 § 1; clause (9) amended, 1977, 729 § 2. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2; 1970, 93 § 2; 1971, 566 § 2; 1972, 605 § 2; 1977, 729 § 4.)

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, 1969, 859 § 18; revised, 1972, 731 § 17.

SECT. 74 revised, 1963, 810 § 11.

*Void for non-acceptance.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1; 1955, 748 § 1; 1962, 680 § 1; 1963, 810 § 12; 1966, 699 § 7; 1969, 845 § 7; 1973, 428 § 11, 856 § 10; revised, 1974, 558 § 9; 1977, 234 §§ 166-168, 872 §§ 164-166. (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; 1977, 234 § 198, 872 § 204.)

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; 1977, 234 §§ 169-171, 872 §§ 167-169. (See 1946, 512 § 3, 609 § 3; 1963, 774 §§ 2, 3; 1964, 479 § 1; 1966, 539 § 2; 1969, 854 § 2; 1970, 245 § 4; 1971, 884 § 3; 1973, 887 § 2; 1974, 558 § 20; 1977, 234 § 198, 872 § 204.)

SECT. 75B added, 1977, 769 § 2 (relative to salaries of certain first assistant clerks). (See 1977, 769 § 3.)

SECT. 76 amended, 1932, 269 § 1; 1935, 366 § 1; 1937, 378 § 1; revised, 1939, 451 § 60; amended, 1945, 476 § 1; 1946, 453, 498 § 1; revised, 1946, 530, 578; amended, 1946, 600; revised, 1947, 576; 1948, 667 § 1; 1949, 461 § 1; 1951, 768 § 1A; 1959, 609 § 6; 1963, 810 § 13; 1964, 694 § 1; 1966, 699 § 8; revised, 1969, 845 § 8; 1973, 428 § 12, 856 § 11; 1974, 558 § 10; 1977, 234 §§ 172-174, 872 §§ 170-172. (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; 1977, 234 § 198, 872 § 204.)

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; 1977, 234 §§ 175-177, 872 §§ 173-175. (See 1973, 428 § 19, 856 § 17; 1974, 558 § 20, 741 § 3; 1977, 234 § 198, 872 § 204.)

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; 1975, 782 § 1; second paragraph, second sentence revised, 1970, 247; third paragraph revised, 1975, 862 § 9; section revised, 1975, 863 § 1, § 3, § 5; first paragraph amended, 1977, 234 §§ 178-180; revised, 1977, 234 § 181; amended, 1977, 872 §§ 176-178. (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; 1975, 782 § 3; 863 § 7; 1977, 234 § 198, 872 § 204.)

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; 1975, 862 § 10; 1977, 234 §§ 182-184, 872 §§ 179-181 (See 1969, 845 § 12; 1973, 428 § 19, 856 § 17; 1974, 558 § 20; 1977, 234 § 198, 872 § 204.)

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, 1953, 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, 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; 1975, 782 § 2; section revised, 1975, 863 § 2, § 4; repealed, 1975, 863 § 6; first paragraph revised, 1977, 234 §§ 185-187 (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; 1975, 782 § 3; 863 § 7; 1977, 234 § 198, 872 § 204.)

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; Class I amended, 1976, 410 § 1; 413 § 2; 469 § 1; Class II revised, 1976, 469 § 2; Class III amended, 1976, 410 § 2; Class IV amended, 1976, 413 § 1. (See 1941, 447 §§ 4, 5; 1943, 136 § 3; 1948, 667 § 6, 7; 1953, 421; 1956, 738 §§ 11, 13, 14; 1959, 609 §§ 4, 5, 8, 9; 1961, 362 § 2, 612 § 4, 613 § 2; 1962, 423 §§ 4, 5, 761 § 2; 1963, 841 §§ 5, 6, 7; 1966, 536 § 2; 1969, 853 § 2; 1972, 332 § 3, 446 § 7; 1976, 413 § 3.)

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, § 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, 366 § 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; repealed, 1975, 50.

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. 6M added, 1977, 439 (providing for the designation of an assistant clerk of courts for the county of Bristol to perform certain duties).

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, 114 § 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. 34A revised, 1977, 698.

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.

SECT. 44A and 44B added, 1939, 197 § 2 (prohibiting employees and their 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; repealed, 1975, 377 § 17. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 58 amended, 1932, 40 § 1; first sentence amended, 1973, 1114 § 81; 1975, 377 § 18. (See 1975, 377 § 164.)

SECT. 60 repealed, 1932, 40 § 2.

SECTS. 61-62 revised, 1973, 1114 § 82; 1975, 377 § 19. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 62A revised, 1973, 1114 § 82. (See 1973, 1114 § 351.)

SECT. 63 amended, 1939, 6 § 1. (See 1939, 6 §§ 2, 3.)

SECT. 64A added, 1976, 237 § 2 (authorizing the reporter of decisions to regulate reports of the sale and distribution of certain decisions).

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, first sentence revised, 1977, 264; 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 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, 468 §§ 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); second sentence revised, sentence added, after second sentence, 1975, 457 § 1.

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; 1977, 234 §§ 188-190, 872 §§ 185-187. (See 1977, 234 § 198, 872 § 204.)

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; under caption of Supreme Judicial Court for Suffolk County, four paragraphs revised, 1977, 234 §§ 191-193, 872 §§ 188-190; two subdivisions for superior court Suffolk revised, 1977, 423 § 1, 872 §§ 191-193; 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; 1977, 423 § 2, 234 § 198, 872 § 204.)

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 acknowledgement 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; 377 § 20; 836 § 2. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954; 1975, 616 § 4; 1958, 369 § 4; 1965, 752 § 2; 1975, 377 § 164.)

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 disposition of certain actions and proceedings pending at different courts). (See 1943, 369 § 2.)

SECT. 2A revised, 1952, 460; amended, 1967, 767 § 1; 1975, 377 § 21. (See 1967, 767 § 4; 1975, 377 § 164.)

SECT. 2B amended, 1945, 373 § 1. (See 1945, 373 § 2.)

SECT. 4 revised, 1973, 1114 § 84 1975, 377 § 22. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 8A added, 1947, 488 § 6 (relative to transitory actions by or against subscribers to a reciprocal or inter-insurance exchange).

SECT. 12 revised, 1975, 377 § 23. (See 1975, 377 § 164.)

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. 16-18 repealed, 1975, 377 § 24. (See 1975, 377 § 164.)

SECT. 19 revised, 1975, 377 § 25. (See 1975, 377 § 164.)

SECTS. 21-22 repealed, 1973, 1114 § 87. (See 1973, 1114 § 351.)

SECT. 23 repealed, 1975, 377 § 26. (See 1975, 377 § 164.)

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.)

SECTS. 25-30 repealed, 1975, 377 § 26. (See 1975, 377 § 164.)

SECT. 31 amended, 1974, 748; revised, 1975, 377 § 27. (See 1975, 377 § 164.)

SECT. 32 repealed, 1975, 377 § 28. (See 1975, 377 § 164.)

SECT. 33 repealed, 1973, 1114 § 91. (See 1973, 1114 § 351.)

SECTS. 35-36 revised, 1973, 1114 § 92. (See 1973, 1114 § 351.)

SECT. 36 repealed, 1975, 377 § 28. (See 1975, 377 § 164.)

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; 1976, 252 § 10.

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; revised, 1975, 377 § 29; 501 § 1. (See 1973, 1114 § 351; 1975, 377 § 164.)

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; first sentence revised, 1975, 377 § 30. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 44 revised, 1973, 1114 § 96; 1973, 377 § 31. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 44A added, 1937, 295 § 2 (further regulating the attachment of motor vehicles on mesne process in actions of contract); revised, 1973, 1114 § 97; amended, 1975, 501 § 2. (See 1973, 1114 § 351.)

SECT. 45 amended, 1973, 1114 § 98; first sentence revised, 1975, 377 § 32. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 45A, sentence added, 1954, 181.

SECT. 46 revised, 1973, 1114 § 99; repealed, 1975, 377 § 33. (See 1973, 1114 § 351; 1975, 377 § 164.)

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; 1975, 377 § 34; first paragraph revised, 1977, 685. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECTS. 60-61 repealed, 1973, 1114 § 103. (See 1973, 1114 § 351.)

SECT. 62, sentence added, 1947, 105; amended, 1975, 377 § 35. (See 1975, 377 § 164.)

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. 82 revised, 1943, 298 § 8. (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. 84 revised, 1975, 377 § 36. (See 1975, 377 § 164.)
SECTS. 85-86 repealed, 1975, 377 § 37. (See 1975, 377 § 164.)
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. 113A added, 1975, 572 § 1 (facilitating the discharge of attachments of land).
SECT. 114 amended, 1938, 325 § 1; revised, 1943, 234 § 2; amended, 1973, 1114 § 115; second and third sentences stricken out, sentence inserted, 1975, 377 § 38. (See 1938, 325 § 2; 1943, 234 § 3; 1973, 1114 § 351; 1975, 377 § 164.)
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; 1975, 377 § 39. (See 1973, 1114 § 351; 1975, 377 § 164.)
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; repealed, 1975, 377 § 40. (See 1972, 179 § 3; 1973, 1114 § 351; 1975, 377 § 164.)
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 § 118. (See 1973, 1114 § 351.)
SECT. 119 amended, 1975, 377 § 41. (See 1975, 377 § 164.)
SECT. 120 revised, 1975, 377 § 42. (See 1975, 377 § 164.)
SECT. 121, second sentence revised, 1975, 377 § 43. (See 1975, 377 § 164.)
SECT. 125 revised, 1973, 1114 § 120; first sentence revised, 1975, 377 § 44. (See 1973, 1114 § 351 1975, 377 § 164.)
SECTS. 127-128 revised, 1973, 1114 § 121. (See 1973, 1114 § 351.)
SECT. 128 amended, 1975, 377 § 45. (See 1975, 377 § 164.)
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 and of the Commonwealth over Persons in Other States and Countries.

New chapter inserted, 1968, 760.

SECT. 3 amended, 1969, 623; 1976, 435.

Chapter 224. — Arrest on Mesne Process and Supplementary Proceedings in Civil Actions.

SECT. 1, paragraph added, 1973, 567.

SECTS. 2-5, repealed, 1975, 377 § 46. (See 1975, 377 § 164.)

SECT. 6, first sentence amended, 1971, 843 § 6; 1973, 591 § 5; fifth sentence amended, 1972, 255; section revised, 1975, 377 § 47. (See 1971, 843 § 27; 1973, 591 § 22; 1975, 377 § 164.)

SECTS. 9-11, repealed, 1975, 377 § 48. (See 1975, 377 § 164.)

SECT. 12 amended, 1945, 101 § 1; 1975, 377 § 49. (See 1975, 377 § 164.)

SECT. 13 repealed, 1975, 377 § 50. (See 1975, 377 § 164.)

SECT. 14 revised, 1974, 414 § 1; eighth sentence revised, 1975, 377 § 51. (See 1975, 377 § 164.)

SECT. 15 amended, 1974, 414 § 2.

SECT. 16 amended, 1943, 292 § 1; revised, 1974, 414 § 3; second sentence revised, sentence inserted after second sentence, 1975, 501 § 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.)

SECT. 29 amended, 1975, 377 § 52. (See 1975, 377 § 164.)

Chapter 226. — Bail.

SECT. 18 repealed, 1973, 1114 § 123. (See 1973, 1114 § 351.)

SECT. 23 amended, 1945, 101 § 2.

Chapter repealed, 1975, 377 § 53. (See 1975, 377 § 164.)

Chapter 227. — Proceedings against Absent Defendants and upon Insufficient Service.

SECT. 1 amended, 1949, 612 § 1; revised, 1973, 1114 § 124; amended, 1975, 377 § 54. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 2 revised, 1975, 377 § 55. (See 1975, 377 § 164.)

SECT. 3 revised, 1973, 1114 § 125. (See 1973, 1114 § 351.)

SECTS. 3-4 repealed, 1975, 377 § 56. (See 1975, 377 § 164.)

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; fourth sentence revised, 1975, 377 § 57. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 6 amended, 1973, 1114 § 127. (See 1973, 1114 § 351.)

SECT. 7 amended, 1971, 843 § 7; 1973, 591 § 6, 1114 § 128; first sentence amended, 1975, 377 § 58. (See 1971, 843 § 27; 1973, 591 § 22, 1114 § 351; 1975, 377 § 164.)

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; 1975, 377 § 59. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 10 repealed, 1975, 377 § 60. (See 1975, 377 § 164.)

SECTS. 11-13 revised, 1973, 1114 § 131. (See 1973, 1114 § 351.)

SECT. 11 revised, 1975, 377 § 61. (See 1975, 377 § 164.)

SECTS. 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; amended, 1975, 377 § 62. (See 1934, 300 § 2; 1975, 377 § 164.)

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); revised, 1975, 377 § 63. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 5 amended, 1933, 221 § 7; revised, 1937, 406 § 1; amended, 1950, 391; revised, 1973, 1114 § 135; amended, 1975, 377 § 64. Affected, 1938, 16. (See 1933, 221 § 8; 1973, 1114 § 351; 1975, 377 § 164.)

SECTS. 5A-5C added, 1973, 1114 § 136 (further regulating civil actions against executors and administrators of estates). (See 1973, 1114 § 351.)

SECT. 5A amended, 1975, 377 § 65. (See 1975, 377 § 164.)

SECT. 5C amended, 1975, 377 § 66. (See 1975, 377 § 164.)

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.)

SECT. 12 repealed, 1975, 377 § 67. (See 1975, 377 § 164.)

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, 1948, 238 § 2. (See 1958, 238 § 10.)

SECT. 2C amended, 1951, 250; repealed, 1958, 238 § 3. (See 1948, 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, 1948, 238 § 7. (See 1948, 238 § 10.)

SECT. 6F revised, 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; amended, 1975, 377 § 68. (See 1973, 1114 § 351; 1975, 377 § 164.)

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.)

SECT. 10, first paragraph stricken out, 1975, 377 § 69; second paragraph amended, 1975, 377 § 70. (See 1975, 377 § 164.)

SECT. 11 amended, 1975, 377 § 71. (See 1975, 377 § 164.)

SECT. 12 revised, 1975, 377 § 72. (See 1975, 377 § 164.)

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.)

SECTS. 1-5, repealed, 1975, 377 § 73. (See 1975, 377 § 164.)

SECT. 6 revised, 1973, 1114 § 153; second sentence revised, sentence inserted after second sentence, 1975, 377 § 74. (See 1973, 1114 § 351; 1975, 377 § 164.)

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; repealed, 1975, 377 § 75. (See 1939, 372 § 2; 1973, 1114 § 351; 1975, 377 § 164.)

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.)

SECTS. 6E-6G added, 1976, 233 § 1 (providing for the allocation of counsel fees and expenses in civil cases). (See 1976, 233 § 3.)

SECT. 6E, definition of "Party" revised, 1976, 313 § 2.

SECT. 7, amended, 1939, 67 § 1; 1973, 1114 § 157; repealed, 1975, 377 § 75. (See 1939, 67 § 2; 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 8 repealed, 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.)

SECTS. 10-20, repealed, 1975, 377 § 75. (See 1975, 377 § 164.)

SECTS. 21-22 revised, 1975, 377 § 76. (See 1975, 377 § 164.)

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. 23-30, repealed, 1975, 377 § 77. (See 1975, 377 § 164.)

SECTS. 31-39 revised, 1973, 1114 § 164. (See 1973, 1114 § 351.)

SECTS. 32-34 repealed, 1975, 377 § 78. (See 1975, 377 § 164.)

SECT. 35 amended, 1975, 377 § 79. (See 1975, 377 § 164.)

SECTS. 36-38 repealed, 1975, 377 § 80. (See 1975, 377 § 164.)

SECT. 39, first sentence stricken out, 1975, 377 § 81. (See 1975, 377 § 164.)

SECT. 40 amended, 1973, 1114 § 165. (See 1973, 1114 § 351.)

SECT. 41 amended, 1973, 1114 § 166. (See 1973, 1114 § 351.)

SECTS. 40-41 repealed, 1975, 377 § 82. (See 1975, 377 § 164.)

SECTS. 42-43 revised, 1973, 1114 § 167; 1975, 377 § 83. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 46 repealed, 1973, 1114 § 168. (See 1973, 1114 § 351.)

SECTS. 49-54 revised, 1973, 1114 § 169. (See 1973, 1114 § 351.)

SECTS. 49-50 repealed, 1975, 377 § 84. (See 1975, 377 § 164.)

SECT. 51 revised, 1975, 377 § 85. (See 1975, 377 § 164.)

SECT. 52 revised, 1975, 377 § 86. (See 1975, 377 § 164.)

SECTS. 53-54 repealed, 1975, 377 § 87. (See 1975, 377 § 164.)

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.)

SECTS. 56-59 repealed, 1975, 377 § 87. (See 1975, 377 § 164.)

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; section repealed, 1975, 377 § 187. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 59C added, under caption, 1935, 1118 § 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, 1118 § 2; 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. 59F added, 1976, 61 (providing for advancement for speedy trial of certain actions).

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.)

SECTS. 60B-60E added, 1975, 362 § 5 (relative to medical malpractice). (See 1975, 362 § 13.)

SECT. 60D revised, 1975, 634 § 1. (See 1975, 634 § 2.)

SECT. 61, first sentence revised, 1973, 1114 § 179; 1975, 377 § 88; sentence inserted after first sentence, 1975, 377 § 88. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 62, sentence added, 1958, 270.

SECT. 63 amended, 1932, 84 § 1.

SECT. 64 amended, 1966, 432.

SECT. 68 amended, 1973, 1114 § 180; 1975, 377 § 89. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 69 amended, 1932, 177 § 1; revised, 1946, 450; first sentence revised, 1973, 1114 § 181; amended, 1975, 377 § 90. (See 1932, 177 § 2; 1973, 1114 § 351; 1975, 377 § 164.)

SECTS. 70 and 71 revised, 1973, 1114 § 182. (See 1973, 1114 § 351.)

SECT. 70 repealed, 1975, 377 § 91. (See 1975, 377 § 164.)

SECT. 71 revised, 1975, 377 § 92. (See 1975, 377 § 164.)

SECT. 72 amended, 1958, 50; revised, 1973, 1114 § 183; 1975, 377 § 93. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 73 repealed, 1932, 180 § 40.

SECTS. 74-76 revised, 1973, 1114 § 184; repealed, 1975, 377 § 94. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 77 repealed, 1973, 1114 § 185. (See 1973, 1114 § 351.)

SECT. 78 repealed, 1932, 180 § 40.

SECT. 79 amended, 1973, 1114 § 186; repealed, 1975, 377 § 94. (See 1973, 1114 § 351; 1975, 377 § 164.)

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 the 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. 85C amended, 1975, 377 § 95. (See 1975, 377 § 164.)

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; third sentence amended, 1975, 189.

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.)

SECT. 85P added, 1975, 315 § 1 (clarifying the law with respect to the age of majority for certain legal purposes). (See 1975, 315 § 2.)

SECT. 85Q added, 1977, 259 (defining the standards of care owed to children by certain landowners).

SECTS. 86-88 revised, 1973, 1114 § 190. (See 1973, 1114 § 351.)

SECT. 86 repealed, 1975, 377 § 96. (See 1975, 377 § 164.)

SECT. 88 amended, 1975, 377 § 97. (See 1975, 377 § 164.)

SECT. 90 amended, 1973, 1114 § 191; repealed, 1975, 377 § 98. (See 1973, 1114 § 351; 1975, 377 § 164.)

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. 95 amended, 1975, 377 § 99. (See 1975, 377 § 164.)

SECT. 96 amended, 1975, 377 § 100. (See 1975, 377 § 164.)

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; first sentence amended, 1977, 655 § 2. (See 1973, 1114 § 351.)

SECT. 101 amended, 1975, 377 § 101. (See 1975, 377 § 164.)

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; second sentence revised, 1975, 377 § 102; eighth sentence stricken out, 1975, 377 § 102A; fourth paragraph, sentence inserted after first sentence, 1967, 767 § 3. (See 1958, 369 § 4; 1967, 767 § 4; 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 103 revised, 1975, 377 § 103. (See 1975, 377 § 164.)

SECT. 104 amended, 1950, 500 § 2; revised, 1956, 302 § 1; 1960, 352 § 1; 1965, 377; amended, 1974, 437 § 2; second and third paragraphs revised, 1975, 123 § 1; section revised, 1975, 377 § 104. (See 1975, 123 § 2; 377 § 164.)

SECT. 104A added, 1960, 352 § 2 (relative to the removal of certain actions from the district courts to the superior court); amended, 1975, 377 § 105. (See 1975, 377 § 164.)

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; third sentence amended, 1971, 867 § 2; revised, 1973, 568; sentence inserted after fifth sentence, 1958, 300; amended, 1971, 867 § 2; second paragraph revised, 1939, 382; amended, 1948, 322; revised, 1949, 683; 1973, 940; third paragraph, first sentence amended, 1973, 1114 § 196; revised, 1975, 377 § 106; second sentence revised, 1933, 255 § 1; 1962, 287; stricken out, 1975, 377 § 107; third sentence stricken out, 1975, 377 § 107A; ninth sentence amended, 1975, 377 § 107B. (See 1933, 255 § 2; 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 109 amended, 1973, 1114 § 197; third sentence amended, 1975, 377 § 108; seventh sentence stricken out, 1975, 377 § 108A. (See 1973, 1114 § 351; 1975, 377 § 164.)

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; 1977, 405. (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; section repealed, 1975, 377 § 109. (See 1945, 578 § 3; 1975, 377 § 164.)

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. 140 repealed, 1975, 377 § 110. (See 1975, 377 § 164.)

SECT. 140A added, 1932, 130 § 1 (relative to the effect of a settlement by agreement of an action of tort growing out of a motor vehicle accident upon the right of a defendant in such action to maintain a cross action); revised, 1947, 431 § 1. (See 1947, 431 § 2.)

SECTS. 140B-140C added, 1967, 259 (providing that payments by insurance companies be inadmissible at trial on issue of liability).

SECT. 140B, two paragraphs added, 1971, 141.

SECT. 141 amended, 1932, 130 § 2; 1933, 300 § 3; 1934, 387 § 4; 1943, 296 § 5, 350 § 2; 1945, 352 § 2; 1946, 212 § 2; 1954, 616 § 4; 1958, 369 § 3A; 1960, 352 § 3; 1956, 302 § 3; 1966, 88; 1967, 743; 1971, 785 § 1A; 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.)

SECTS. 141-147 repealed, 1975, 377 § 110. (See 1975, 377 § 164.)

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 repealed, 1975, 377 § 111. (See 1975, 377 § 164.)

Chapter 232A. — Tender.

New chapter inserted, 1973, 1114 § 213. (See 1973, 1114 § 351.)

Chapter 233. — Witnesses and Evidence.

SECT. 1 revised, 1945, 250 § 2; 1975, 377 § 112. (See 1975, 377 § 164.)

SECT. 2 revised, 1975, 377 § 112. (See 1975, 377 § 164.)

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; 1975, 466.

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; definition of "Psychotherapist" revised, 1977, 817.

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. 21B added, 1977, 110 (regulating the admissibility of certain evidence in rape cases).

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; 1975, 377 § 113. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 26 amended, 1932, 71 § 1.

SECT. 29 amended, 1932, 71 § 2.

SECT. 30 amended, 1932, 71 § 3; revised, 1977, 144.

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 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; first two paragraphs revised, 1976, 489.

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).

SECT. 80 revised, 1975, 457 § 2.

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; amended, 1975, 713; eighth sentence revised, sentence added, 1955, 38 § 1; revised, 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 summoning 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; second paragraph revised, 1975, 335.

SECT. 29 revised, 1945, 428 § 2; 1955, 485 § 1; first sentence amended, 1957, 335; 1972, 285; third sentence revised, 1963, 197. (See 1945, 428 § 3; 1955, 485 § 2.)

SECTS. 34A-34B added, 1972, 460 (further regulating the number of jurors required in civil actions).

Chapter 234A. — Selection and Management of Jurors for Middlesex County.

New chapter inserted, 1977, 415 § 2. (See 1977, 415 § 14.)

Chapter 235. — Judgment and Execution.

SECT. 1 repealed, 1973, 1114 § 217. (See 1973, 1114 § 351.)

SECT. 2 repealed, 1975, 377 § 114. (See 1975, 377 § 164.)

SECTS. 4 and 5 revised, 1973, 1114 § 218. (See 1973, 1114 § 351.)

SECT. 5 repealed, 1975, 377 § 115. (See 1975, 377 § 164.)

SECT. 8 revised, 1973, 1114 § 219. (See 1973, 1114 § 351.)

SECT. 11 revised, 1973, 1114 § 220; 1975, 377 § 116. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 14 revised, 1965, 328.

SECT. 16 revised, 1973, 1114 § 221; 1975, 377 § 117. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 17, paragraph added, 1948, 113.

SECTS. 19-21 revised, 1973, 1114 § 222. (See 1973, 1114 § 351.)

SECT. 19 revised, 1975, 377 § 118. (See 1975, 377 § 164.)

SECT. 20 amended, 1975, 377 § 119. (See 1975, 377 § 164.)

SECT. 21 revised, 1975, 377 § 120. (See 1975, 377 § 164.)

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; third sentence revised, 1975, 377 § 121. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 34, clause Second amended, 1951, 35; section revised, 1970, 616; clause First revised, 1975, 501 § 4; clause Seventh revised, 1975, 501 § 5; clause Fourteenth amended, 1975, 501 § 6; clause Fifteenth added, 1971, 349; revised, 1975, 501 § 7; clause Sixteenth added, 1975, 501 § 8.

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; 1975, 407 § 4. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5; 1975, 407 § 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; 1975, 377 § 122. (See 1973, 1114 § 351; 1975, 377 § 164.)

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.)

SECTS. 23 amended, 1973, 1114 § 230. (See 1973, 1114 § 351.)

SECTS. 24 amended, 1973, 1114 § 231. (See 1973, 1114 § 351.)

SECTS. 25-31 revised, 1973, 1114 § 232. (See 1973, 1114 § 351.)

SECTS. 32 amended, 1973, 1114 § 233. (See 1973, 1114 § 351.)

SECTS. 33-38 revised, 1973, 1114 § 234. (See 1973, 1114 § 351.)

SECTS. 39 amended, 1973, 1114 § 235. (See 1973, 1114 § 351.)

SECTS. 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.)

SECTS. 8 revised, 1973, 1114 § 239. (See 1973, 1114 § 351.)

SECTS. 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; revised, 1975, 377 § 123; revised, 1977, 636. (See 1975, 377 § 164.)

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; section revised, 1975, 667 § 3; 1977, 655 § 1. (See 1946, 175 § 2.)

SECT. 6, two sentences added, 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; revised, paragraph added, 1975, 467 § 3; section revised, 1977, 963.

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); first sentence revised, 1975, 808 § 5; paragraph added, 1975, 808 § 5; stricken out, 1977, 829 § 14. (See 1975, 808 § 7.)

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. 14 first sentence revised, 1975, 342; 1977, 629.

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; first sentence revised, 1975, 377 § 124; sentence added, 1961, 158; amended, 1973, 1114 § 259. (See 1938, 303 § 2; 1943, 17 § 2; 1973, 1114 § 351; 1975, 377 § 164.)

SECTS. 2-3 revised, 1973, 1114 § 260. (See 1973, 1114 § 351.)

SECT. 4 amended, 1975, 377 § 125. (See 1975, 377 § 164.)

SECT. 4A amended, 1973, 1114 § 261; revised, 1975, 377 § 126. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 5 revised, 1973, 1114 § 262; 1975, 377 § 127. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 6 amended, 1973, 1114 § 263; revised, 1975, 377 § 128. (See 1973, 1114 § 352; 1975, 377 § 164.)

SECT. 7 revised, 1975, 377 § 129. (See 1975, 377 § 164.)

SECTS. 8-10 revised, 1973, 1114 § 264. (See 1973, 1114 § 353.)

SECT. 8 amended, 1975, 377 § 130. (See 1975, 377 § 164.)

SECT. 10 amended, 1975, 377 § 131. (See 1975, 377 § 164.)

SECT. 13 amended, 1975, 377 § 132. (See 1975, 377 § 164.)

SECT. 14 amended, 1973, 1114 § 265. (See 1973, 1114 § 354.)

SECT. 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); amended, 1975, 377 § 133. (See 1975, 377 § 164.)

SECT. 29 revised, 1973, 1114 § 270; 1975, 377 § 134. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 32, paragraph First revised, 1959, 187 § 2; 1973, 1114 § 271; amended, 1975, 377 § 135; paragraph Eighth added, 1938, 343; revised, 1950, 260, 558; 1954, 467; 1960, 235; amended, 1973, 1114 § 272; first sentence amended, 1975, 377 § 137; revised, 1975, 501 § 9. (See 1959, 187 § 3; 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 34 amended, 1973, 1114 § 273. (See 1973, 1114 § 351.)

SECT. 38 revised, 1973, 1114 § 274; 1975, 377 § 138. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECTS. 45-50 revised, 1973, 1114 § 275. (See 1973, 1114 § 351.)

SECT. 45 revised, 1975, 377 § 139. (See 1975, 377 § 164.)

SECT. 46 amended, 1975, 377 § 140. (See 1975, 377 § 164.)

SECT. 47 amended, 1975, 377 § 141. (See 1975, 377 § 164.)

SECT. 49 amended, 1975, 377 § 142. (See 1975, 377 § 164.)

SECT. 50 amended, 1975, 377 § 143. (See 1975, 377 § 164.)

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; second sentence revised, 1975, 377 § 144. (See 1973, 1114 § 351; 1975, 377 § 164.)

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. 71 revised, 1975, 377 § 145. (See 1975, 377 § 164.)

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; first paragraph stricken out, 1975, 377 § 146. (See 1973, 1114 § 351; 1975, 377 § 164.)

Chapter 249. — Audita Querela, Certiorari, Mandamus and Quo Warranto.

SECT. 1 amended, 1973, 1114 § 288. (See 1973, 1114 § 351.)

SECTS. 1-3 repealed, 1975, 377 § 147. (See 1975, 377 § 164.)

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.)

SECTS. 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.

SECTS. 14-20 repealed, 1975, 377 § 148. (See 1975, 377 § 164.)

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.

SECTS. 21-36 repealed, 1975, 377 § 148. (See 1975, 377 § 164.)

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. 2A added, 1977, 414 (relative to the consolidation of arbitration proceedings).

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; 1975, 706 § 297; 1977, 641; third sentence amended, 1975, 706 § 298. (See 1976, 706 § 312.)

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 establishment of greenhead fly control projects); revised, 1954, 388 § 1; 1955, 433. (See 1948, 391 § 2; 1954, 388 § 2.)

Chapter 253. — Mills, Dams and Reservoirs.

- SECT. 4 revised, 1973, 1114 § 298. (See 1973, 1114 § 351.)
SECTS. 5-6 repealed, 1973, 1114 § 299. (See 1973, 1114 § 351.)
SECTS. 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.)
SECT. 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.)
SECT. 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; revised, 1975, 706 § 299. (See 1975, 706 § 312.)
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 installment 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; 1972, 712; 1976, 119; first paragraph, definition of "Credit card" revised, 1977, 52 § 22; definition of "Accepted credit card" revised, 1977, 52 § 12. (See 1968, 394 § 2.)

SECT. 12F added, 1970, 457 (subjecting creditors in consumer transactions to certain defenses of the borrower).

SECT. 12G added, 1975, 401 § 1 (limiting the charges for credit life and credit accident and health insurance for credit loans).

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; third and fourth sentences stricken out, sentence added, 1975, 377 § 149. (See 1973, 629 § 6, 1114 § 351; 1975, 377 § 164.)

SECT. 13J revised, 1973, 629 § 1. (See 1973, 629 § 6.)

SECT. 13K added, 1974, 460 (regulating the termination of certain personal service contracts).

SECT. 14A added, 1975, 800 § 1 (regulating liens on certain vessels).

SECT. 15 revised, 1948, 550 § 46.

SECT. 17 revised, 1973, 1114 § 327; amended, 1975, 800 § 2. (See 1973, 1114 § 351.)

SECTS. 18 and 19 repealed, 1973, 1114 § 328. (See 1973, 1114 § 351.)

SECT. 20 amended, 1973, 1114 § 329; revised, 1975, 800 § 3. (See 1973, 1114 § 351.)

SECT. 23 repealed, 1977, 284 § 2.

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; clauses (a) and (b) stricken out, phrase added, 1975, 377 § 150. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 27 amended, 1950, 326 § 11; 1973, 1114 § 331; repealed, 1975, 377 § 151. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 28 revised, 1973, 1114 § 332; repealed, 1975, 377 § 151. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 29 revised, 1973, 1114 § 332; amended, 1975, 377 § 152. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 31 revised, 1950, 326 § 12; 1977, 284 § 3.

SECT. 31A, first sentence revised, 1968, 330; 1975, 143; 1977, 592.

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; first sentence revised, 1975, 377 § 153. (See 1973, 1114 § 351; 1975, 377 § 164.)

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 instalment 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; two sentences added, 1975, 187 § 3. (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; paragraph added, 1975, 170 § 3. (See 1973, 1149 § 33.)

SECT. 5 amended, 1973, 1149 § 26. (See 1973, 1149 § 33.)

SECT. 6, second paragraph, sentence added, 1975, 88 § 1.

SECT. 9, first paragraph amended, 1969, 517 § 9; third paragraph amended, 1966, 284 § 1C; clause (13) revised, 1967, 464 § 2; paragraph stricken out and three paragraphs inserted, 1969, 517 § 10. (See 1966, 284 § 5.)

SECT. 10 revised, 1967, 823; eighth sentence stricken out and two sentences inserted, 1968, 216.

SECT. 14, second paragraph revised, 1969, 517 § 11.

SECT. 14A added, 1966, 284 § 1D (prohibiting false, misleading or deceptive statements in any advertisement by a seller or sales franchise company of its finance charges); last sentence revised, 1966, 587 § 6; stricken out, 1969, 517 § 12. (See 1966, 284 § 5, 587 § 7.)

SECT. 16 amended, 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. 20C added, 1976, 447 (requiring creditors who repossess motor vehicles to notify certain police departments).

SECT. 25 added, 1969, 517 § 16 (relative to conflicts between this chapter and chapter 140C).

Chapter 255C. — Insurance Premium Finance Agencies.

New chapter inserted, 1964, 727 § 1. (See 1964, 727 §§ 2, 3.)

SECT. 1, definition 6 added, 1966, 587 § 2; revised, 1968, 354 § 3; 1969, 517 § 17; definition of "Person" amended, 1973, 20 § 1. (See 1966, 587 § 7; 1968, 354 § 5.)

SECT. 2, first sentence amended, 1973, 20 § 2; two sentences inserted after second sentence, 1975, 187 § 4.

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; second paragraph, sentence added, 1975, 88 § 2. (See 1972, 684 § 136; 1973, 1149 § 33.)

SECT. 7 revised, 1969, 517 § 18.

SECT. 10, paragraph added, 1975, 170 § 4.

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 definitions 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; sentence inserted after first sentence, 1976, 494 § 1; definition of "Revolving credit agreement" amended, 1971, 341 § 2; revised, 1973, 924 § 4; 1976, 116; sentence added, 1976, 494 § 2; definition of "Services" revised, 1967, 775 § 1; definitions of "Time balance" and "Time sale price" stricken out, 1969, 517 § 27. (See 1938, 354 § 5.)

SECT. 2, sixth sentence stricken out and two sentences inserted, 1969, 794 § 1; sixth sentence revised, 1973, 1149 § 29; two sentences added, 1975, 187 § 5. (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; paragraph added, 1975, 170 § 5. (See 1973, 1149 § 33.)

SECT. 5 amended, 1973, 114 § 31. (See 1973, 1149 § 33.)

SECT. 6, second paragraph, sentence added, 1975, 88 § 3.

SECT. 9, subsection A amended, 1969, 517 § 29; subsection B amended, 1969, 517 § 30; 1970, 163; subsection C, clause (11) revised, 1967, 775 § 2; paragraph added, 1968, 543 § 1; revised, 1969, 517 § 31; subsection D, first paragraph amended, 1969, 517 § 32; clause (6) revised, 1969, 517 § 32; stricken out, 1975, 90 § 4; last paragraph revised, 1967, 775 § 3; 1975, 90 § 5; subsection D½ inserted, 1975, 90 § 6; 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 installments 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; amended, 1975, 90 § 7; subsection C revised, subsection D stricken out, 1975, 90 § 8.

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; clause (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); subsections (3) and (4) added, 1977, 96.

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 C, clause (3) revised, 1977, 52 § 24; subsection D amended, 1977, 52 § 25; clauses (1) - (3) revised, 1977, 52 § 26; subsection E, clause (1) revised, 1977, 52 § 27; 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; second sentence revised, 1975, 377 § 154. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 8 revised, 1973, 1114 § 336; 1975, 377 § 155. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 9 amended, 1975, 377 § 156. (See 1975, 377 § 164.)

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 domain cases). (See 1964, 548 § 5.)

SECT. 4A added, 1945, 552 (to prevent the running of interest on claims against the commonwealth after an offer of judgment).

SECT. 5 repealed, 1943, 566 § 2.

Chapter 258A. — Compensation of Victims of Violent Crimes.

New chapter inserted, 1967, 852 § 1. (See 1967, 852 § 4.)

SECT. 8 added, 1977, 848.

Chapter 259. — Prevention of Frauds and Perjuries.

SECT. 5 revised, 1965, 560 § 1. (See 1965, 560 § 3.)

SECT. 5A added, 1965, 60 § 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. 5, sentence added, 1975, 432 § 1.

SECT. 5A added, 1975, 432 § 2 (limiting actions under the consumer protection laws).

SECT. 10, sentence added, 1937, 406 § 2.

SECT. 17 revised, 1975, 377 § 157. (See 1975, 377 § 164.)

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; first paragraph amended, 1975, 377 § 158; third paragraph amended, 1968, 496. (See 1975, 377 § 164.)

SECT. 32 revised, 1973, 1114 § 340. (See 1973, 1114 § 351.)

SECTS. 33-35 added, 1957, 370 (providing for a limitation of mortgage foreclosures and to protect land titles against obsolete mortgages).

SECT. 33 amended, 1975, 377 § 159. (See 1975, 377 § 164.)

SECT. 35 amended, 1975, 377 § 160. (See 1975, 377 § 164.)

SECT. 36 added, 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. 9 amended, 1975, 377 § 161. (See 1975, 377 § 164.)

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.

SECT. 26 revised, 1975, 377 § 162. (See 1975, 377 § 164.)

SECT. 27 repealed, 1975, 377 § 162. (See 1975, 377 § 164.)

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.)

SECT. 27B, first paragraph amended, 1977, 142.

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, 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; fifth paragraph amended, 1975, 377 § 163; 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; 1975, 377 § 164.)

SECT. 5 amended, 1933, 201.

SECT. 8 revised, 1947, 135; paragraph added, 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; revised, 1977, 140.

SECT. 21 amended, 1959, 581; 1976, 460.

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; two sentences added, 1977, 415 § 9. (See 1945, 236 § 2; 1977, 415 § 14.)

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 (11), (12) revised, 1975, 497 § 1; clause (13) revised, 1957, 17 § 1; 1975, 497 § 1; clause (13A) added, 1961, 215 § 1; revised, 1975, 497 § 1; clause (14) revised; 1975, 497 § 1; clauses (17)-(19) stricken out, 1949, 404 § 3; clause (21) revised, 1952, 32 § 2; clause (24) amended, 1970, 443 § 35; clause (29) revised, 1975, 497 § 1; clause (30) revised, 1957, 17 § 2; 1975, 497 § 1; clause (30A) added, 1961, 215 § 2; revised, 1975, 497 § 1; clause (42) revised, 1960, 17; 1973, 76; clause (44) revised, 1957, 17 § 3; 1975, 497 § 1; clause (44A) added, 1961, 215 § 3; revised, 1975, 497 § 1; clause (45) revised, 1975, 497 § 1; clause (46) stricken out, 1974, 147 § 6; clauses (47) and (48) revised, 1949, 404 § 1; clauses (47)-(53) repealed, 1957, 765 § 2; clause (56) amended, 1951, 58; repealed, 1957, 765 § 2; clause (65) repealed, 1973, 1050 § 5; clause (66), (67) revised, 1975, 497 § 1; clause (69) revised, 1953, 164 § 3; clause (79) revised, 1949, 404 § 2. (See 1957, 765 § 21; 1973, 1050 § 7.)

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 birth, marriages and deaths); revised, 1948, 550 § 47.

SECT. 35 revised, 1975, 464 § 3.

SECT. 36 revised, 1952, 301; amended, 1959, 357; revised, 1967, 297; amended, 1972, 684 § 131; third sentence revised, 1975, 497 § 2; 1976, 486 § 26. (See 1972, 684 § 136; 1976, 486 § 31.)

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; amended, 1976, 438 § 3.

SECT. 44A added, 1976, 486 § 27 (relative to fees for certified copies of certain records). (See 1976, 486 § 31.)

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, 24 § 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, 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; 1975, 680.

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. 32 revised, 1975, 322.

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.

SECT. 36 added, 1975, 435 (imposing a penalty for throwing or dropping objects at sporting events).

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); first paragraph revised, 1977, 975.

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.

SECTS. 20A-20B added, 1976, 236 (establishing crimes of breaking and entering and stealing in certain trucks and containers).

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; amended, 1977, 979 § 3; paragraph (4) added, 1967, 817 § 1. (See 1945, 282 § 5; 1977, 979 § 4.)

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; revised, 1975, 540.

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; amended, 1975, 324.

SECT. 94 amended, 1939, 451 § 65.

SECTS. 95-97, inclusive, revised, 1975, 722.

SECT. 98 revised, 1960, 169.

SECT. 98A added, 1966, 280 (relative to the penalty for destroying public park or playground equipment).

SECT. 99, paragraph added, 1975, 374.

SECT. 100 revised, 1961, 316; 1976, 206.

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. 105, second sentence revised, 1975, 706 § 300. (See 1975, 706 § 312.)

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 §§ 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. 139 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).

SECT. 144 added, 1975, 538 (providing a penalty for the carrying away or conversion of certain milk containers without permission of their owners).

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; amended, 1977, 245.

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. 23, subsection (d) revised, 1975, 508.

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; subsection (a) revised, 1975, 113 § 2; subsection (b) revised, 1975, 585 § 1; subsection (l) added, 1975, 113 § 3. (See 1936, 227 § 2; 1937, 250 § 2; 1968, 737 § 18; 1974, 649 § 3; 1975, 113 § 5.)

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, 1956, 280; 1957, 688 § 30; revised, 1975, 585 § 2.

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).

SECT. 16 added, 1977, 240 (prohibiting the sale of certain arrowheads).

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. 8A added, 1977, 861 (imposing a penalty on persons who distribute, sell or give anyone certain food containing a foreign substance).

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, 1970, 134 § 2; third paragraph amended, 1973, 835 § 1; section revised, 1974, 39.

SECT. 16A added, 1971, 358 (providing an alternative non-criminal 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, 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).

SECT. 21 added, 1975, 465 (regulating smoking in certain public places).

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); definition of "Bazaar" revised, 1977, 279; eighth and ninth paragraphs revised, 1976, 415 § 96; 1977, 219 § 6. (See 1976, 415 § 116.)

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, 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; 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. 33 revised, 1976, 217 § 5.

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; 1977, 588.

SECT. 7 revised, 1977, 589.

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).

SECTS. 21-23 revised, 1977, 848 § 1.

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. 29H stricken out and sections 28H and 28I inserted, 1974, 430 § 8.

SECT. 29A added, 1977, 917 § 2 (providing for the protection and welfare of certain children).

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. 30D added, 1977, 917 § 3 (granting the superior court power to enjoin the dissemination of certain visual material).

SECT. 31 amended, 1967, 364 § 1; last sentence revised, 1970, 348 § 1; amended, 1972, 802 § 62; section revised, 1974, 430 § 12; amended, 1977, 917 § 4; definition of "Nudity", sentence added, 1977, 217 § 4; definition of "Visual material" added, 1977, 917 § 6. (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; amended, 1977, 917 § 7. (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, 714 § 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 grave-stones and memorials for repair or reproduction).

SECT. 75 amended, 1971, 407.

SECT. 77 amended, 1968, 59; revised, 1972, 46; 1977, 921 § 2.

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; first sentence amended, 1975, 706 § 301. (See 1975, 706 § 312.)

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. 80E added, 1976, 139 § 2 (prohibiting decompression chambers for killing dogs or cats); revised, 1976, 299 § 2.

SECT. 80F added, 1977, 112 (prohibiting the offering of animals as prizes).

SECT. 84 amended, 1951, 34 § 1.

SECT. 85 repealed, 1951, 34 § 2.

SECT. 85 A 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; amended, 1975, 338 § 1.

SECT. 94 amended, 1975, 31 § 1.

SECT. 95 amended, 1975, 31 § 2.

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; amended, 1975, 338 § 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 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); amended, 1975, 345.

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; section revised, 1977, 848 § 2. (See 1939, 177 § 2.)

SECT. 2 amended, 1933, 224; revised, 1943, 87 § 1; amended, 1953, 319 § 31; revised, 1958, 200; 1969, 849 § 24; 1972, 731 § 20. (See 1943, 87 § 2; 1953, 319 §§ 39, 40.)

SECT. 3 revised, 1977, 848 § 3.

SECT. 4 amended, 1959, 313 § 16; revised, 1977, 848 § 3.

SECT. 5 revised, 1977, 848 § 3.

SECT. 7 revised, 1977, 848 § 4.

SECT. 8, sentence added, 1953, 505; revised, 1970, 791.

SECT. 9 repealed, 1938, 219 § 1.

SECT. 10 revised, 1938, 219 § 2.

SECT. 11 repealed, 1977, 848 § 7.

SECT. 12 revised, 1977, 848 § 5.

SECT. 12A added, 1954, 232 (providing for blood grouping tests to aid in the determination of paternity); 1977, 848 § 6.

SECT. 13 revised, 1977, 848 § 5.

SECT. 14, sentence added, 1943, 13.

SECT. 15 revised, 1977, 848 § 6.

SECT. 16 revised, 1977, 848 § 6.

SECT. 17 revised, 1953, 163; 1977, 848 § 6.

SECT. 18 revised, 1977, 848 § 6.

SECT. 19 repealed, 1977, 848 § 7.

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 § 94.)

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, 1956, 74; 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, 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, 712 § 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 § 4; 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; clause (a) revised, 1967, 347 § 12; section revised, 1971, 1071 § 7; clause (a) amended, 1975, 706 § 302; clause (d) revised, 1977, 556 § 4. (See 1934, 340 § 18; 1957, 660 §§ 6, 7; 1971, 1071 § 9; 1975, 706 § 312.)

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 the 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, 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, 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; second paragraph, sentence added, 1943, 330; 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; three paragraphs inserted after first paragraph, 1977, 786.

SECT. 65, second sentence stricken out and two sentence 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, 577 § 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, 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; 1959, 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; repealed, 1977, 97.

SECT. 85, two sentences inserted before first sentence, 1972, 396 § 1; third sentence amended, 1976, 288; 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, 1956, 731 § 16; first sentence revised, 1969, 859 § 28; 1972, 731 § 24. (See 1956, 731 §§ 29-33.)

SECT. 89, sentence added, 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, 839 § 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; 1977, 234 §§ 194-196, 872 §§ 194-196. (See 1970, 875 § 8; 1971, 909 § 5; 1972, 600 § 3; 1973, 772 § 4; 1974, 558 § 20; 1977, 234 § 198, 872 § 204.)

SECT. 99C added, 1972, 680 (authorizing the appointment of three supervisors of court probation services and certain clerical assistants); first paragraph revised, 1977, 785.

SECT. 100 amended, 1943, 64; 1953, 319 § 34; revised, 1956, 731 § 22; third sentence revised, 1966, 623; sentence inserted after third sentence, 1966, 623; revised 1975, 534; fifth sentence amended, 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; fifth and sixth paragraphs revised, 1975, 278. (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; first sentence amended, 1973, 464 § 1; revised, 1975, 809 § 1; amended, 1977, 315 § 1; revised, 1977, 862 § 1. (See 1964, 326 §§ 3-5; 1966, 415 §§ 6, 7; 1973, 464 § 6; 1977, 315 § 5.)

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; sentence added, 1977, 415 § 310. (See 1966, 415 §§ 6, 7; 1977, 415 § 14.)

SECT. 2B revised, 1966, 235 § 4, 415 § 4; 1977, 415 § 11. (See 1966, 415 §§ 6, 7; 1977, 415 § 14.)

SECT. 2C added, 1973, 464 § 2 (providing that grand jurors in Hampden county serve for four months). (See 1973, 464 § 6.)

SECT. 2D added, 1975, 809 § 2 (providing that grand jurors in Plymouth county serve for four months).

SECT. 2E added, 1977, 315 § 2 (providing that grand jurors in Worcester county serve for six months). (See 1977, 315 § 5.)

SECT. 2F added, 1977, 862 § 2 (providing for the impanelling of grand jurors for the county of Norfolk for two settings for terms of six months).

SECT. 3, sentence added, 1977, 415 § 12. (See 1977, 415 § 14.)

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; first sentence revised, 1975, 809 § 2A; amended, 1977, 315 § 3; revised, 1977, 862 § 3. (See 1966, 415 §§ 6, 7; 1973, 464 § 6; 1977, 315 § 5.)

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. 4 sentence added, 1977, 415 § 13. (See 1977, 415 § 14.)

SECT. 14A added, 1977, 770 (authorizing counsel to be present at grand jury hearings).

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 prosecution for embezzlement for 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 work "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, 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; first two sentences revised, 1975, 347; 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; first sentence revised, sentence inserted after first sentence, 1975, 459 § 1; paragraph added, 1975, 459 § 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. 6A added, 1977, 537 (providing for special sentence of imprisonment in the case of certain offenders).

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, §§ 117, 123.)

SECT. 34, sentence added, 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, 1935, 303 § 1; section amended, 1953, 319 § 37; fourth sentence revised, 1975, 843 § 2. (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; revised, 1977, 363A § 67. (See 1977, 363A § 76.)

SECT. 16 amended, 1953, 319 § 38. (See 1953, 319 §§ 39, 40.)

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, AUGUST 3, 1977.

I hereby certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in the General Laws and the index have been prepared under the direction of the Committees on Rules of the two branches of the General Court, in accordance with the provisions of section 51 of chapter 3 of the General Laws.

PAUL GUZZI,
Secretary of the Commonwealth.

INDEX

A.

	Chap.	Section.
Abandoned property, Massachusetts Parking Authority, may auction certain	197	
Abatement, taxes of (see Taxation).		
Abortions, changes in certain laws, relative to	397	1 — 12
pregnant patients, requiring certain tests on, prior to	497	
Absentee ballots (see Elections).		
Abused children, penalty, providing, for failure to report cases of ...	501	
Accelerated highway program, bonding authorization, providing for	356	1 — 24
Accident and health insurance (see Insurance).		
Accounts, division of (see Corporations and taxation, department of).		
Actions, civil (see Practice in civil actions).		
Acushnet, town of (see Cities and towns).		
Acton, town of (see Cities and towns).		
Adams, town of (see Cities and towns).		
Adjudicatory procedure, uniform rules, providing, for	965	
ADMINISTRATION AND FINANCE, EXECUTIVE OFFICE FOR:		
group insurance commission, membership, clarifying, of within	371	
in general, government land bank, amending law creating, in ..	732	1 — 12
welfare auditing, bureau of, relative to	830	1, 2
commissioner, Friel, Edward L. Jr., sick leave of, relative to ..	982	
state fish pier, new, disbursement of funds, for, by	464	
uniform rules of adjudicatory procedure, providing, relative to	965	
Administrative procedure, uniform rules of adjudicatory procedure, providing for, relative to	965	
Advertising, mobile home dealers, shall include certain charges, in ..	160	
Advisory councils to county retirement boards, creating	890	1 — 3
Aestheticians, regulating	806	
Afro-American Veterans, Inc., state house, quarters in, assigning, for	779	
Agawam, town of (see Cities and towns).		
Aged persons, gerontology, aspects of, special commission, to investigate and study	Resolve 33	
housing, providing, for certain	996	1 — 7
hunting and fishing licenses, reducing fees for, for certain	983	1 — 3
Marion, construction by, borrowing by, for housing for	41	1 — 5
persons over sixty-five years of age, no tuition charge, state colleges or community colleges, at	915	
real estate tax exemption, increasing, for certain	967	1 — 3
Agents and brokers, insurance, examination and reexamination, relative to the licensing fee for	1000	1 — 7
Aging, area agency on, Elder Affairs, department of, further defining membership on	539	

	Chap.	Section.
Agricultural preservation restrictions , providing for	780	1—10
Agricultural lands , counties, eminent domain for conservation purposes, by, exempting	350	
Airports , county, Dukes county, authorizing borrowing by, for repairs at	266	1, 2
Alcoholic beverages , Arlington, placing on ballot in, question of sale by restaurants, of	887	1—4
farmer-wineries, licensing and regulating, providing for, of	929	1—15
Lenox, in, five additional licenses, authorizing for sale, to be consumed on premises	253	
license to sell, to be consumed on premises, may remain on premises after closing hours	812	
Medford, sales in, restaurants by, placing on ballot, relative to .	595	1—3
Melrose, sale by restaurant, question placed on ballot in, relative to	465	1—3
minors, false representations by, procuring sale of	859	
Needham, placing on ballot in, licenses for clubs and veterans organizations, for sale of	3	1—4
Wilmington, club licenses, placing question on ballot, for sale of	783	1—3
Winchester, placing on ballot, in, sale by restaurants, of	908	1—4
wines, manufacturer of, relative to license fee for	787	1—3
Alcoholic beverages control commission , investigations, transfer for collective bargaining purposes, relative to, of	768	
membership of, further regulating, of	739	1, 2
Alcoholism , medical service corporation, corrective to changes in law relative to treatment of	504	
Alimony (see Probate court).		
Amesbury Hospital , Public Health, department of, determination of need by, directing, for	721	
Amesbury , town of (see Cities and towns).		
Anderson M. Leroy , Plymouth county, payment of sum of money by, authorizing, to	441	1—3
Andover , town of (see Cities and towns).		
Animals , bovine, brucellosis, relative to control of, in	793	
equine, dealing and transportation of, requiring license for . . .	857	
fisheries and wildlife, division of, field trials, further regulating, under	921	
hog cholera, vaccine, prohibiting use of,	43	
lures or bait, prohibiting use of, certain	679	
prizes, offered as, prohibiting penalty for	112	
Animal Rescue League of New Bedford , agents, appointment as special police officers, authorizing, of	597	
Annual budgets , cities, submission by, in nineteen hundred and seventy-seven, extending time for	57	1, 2
Annual observance , Employ the Older Worker Week, providing for .	265	
Endangered Species Day, relative to	82	
Independence Day, relative to	37	
John Carver Day, relative to	428	
Pro-life month, relative to	141	
Tadeusz Kosciuszko Day, first Sunday in February, providing, for	524	
Amories , Springfield, in, relative to construction of	402	

	Chap.	Section.
Appeals court, judicial council, membership of, increasing, relative to	698	
Appellate tax board, authority of single member, increasing, of	987	
Appropriations, counties, supplemental	104	1, 2
	103	1—3
	834	
dredging activities, certain, making available certain	271	
for fiscal year	363A	1—76
for maintenance of, etc.	103	1—3
Supplemental	104	1, 2
	236	
	361	1—3
	394	1—16
	395	1—16
	740	
	803	
	807	
	938	
	300	1—4
	721A	1—14
Arbitration proceedings, court may decide, relative to consolidation of two or more	414	
Arlington, town of (see Cities and towns).		
Armory commission, Springfield, conveyance of park land by, authorized, to	805	1—3
Arrest bond certificates, bail, as acceptance, providing for	786	
Arrowheads, broadheads, razorheads, hunting by person under 15, prohibiting sale of	240	
Arson, penalty, increasing, for attempted	975	
Ashburnham, town of (see Cities and towns).		
Assessors of taxes, assessments, omissions of property from, relative to	166	1, 2
betterment assessments, payment of, regulating interest on, relative to	749	1—3
betterments, rate of interest on, relative to	216	1, 2
charitable organizations, property tax exemptions for, eligibility of, relative to	992	1—5
corporation and taxation, commissioner of, deposit with, copies of valuation book of	200	
motor vehicle excise tax, abatement for theft, providing for	293	
real estate, acquisition after assessment date, abatement of taxes, may be requested by new owner of	198	
state tax commission, pipe lines, valuation of, changing dates for certification of, by, to	199	
Athol democratic town committee, membership, increasing, of	244	
Athol-Royalston Regional School District, Athol and Royalston, district-wide elections in, by	6	1—4
Athol, town of (see Cities and towns).		
Atlantic Steel Company, Inc., Braintree, payment of sum of money by, authorizing, to	133	1—4
Attorneys, appellate tax board, single member, relative to actions as grand juries, authorizing presence of, at proceedings of	987	
legal service plans, establishment, authorizing	770	
real estate, summary proceedings, regulating fees of	774	1—19
	158	1, 2

	Chap.	Section.
ATTORNEY GENERAL, DEPARTMENT OF:		
abortions, changes in certain laws, relative to	397	1—12
consumer credit, further regulating extension of,	96	
consumer credit costs and terms, further regulating	52	1—27
forfeiture of money, seized in certain criminal cases, petition by	556	1—4
New Hampshire, unlawful collection of taxes by, from Massa- chusetts residents, authorizing suit by	102	
Attractive nuisance , children, land owners' liability, for certain conditions caused or maintained, for injuries to, sometimes called	259	
Auditor , state, primaries, signatures required for, reducing, for can- didates for	136	
state, state employees, cost-of-living salary adjustment, for certain employees	234	1—198
Automobile associations , arrest bond certificates, acceptance as bail, providing for, by	786	
Automobile clubs , insurance, commissioner of, financial condition statements, changing date of felony with, by	353	
Automatic smoke or heat detectors , apartment houses, certain, in- stallation, in, requiring, of	962	
Ayer , town of (see Cities and towns).		

B.

Bail , arrest bond certificates, acceptance, providing for, as	786	
Baldwin, Frederick, Jr. , Tewksbury Hospital, conveyance of land by, Tewksbury, in, authorizing, to	926	
Ballots (see Elections).		
BANKING AND INSURANCE, DEPARTMENT OF:		
commissioner of banks,		
cooperative banks, branch officers or depots, corrective changes in law, subject to permission of	205	
term deposit accounts, relative to, rules by	202	
credit unions, investments, relative to, of, subject to approval of	313	
insurance companies, annual statements, date of filing, further regulating, by	221	
motor vehicles, insurance, rates charged for, relative to	365	1—10
reinsurance facility, changes in rates charged, providing for, in	364	
savings bank, branch officers or depots, corrective changes in law, subject to permission of	204	
trust companies, reporting requirements, clarifying, by	49	
urban redevelopment corporation, insurance companies, certain, may act as, with approval of	578	
BANKS AND BANKING:		
in general, co-operative central bank, loans, certain, author- izing, by	164	
income tax refunds, may be credited to tax-payers' bank accounts	827	
mental hospitals, in-patients, funds of, may be deposited by, in	631	
mortgage loans, real estate, increasing maximum amount of, by	775	1, 2

BANKS AND BANKING — Continued.

in general — Concluded.

mortgages, foreclosure under power of sale, notice of sale, further requirements, relative to	629	
negotiable checks, drafts and money orders, sale of, further regulating	491	
state retirees bank accounts, payment to, by state treasurer, authorizing	794	
commissioner of banks, automobile clubs, financial statements, changing date of filing by, with	353	
banking associations and corporations, collective investment by, authorizing temporary investments	92	
credit unions, automated facilities, for disbursement of funds, by electronic processing, use of, by	32	
branch offices, permitting establishment outside of county location, of main office, approval by	143	
club deposits, increasing amount which may be accepted for, by	21	
legacies and shares, certain, may be deposited in	17	
legacies or distributive shares, certain, may be accepted as deposits by	16	
open-end loans, relative to method of payment, by members of	24	
personal loans, term of repayment, increasing, to	19	
probate funds, certain, may be deposited in name of judge, in	18	
real estate mortgages, increasing amount of money which may be loaned on, by	22	
real estate mortgages, 90 per cent of value, authorizing, by ..	20	
real estate, residential, second mortgages on, authorizing, by	23	
shares or deposits, increasing amount which may be accepted by	15	
energy systems, certain, loans for, authorizing, by	28	1—5
insurance policies, must be written in easily understood form, under supervision of	801	1—12
legal service plans, establishing, under jurisdiction of	774	1—19
negotiable checks, drafts and money orders, sale of, further regulating, under supervision of	491	
savings banks, joint savings accounts, two or more persons may hold	94	1—7
securities investment limitations, relative to by	109	
co-operative banks, branch officers or depots, corrective change in law, relative to	205	
energy systems, certain, loans for, authorizing, by	28	1—5
home improvement loans, amount and term of, increasing, by	260	
mortgage loans, term of certain, relative to, by	70	1—3
participation loans, increasing amount which may be loaned by	46	
personal loans, relative to, by	34	
retirement plans, custodians or trustees under, deposits by, relative to	55	

	Chap.	Section.
BANKS AND BANKING — <i>Concluded.</i>		
co-operative banks — <i>Concluded.</i>		
second mortgages on residential property, authorizing, by . . .	195	
term deposit accounts, relative to, in	202	
credit unions, certificate of convenience and advantage, re-		
ducing filing fee for, paid by	635	
saving banks, branch officers or depots, corrective change in		
law, relative to	204	
energy systems, certain, loans for, authorizing, by	28	1—5
home mortgage loans, maximum amount, increasing, by . . .	62	
joint accounts, may be held by two or more persons, in	94	1—7
loans, certain, authorizing acquisition of, by	262	
mobile homes, loans for purchase of, increasing authorized		
amount, by	73	
real estate mortgage loans, relative to, by	63	
retirement plans and individual retirement accounts, funds		
of, may be deposited in	93	
savings bank investment fund, investments in, relative to,		
by	282	
savings bank life insurance council, reorganizing	150	
securities investment limitations, relative to, by	109	
special notice accounts, withdrawals from, relative to	168	
taxation, reforming, of	816	1—29
trust companies, energy systems, certain, loans for, authorizing,		
by	28	1—5
investment fund, investments, relative to, by	384	
reporting requirements, clarifying, by	49	
Barnstable, first district court of (see District courts).		
Barnstable, town of (See Cities and towns).		
BARNSTABLE COUNTY:		
appropriations for fiscal year, for	458	
appropriation, supplemental, for	834	
Cape Cod retired senior volunteer program, opportunities for		
senior citizens, contract with	101	1—3
dredgers, purchase of lease of, authorizing, by	725	1—3
retirement system, Nantucket, employees, certain, of, shall be		
classified in group four of	976	
salaries, increasing, of certain employees of	233	1—4
Barrett, William H., Plymouth, appropriation by, authorizing, for		
plaque in memory of	713	
Battleship Cove, Fall River, in, relative to admission charges at . . .	909	
Bay Bank United, Bay Bank Merchants, Bristol county, payment of		
sum of money by, authorizing	912	
Bay Colony Railroad Corporation, incorporating	84	1—7
Bazaars, cash prizes, authorizing, at	279	
Beal, Earl H., correction, department of, appointment to, notwith-		
standing age, authorizing	734	
Beano, further regulating game commonly called	845	
Needham, conducting in, placing on ballot, relative to	2	
state lottery laws, returns filed and taxes paid, further regulat-		
ing, under	219	1—7
Bedford, town of (see Cities and towns).		
Beineke Realty trust, metropolitan district commission, sale of land		
by, authorizing, Boston, in, to	520	
Belchertown, town of (see Cities and towns).		

Chap. Section.

BERKSHIRE COUNTY:

appropriations for fiscal year, for maintenance of	395	1—16
Berkshire district, establishing, for administration of criminal law, in	659	1—5
central Berkshire, district court of, chief probation officer of, reimbursement for stolen money, authorizing, by	509	
county jail and sheriff, expenses of certain, authorizing payment by	577	
mountain regions, activities, certain, regulating, in	418	1—5
recreational advantages, expenditures for, increasing authorization, for	53	
salaries, increasing, of certain employees of	233	1—9
Beshara, Peter, resolve in favor of	40	
Betterment assessments, payment, relative to, further regulating interest on	749	1—3
rate of interest on, relative to	216	1, 2
Bicycles, Provincetown, Commercial street in, regulating operation of	419	1, 2
Bingham, Edward B. Memorial Bridge, Dedham, in, designated as ..	506	
Birth records (see Records).		
Blind, commission for the, relative to	997	1—5
Blue Cross — Blue Shield (see Medical services corporation).		
Boarding houses, liens, abolishing, of	284	1—3
Board of Appeals (see Zoning ordinances and by-laws).		
Boards, certain, membership of, relative to	864	1—13
Boards of health, towns, in, certain, relative to membership of	157	
Boats, taxation of (see Taxation).		
Bodies, human, University of Massachusetts Medical School, authorizing cremation and disposal of certain	171	1—3
Boston, city of (see Cities and towns).		
Boston juvenile court, composition, further regulating, of	241	1—4
custody of child, transferring, emergency court orders, by	799	
juveniles adjudged delinquents in Suffolk county, appeals to be heard by	431	1, 2
Boston Municipal court, criminal business, designation of an assistant clerk for twelve-man jury, authorizing, in	769	1—3
Boston redevelopment authority, salaries of members, increasing, of	871	
Boston water and sewer commission, establishing	436	1—24
Bourne water district, South Sagamore water district, boundary lines, adjusting, of	604	1—3
Boutchie, Ada, Essex county retirement board, directing, to increase retirement allowance of	406	
Braemore of Marlborough, Inc. department of public health, classification by, for level II and III patients, authorizing, at	906	
Braintree, town of (see Cities and towns).		

BRIDGES:

Ayer, in, Willey, Burr M. Bridge, designated as	354	
Boston, in, Father John J. Hart Memorial Bridge, designated as	719	
Dedham, in, Edward G. Bingham Memorial Bridge, designated as	506	
Leominster, in, Goldman, Robert H. Doctor Memorial Bridge, designated as	891	

	Chap.	Section.
BRIDGES — <i>Concluded.</i>		
Littleton, in, John F. McGovern Memorial Bridge, designated as	138	
North Attleborough, in, Vietnam Veterans of North Attleborough Memorial Bridge, designated as	643	
public works, department of, directing acceptance by, of certain railroad	944	
Templeton, in, Doctor Oscar B. Roberts Memorial Bridge, designated as	540	
Wilmington, in, Fred F. Cain Bridge, designated as	548	
Bridgewater — Raynham Regional School District, elections, district wide, authorizing, by	536	1 — 3
Brier, Louis J., Whitman, police officer in, eligibility for appointment as, notwithstanding age, for	416	
Brigadier General Ebenezer Learned Day, October 7, 1977, observance of, designating of	222	
BRISTOL COUNTY:		
appropriations for maintenance of, etc.	484	1, 2
Bay Bank United, Bay Bank Merchants, payment of sum of money to, authorizing, by	912	
Bristol county agricultural school, alteration, and equipping of, borrowing for, authorizing, by	923	1, 2
federal grant, expenditure of funds from, authorizing, for renovation of public buildings, certain, by	731	
Lewis, Lois M., payment of sum of money, to, authorizing, by	335	1 — 4
salaries, increasing, of certain employees of	233	1 — 4
southern district registry of deeds building, repair of roof of, expenditure for, authorizing, by	78	
superior court, assistant clerk for criminal proceedings, designation for, providing for, in	439	
Target Communications, Inc., payment of sum of money to, authorizing, by	178	1 — 4
Bristol County Agricultural School, Bristol county, borrowing by, authorizing, for alteration and equipping of	923	1, 2
Brockton, city of (see Cities and towns).		
Brockton Police Relief Association, members, payment of benefits to, authorizing, by	344	1, 2
Brockway, David and Virginia L., Northborough, payment of sum of money by, authorizing, to	366	1 — 3
Brooke, Edward W., Oak Bluffs, exchange of lands by, authorizing, with	309	1, 2
Brookline, town of (see Cities and towns).		
Brookline Arts Center, Inc., Brookline, lease of fire station by, certain, authorizing to	79	
Brucellosis, bovine animals, in, relative to control of	793	
Bryant Free library, Hampshire county, grant of easement to, authorizing, by	316	
Building construction, bureau of, permanent positions, extending eligible list for, in	579	
Building inspectors, building insurance, proceeds in event of loss, disbursement of, regulating, requiring prior notice to	804	1 — 4
qualification, relative to, of	743	
swimming pools, public or semipublic, enclosures, further regulating, inspection by	223	

	Chap.	Section.
Buildings, automatic smoke or heat detectors, installation of, requiring, in certain apartment houses	962	
hospitals and nursing homes, construction requirements, class of, repealing law, relative to	866	1—4
zoning law, corrective changes in during construction, relative to	829	1—24
Burial grounds (see Cemeteries).		
Burlington, town of (see Cities and towns).		
Buses (see Motor vehicles).		
Business schools, further regulating	826	1—13
Byrne, Charles L., relative to certain rights, of state police detective lieutenant	839	

C.

Cain, Fred F. Bridge, Wilmington, in, designated as	548	
Ann T., widow of, in favor or	23	
Callfirefighters, promotion to permanent status, further regulati ...	548	
Ann T., widow of, in favor or	23	
Call firefighters, promotion to permanent status, further regulating .	307	
Cambridge, city of (see Cities and towns).		
Campaign expenses, elections, corrective changes in law, relative to .	829	1—24
Campaign media spending restrictions, repealing	294	1, 2
Cancer, civil service laws, prohibiting discrimination under, for past condition	326	
women, relating to, providing for early detection of	408	
Cans, soft drinks and malt beverages, sale of, regulating construction of	399	
Cape Cod retired senior volunteer program, Barnstable county, contract with, opportunities for senior citizens, by	101	1—3
Capital outlay program, providing	767	1—3
	920	1—23
	816	1—29
Capital Resource Company, establishing		
Cardiopulmonary resuscitation, emergency, civil liability, exemption from, for certain persons rendering	555	
public schools, in, requiring training in	916	
Carter, Joseph D., Saugus, in, providing civil service status for	571	
Caruso Music Company, Metropolitan district commission, lease of highway land by Saugus, in, authorizing, to	189	
CATV, further regulating	552	1, 2
installation of systems, tenants property on, further regulating .	225	
CEMETERIES:		
Hudson, validating prior action by, relative to abandonment of part of Forestvale cemetery	430	1—3
Lawrence, cemetery directors, board of, membership on, qualifications, relative to, in	215	
motor vehicles, certain, may be operated without registration, under certain circumstances, owned by	705	
Mount Auburn, proprietors of the cemetery of, trustees & officers of, relative to	468	1, 2
Municipal, unclaimed graves, ownership of, relative to	272	
Shrewsbury, in, Mountain View Cemetery, return of certain monies, authorizing, by park and cemetery commission of town	275	

	Chap.	Section.
Census information, voters, may be dropped from lists, upon failure to furnish certain	267	
Central Berkshire, district court of, chief probation officer, may adjust books to account for monies stolen from office, in	509	
Central Massachusetts Mosquito Control Project, Sterling, Membership for, in	40	
Central Middlesex, district court of, Roger R. Derby, court officer, may serve as, notwithstanding age, in	752	
Charette, Richard, Norton, veterans' agent in, tenure, providing, for	755	1, 2
Charitable organizations, words "police" and "firefighters", solicitation using, shall identify sponsoring organization	587	
Charitable purposes, licensing boards, may issue licenses for transient sales, for	407	
Charities, bazaars, authorizing cash prizes at, by	279	
Charles River natural valley storage project, commonwealth, granting consent of, for acquisition of land by United States, for	858	1—5
Charlton, town of (see Cities and towns).		
Chateaufneuf, William, Methuen, payment of money by, to	12	
Chatham, town of (see Cities and towns).		
Chatham water pollution control board, Chatham sewer commission, redesignated as	455	
Charles River pollution control districts, Franklin and Medway, validating certain proceedings of town meetings at, relative to	1	1—3
Chelmsford, town of (see Cities and towns).		
Chelsea, city of (see Cities and towns).		
Chester, George N., Jr., Leominster, grant of pension by, authorizing, to	325	
Chicopee, city of (see Cities and towns).		
Chicopee Permanent Firefighters Benefit Association, Inc., increasing benefits payable, by	345	
Chief medical examiner, position, creating, of	941	1—13
Child support enforcement worker, public welfare, department of, provisional employees in, may take examination for position of ...	90	
Children, birth records, may include name of father, of certain	161	
broadheads, razorheads or other arrowheads, prohibiting sale of, hunting purposes, to persons under fifteen	240	
custody, emergency court orders transferring, relative to	799	
educational and health records of, access to, for parents not having custody of	238	
hospitals, nonprofit, volunteer work in, relative to, by certain ..	289	
juvenile facility, operated by or under contract with department of public welfare, detention of	543	
landowners, liability for certain condition caused or maintained, for injuries to	259	
neglect or abuse, failure to report, penalties for, of	942	
pornography, prohibiting, involving	917	1—7
youth services, department of, advisory committee, membership of, increasing	162	
CITIES AND TOWNS:		
in general, absent voting ballots, use of, authorizing by persons unable to vote for religious beliefs, in	426	
agricultural preservations restrictions, providing for, for certain farm land in	780	1—10

Chap. Section.

CITIES AND TOWNS — Continued.*in general — Continued.*

alcoholic beverages, licensee to sell, to be consumed on premises, may remain on premises after closing hours	812	
assessments, omissions of property from, relative to	166	1, 2
assessors of taxes, corporation and taxation, commissioner of, deposit with, of copies of valuation book of	200	
bazaars, cash prizes, authorizing, at	279	
beano, further regulating game commonly called, in	845	
Berkshire county, in, mountain areas, regulating activities, in, by	418	1—5
betterment assessments, payment of, regulating interest on, in	749	1—3
rate of interest on, relative to	216	1, 2
birth record, certain, may include name of father	161	
bonds from gas or electric purposes, income from, appropriations by	866	
building insurance, proceeds in event of loss, disbursement of, regulating, requiring prior notice to building inspector, in	804	1—4
buildings, automatic smoke or heat detectors, installation of, requiring, in certain apartment houses	962	
buses, outside width of, regulating	35	1, 2
call firefighters, promotion to permanent status, further regulating	307	
cancer, past condition, prohibiting discrimination for, under	326	
CATV, further regulating	552	1, 2
census information, failure to furnish, may result in omission from voters' lists	267	
certificate of municipal lien, increasing fee for	956	1, 2
charitable organizations, property tax exemptions for, eligibility of, relative to	992	1—5
cities, annual budgets, submission of, extending time for in nineteen hundred and seventy-seven	57	1, 2
civil service commission, decision by, increasing time for notice of, by	230	
civil service examinations, employment and experience, credit for, in marking of	91	1, 2
cluster development, common lands within, relative to taxation of	422	
collective bargaining empassers, further regulating, relative to police officers and firefighters, in	378	1—8
collective bargaining, prohibited practices, reviews of, under employee	788	
collectors of local taxes, fees, regulating, of	669	
commonwealth, bonds and notes of, certain, terms of, relative to certain	269	1—11
competition bidding statutes, construction contracts, to include certain additional awarding authorities	970	1, 2
conservation commissions, local permits, eliminating requirements for obtaining, prior to filing with	601	
conservation commission, local permits, obtaining, prior of notice of intent, with	131	
contributory retirement, extending time for withdrawal of additional deductions paid to annuity savings fund of	716	

CITIES AND TOWNS — *Continued.**in general — Continued.*

	Chap.	Section.
counties, reducing tax assessments on, use of federal funds for, authorizing, by	642	
county advisory boards, appointment of designees, providing for, in	959	
credit unions, authorizing deposits in, from pension and retirement allowances, by	77	1, 2
data processing cards ballots, shall be furnished by state, to ..	756	
delinquent taxes, collection of, taking of goods for, relative to	175	
department of public works, advancement of funds by, certain, under agreements with	893	
disabled and handicapped persons, parking areas for, authorizing, by	648	
dogs owned by police departments, prohibiting restraint of, in and by	385	
dredging projects, previously licensed, exempting from hearing requirements under wetlands law, in	625	1—3
elections, candidate withdrawal and voter registrations, changes in law, relative to	622	1, 2
party enrollment procedure, relative to	546	1—8
punch card ballots, transmission to tabulation centers, regulating, in	668	1—4
voters, further regulating information to	898	
electronic voting machines, ballot labels for, further regulating, in	709	
emergency personnel, first-aid training, required, extending date of, for	324	
eminent domain, fiscal year tax proration, shall be included in takings by department of public works, by	832	1, 2
employees, certain, reimbursement to, for loss or damage to personal property, authorizing	425	
provisional, informal hearing upon termination, providing, for certain, in	624	
energy facility citing council, labor representation, providing for, in	167	
environmental affairs, secretary of, program by, for parks and recreational purposes, providing funds for	933	
environmental quality engineering, department of, safe drinking water, provision of, regulating, relative to powers of	526	1—4
evening school instruction, fees for, increasing, in	137	
farm lands, purchase of development rights of, authorizing, by	232	1, 2
farmer wineries, licensing and regulating, providing for, of ..	929	1—15
fire district, forest wardens in, relative to	227	
firefighters, probationary period, increasing, for certain, in ..	438	
fires or explosions, investigations by local officials, further regulating	319	
fishing cooperatives, mass. community development finance corporation, financing by, providing, for	522	
frozen desserts, certain, imitation frozen desserts, allowing sale of	694	
gas and electric companies, charges by, certain, prohibiting, on	328	

CITIES AND TOWNS — *Continued.*in general — *Continued.*

	Chap.	Section.
governmental bodies, hearings conducted by, shall be in, municipality affected	895	
handicapped persons, municipal off-street parking areas, shall contain space for	689	
hawkers and peddlers licenses, relative to	314	
hospitals and nursing homes, construction requirements, class of, repealing law, relative to	868	1—4
housing authorities, may regulate parking of certain motor vehicles	146	
unfair labor practices, law relative to, shall apply to	610	
industrial development financing authorities, pollution control facilities, financing of, relative to, in	206	1—5
inspectors of buildings, building commissioners, and local inspectors, qualifications of, relative to, in	743	
inspectors of wires, notice shall be uniform throughout commonwealth, to	64	1, 2
joint-labor management committee, establishing, to oversee municipal police and firefighters collective bargaining . . .	730	1—3
land court proceedings, certain, increasing amounts which may be expended for, by	66	
large cities, city council and school committees, optional plan of, providing, for certain	549	1—5
libraries, civil service laws, exemption for, for pages employed by	155	
licensing boards, may issue licenses for transient sales for charitable purposes, of	407	
list of persons, making of, relative to, by	676	1, 2
relative to, residing in	367	1—4
local taxes, further regulating, relative to nature, in	525	
lumbering operations, state-owned lands, on, requiring notice of, to	566	
management intern civil service examinations, further regulating	184	
mandatory retirement age, exemption from, providing, for ..	735	
marriages, requirements, certain, further regulating, of, in ..	581	1—4
Massachusetts Bay Transportation Authority, road and highway repairs, notice of, certain, to	231	
service changes, significant, requiring public hearing by, in	207	
Massachusetts Housing Finance Agency, requiring notice by, prior to loans by, to officers of	375	
Middlesex county, in, grand and trial juries, relative to, local boards in	415	1—14
mobile construction cranes, postponing effective date of law relative to, in	427	1, 2
mobile homes, homes destroyed by accident, may be replaced temporarily, by, in	860	
motor vehicle excise tax, abatement for theft, providing for ..	293	
failure to pay, shall prevent issuance of registration certificate	737	1—3
motor vehicles, intersections, rotaries, or turning within an intersection, regulating, in	686	

	Chap.	Section.
CITIES AND TOWNS — Continued.		
<i>in general — Continued.</i>		
school bus stop, allowing movements at, certain, by	127	
stop and yield signs at, further regulating operation of	838	
municipal cemeteries, unclaimed graves, ownership of, rela- tive to, in	272	
municipal light boards, five members, establishing, in	156	
municipal light commissions, purchase of oil and other fuels without bids, authorizing, by	398	
municipal lighting plants, extension reconstruction, etc., debts for, authorizing, by	327	
management, question whether same shall be appointed or elected, relative to	874	
municipal or regional police training schools, police position, appointees to, shall attend	932	
municipal securities, filing of, providing for, relative to	377	1—4
nomination papers, insertion of correct designation of dis- tricts, further regulating	329	1—5
oil burner technician certificates, application and issuance of, by department of public safety, further regulating	118	1, 2
ordinance violations, non-criminal disposition of, providing, by	401	1, 2
outdoor recreational and athletic facilities, construction of, borrowing for, authorizing, by	121	
paraplegic veterans or surviving spouses, real estate tax abate- ments, relative to	727	
park or playground land, rules related to, increasing maxi- mum fine for violation	211	
police officers, discharge, hearing prior to, in towns not covered by civil service laws	246	1, 2
women, equal employment right for, providing, as	822	
police officers and firefighters, indemnification to, for dam- ages resulting from operation of motor vehicles, by	880	1, 2
payment of expenses to, authorizing suits for reimburse- ment, by	646	1, 2
polling places, political activities at, further defining	297	
pressure vessels, inspection of, first, regulating, by state de- partment of public safety	291	
primaries, elections and town meetings, registration time for, relative to	299	1, 2
private ways, making repairs on, relative to, by	693	1—3
professional firefighters of Massachusetts, AFL-CIO-CLG, firefighters, time off without loss of pay, for attendance at conventions of	36	
property taxes, abatement of, amounts refunded, relative to .	585	
collection of, relative to	176	1, 2
lottery fund distribution, increasing, for relief of	185	
public employees, collective bargaining, service fees, relative to, for agents of	903	
public projects, specifications and plans, providing uni- formity in, for	968	
real estate, acquisition after assessment date, abatement of taxes, may be requested by new owner of	198	
real estate taxes, computation of interest on, relative to	349	

CITIES AND TOWNS — Continued.

in general — Continued.

real estate tax exemption during nineteen hundred seventy-seven, providing, for certain survivors of certain fire-fighters	700	
increasing, for persons over seventy years old	967	1—3
recounts, elections, changes in law, relative to	879	1—7
recreation and park self-supporting service revolving funds, permitting establishment by	665	
regional districts school committees, state aid, amount of, notice of, requiring, to	823	
regional school district committee meetings, notices of, posting of, relative to	527	
registrars of voters, condominiums and multiunits, owners of, shall furnish certain information to	263	
retirement for disability, allowable earnings, relative to	766	
retirement purposes, special funds for, authorizing establishment by	559	
schools, expulsion procedures, relative to, in	545	
school building committees, school committee representation, providing, on	158	
school bus operators, training of, providing for, in	368	
school committees, may establish costs for extended school service programs	480	
may prepay tuition to educational collaboratives and schools	348	1, 2
receipts from certain programs, providing for expenditures, by	639	
school property, maintenance of, contracts for, relative to time period of	421	
school tax rates, determinaton of, corrective changes in laws, relative to	322	
self-insurers, authorizing	900	
semi-trailer units, dimensions of, further regulating, for use in	781	
sewer charges, shall constitute tax lien in	586	
shellfish, contaminated areas, regulating taking of, in	447	1—3
special education reimbursements, further regulating applications by	383	1, 2
state school building assistance program, further regulating ..	875	
state tax commission, pipe lines, valuation of, changing dates for certification of, by, in	199	
statute, vote of acceptance of, further clarifying, by	870	
steam plants, firemen and engineers, defining employment of, in	505	
storage tanks above ground, annual inspection of, by department of public safety	523	
subdivision plans, modifications, amendments and recessions of prior approvals of, relative to	473	
swimming pools, public or semipublic, enclosures, further regulating, certain	223	
tax benefits, certain, extending to spouses of certain females ..	889	1—5
teachers, appeals to superior court, relative to	671	
certification law, further clarifying	865	
teachers, payroll deductions of, relative to, in	852	

	Chap.	Section.
CITIES AND TOWNS — <i>Continued.</i>		
in general — <i>Concluded.</i>		
temporary employees, promotional appointments for, qualifications, under civil service laws	139	
towns, boards of health, membership of, relative to	157	
local referendum questions, certain, shall contain the vote of the town meeting, if tabulated	814	
tree wardens, appointment of, providing for, in	690	1—3
town meetings, special, certain, validating, in nineteen hundred and seventy-six	14	
traffic supervisors, contributory group, general or blanket insurance, providing, for	342	
traffic violators, failure to respond within twenty-one days, increasing penalty for	612	
treasurers, requiring payment of assessments to state treasurers, on semi-annual basis	888	
to set up corporate nominee partnerships, local retirement systems, for, in	369	
trust funds, investment of, increasing amount of, by	51	
tuberculosis, intradermal tubercular tests, requiring, to show freedom from	513	
veterans advisory boards, providing for, in	372	
veterans' retirement law, extending time for acceptance by ..	432	
veterans' services, departments of, district boards of, membership of, relative to	273	1, 2
Vietnam veterans, civil service examinations, taking of, further defining eligibility of	169	1, 2
voter registration, removal from one portion of city to another, relative to	226	
voting equipment, purchase, use and sale of, uniform regulation of, providing for	930	1—8
ward and town committees, associate members of, regulating appointment of, in	628	
weighing and measuring devices, increasing fees for sealing ..	338	
wells, digging or drilling, further regulating	201	1—3
"widower", shall be included in word "dependent", under veterans' benefits law	828	
words, "police", or "firefighters", solicitation using, shall identify sponsoring organization	587	
special provisions relative to particular cities:		
Boston, Boston Redevelopment Authority, salaries of members, increasing	871	
Boston water and sewer commission, establishing, in and for	436	1—24
Dowling, Leo E. memorial park, designated as, in	675	
environmental quality engineering, department of, licenses issues by, made irrevocable, for filling South Bay Flats	988	
Father John J. Hart Memorial Bridge, designated as, in ...	719	
Government Law Bank, amending law creating, relative to	732	1—12
Kennedy Library and University of Massachusetts, allowing maintenance of existing fill at sites for, in	295	
Kraft, John J., payment of pension to, authorizing, by	255	1—3

Chap. Section.

CITIES AND TOWNS — Continued.**special provisions relative to particular cities — Continued.**

Massachusetts Bay Transportation Authority, transferring to department of public works, control of West Fourth Street Bridge, in	726	1—3
Massachusetts Port Authority, amending tax exempt status of, relative to	149	1—8
sale of land by, certain, authorizing, in	373	
metropolitan district commission, sale of land by, to Beineke Realty trust, authorizing, in	520	
public works, department of, land, acquisition of, by eminent domain, by, authorizing, in	638	
St. John of God Hospital, providing for expansion and continued operation of, in	907	
Brockton, bond issue, appropriation of certain funds from, validating prior action by	617	1—4
Brockton police relief association, members, payment of benefits to, authorizing, by	344	1, 2
non-partisan elections, providing for, in	634	1—5
Plymouth County, payment of sum of money by, authorizing to	574	
school-aid distribution, correcting an error in, authorizing payment by	849	
Cambridge, traffic control officers, appointment of, towing of motor vehicles, relative to, in	239	1, 2
Chatham, sewer commission shall be known as Town of Chatham Motor Pollution Control board	455	
Chelsea, Government Law Bank, amending law creating, relative to	732	1—12
Massachusetts Port Authority, amending tax exempt status of, relative to	949	1—8
motor vehicle insurance, rates charged for, relative to	365	1—10
residential areas, parking vehicles in, rules and regulations, relative to, authorizing, by	594	
Chicopee, bonds, refunding, electric purposes for, authorizing issuance by	886	
Chicopee Permanent Firefighters Benefit Association, Inc., increasing benefits to, authorizing, by	345	
Government Law Bank, amending law creating, relative to	732	1—12
mobile home park accommodations, regulating rent and evictions, relative to, in	596	1—9
Westover Development Project, bonds issued for, proceeds of, may be reallocated by	684	
Dedham, Edward G. Bingham Memorial Bridge, designated as, in	506	
Everett, charter, amendment to allow initiative petition, of	308	
Fall River, Battleship Cove, admission charges to, relative to, in	909	
comptroller within the auditors' department, establishing position of, in	650	
Depin, Kenneth Overpass, designated as, in	750	
O'Neill, Francis J., chairman of election commissioners, life tenure for, as providing, in	704	1, 2
sewer commission, membership of, appointment terms and removal, in	550	

	Chap.	Section.
CITIES AND TOWNS — Continued.		
<i>special provisions relative to particular cities — Continued.</i>		
Stapleton, Thomas, director of council on aging, appointment under civil service laws, providing, in	483	
Fitchburg, conservation land, certain, allowing use of, for sewer line, in and by	290	
Fiore, Angelo, R., conveyance of land to, authorizing, by .	190	
John Fitch Realty trust, conveyance of park land to, authorizing, by	145	1, 2
Gardner, Ashburnham, acquisition of land by, sewage purposes for, authorizing, in	1001	
department of public works, authorizing acquisition by, highway purposes for, certain lands in	663	
conveyance of land to, highway purposes, directing . . .	570	
Templeton, acquisition of easements by, sewage purposes for, authorizing, in	568	1—3
sewage lines, construction by, authorizing, in	562	
Gill, Montague, construction of waste water facilities in, authorizing, by	490	
Gloucester, borrowing, certain, validating prior action	173	1—3
fisheries commission, executive secretary and secretary to same, exempting from civil service laws, in	451	
state fish pier, new, disbursements of funds for, in	464	
Hadley, police department, members and chief, exempt from civil service laws, in	498	1—3
Haverhill, Hale Hospital and Glenn Memorial Hospital, employees of, providing civil service status for, in	702	
Hingham, Hingham North Sewer district, action outside district, action outside district, authorizing, by sewer commissioners of	434	
Holyoke, parks and recreation commission, membership of, decreasing, in	229	1—3
water commissioners, board of, increasing annual payments by, to	212	1, 2
Lawrence, appropriation increasing amount of, requiring publication in newspaper, in and by	746	
cemetery directors, board of, membership on, qualifications, relative to, in	215	
park land, certain, extending time for construction of school, on, by	210	
police sergeant extending time of eligible list for appointment of, in	703	
purchasing agent, increasing monthly purchasing power, of, in	760	
Speket river, in, problems relative to, special commission, to investigation and study	27	Resolve
Leominster, Chester, George, N. Jr., grant of pension to, authorizing, by	325	
Goldman, Robert H. Doctor Memorial Bridge, designated as, in	891	
Lowell, unpaid bill, certain, authorizing payment of, by	454	1—4
Lynn, Economic Development and Industrial Corporation of Lynn, establishing, in	778	1—18
Lynn Port Authority, employees, of, exempting from civil service laws	318	

Chap. Section.

CITIES AND TOWNS — Continued.**special provisions relative to particular cities — Continued.**

state secretary, corrected geographic changes, report to, by mayor of	5	1—3
Malden, Congressman Torbet H. MacDonald Memorial Park, designated as, in	482	
metropolitan district commission, conveyance of land by, park purposes for, directing, to	742	
Marlborough, city engineer, position of, exempting from civil service laws, in	782	
Medford, alcoholic beverages, sale of, restaurants by, relative to, placing on ballot, in	595	1—3
Mystic river, department of public works, license issued by, for filling of, made irrevocable, in	966	
police department, employees of, certain, retroactive pay raise for, authorizing payment by	657	
Riverside avenue, prohibiting travel by certain vehicles on, in	448	1, 2
Melrose, alcoholic beverages, sale by restaurants, licenses, placing on ballot, in	465	1—3
bond issue, certain, authorizing expenditure of, by	481	1, 2
city elections, placement of names on ballot, to be drawn by lot, in	177	
elections, preliminary, providing for, in	208	1, 2
referendum on certain bonds, petition for, shall be filed with election commissioners of	355	
school committee, term of members of, reducing, in	362	1, 2
Methuen, Merrimack river, drawing water from authorizing, by	532	1—3
New Bedford, Andre Lopes overpass, designated as, in	521	
cargo shed and relative matters at State Pier, environment- al quality engineering, department of, to investigate and study, in	14	Resolve
federal aid anticipation notes, renewal of authorizing, by .	9	
Frederick Kelly Memorial Overpass, designated as, in	789	
New Bedford Firemen's Mutual Aid Society, dissolution, providing, of	833	
state aid anticipation notes, renewal of, authorizing, by ...	8	
West Beach sea wall, restoration of, expenditure of funds by department of environmental quality engineering, in	449	
Newton, motor vehicles, parking in residential areas, rules and regulations, authorizing, by	170	
motor vehicles, towing for illegal parking, regulating holding of, by	758	
positions, certain, exempting from civil service laws, in ...	380	1, 2
Northampton, water pollution control, division of, grant by, for water treatment works, in	885	
Williamsburg, sewer construction by, authorizing, to tie in with sewer system of	488	
Peabody, community development, department of, authoriz- ing establishing of, in	502	1—12
theatrical exhibition, public shows and amusements, licensing authority for, designating city council of	904	

CITIES AND TOWNS — Continued.**special provisions relative to particular cities — Continued.**

Pittsfield, city council, members of, may be appointed to certain positions, in	564	
Lenox, construction of sewage works by, authorizing, in ..	512	1—3
water pollution control, division of, grant by, for water treatment works, in	885	
Quincy, Nut Island, prohibiting construction of additional sewage facilities at, in	296	
Revere, fire department, members of, compensation to, providing, in	820	
Massachusetts Bay Transportation Authority, lease of air rights by, directing, to	877	1, 2
motor vehicle insurance, rates charged for, relative to	365	1—10
Vincent A. Steriti, grant of pension to, authorizing, by	242	1—4
Somerville, Figgins, Leland J., assistant clerk of committees, providing tenure for, in	618	
O'Brien, David F., tenure for, providing, as city physician, in	833	
school buildings, grants for, in control of, to school committee of	644	1—6
Stagnone, David, payment of sum of money to, authorizing, by	453	
Springfield, armory commission, conveyance of park land to, authorizing, by	805	1—3
armory, construction of, relative to, in	402	
Digital Equipment Corporation and Milton Bradley Company, conveyance of land to, authorizing, by	738	
Lee, William, Merriam, Robert, and Long, James, eligible to be appointed firefighters, in	409	
Ludlow, contract by, authorizing, for purchase of water from	343	
personnel department, insurance clerk in, exempting from civil service laws, in	607	
police cadets, civil service status of, when appointed to police force, of	696	
police department, appointment of police cadets to, authorizing, by police commissioners of	358	1—5
Springfield civic service center commission, may establish, Springfield civil service promotion fund, in	511	1—4
Springfield television broadcasting corporation, conveyance of land to, authorizing, by	89	1—3
utility pole locations, public hearings, relative to, shall be held by board of public works of	708	
Taunton, Lemand W., Padelford, shall be deemed resident for appointment as firefighter, in	500	
sealer of weights and measures, exempting from civil service laws, in	452	
sewers, superintendent of, three year term for, providing, in	370	1, 2
William Gray, James Soule, and Scott Simmons, payment of rewards to, authorizing, by	456	
Waltham, community services officer, exempting from civil service laws, in	332	

CITIES AND TOWNS — Continued.

special provisions relative to particular cities — Concluded.

Westfield, city clerk, shall serve for term of three years, exempting from civil service laws, in	529	1, 2
Woburn, revenue anticipation notes, corrective changes in law relative to	576	
Worcester, civic center facilities, construction of, borrowing for, decreasing, by	680	
payment of sum of money, refund of overcharges, to certain persons, authorizing, by	867	1—3
school department, administrative assistants for business, exempting from civil service laws, in	558	

special provisions relative to particular towns:

Acton, annual town meeting, validating proceedings at, in ..	334	
Acushnet, Joseph Francis, police officer, appointment as, authorizing, by	974	
Adams, Hayden Oil and Supply Co., Inc., payment of sum of money to, authorizing, by	214	1—4
water pollution control, division of, grant by, for water treatment works in	885	
Agawam, civil service laws, question of, clarifying status of ..	633	1—3
police chief, exempting from civil service laws, in	306	
unpaid bills, certain, authorizing payment by	580	1—4
Amesbury, federal grants, borrowing in anticipation of, extending time for, for	301	
state grants, borrowing in anticipation of, extending time for, for	302	
Andover, North Reading, acquisition of land by, water supply purposes, authorizing, in	652	
public works, department of, employees in, certain, exempting from civil service laws, in	517	1—3
Arlington, alcoholic beverages, licenses for sale of, restaurants, by, placing on ballot, in	887	1—4
land, certain, unused, may be leased by, being the property of	810	
motor vehicles, towing of, authorizing regulations, relative to, by	196	
town accountant and workmen's compensation agent, exempting from civil service laws, in	382	
Ashburnham, Gardner, acquisition of land in, sewerage purposes for, authorizing, by	1001	
Ashby, North Middlesex regional school district, validating adoption by, of an amendment to certain agreement, with	213	1, 2
Athol, Athol democratic town committee, membership, increasing, of	244	
Athol-Royalston Regional school district, validating certain matters relative to, in	6	1—4
Ayer, Burr M. Willey Bridge, designated as, in	354	
Barnstable, Sandy Neck Beach, bathhouse, construction of, authorizing, by	670	
Bedford, sanitary sewer, construction and maintenance of, on land under jurisdiction of conservation commission, by ...	194	
Belchertown, Palmer, agreement with, for construction of sewage works, in, authorizing	486	

CITIES AND TOWNS — Continued.**special provisions relative to particular towns — Continued.**

Billerica, water pollution control, division of, grant by, for water treatment works, in	885	
Braintree, Atlantic Steel Company, Inc., payment of sum of money to, authorizing by	113	1—4
Durgin Industries, Inc., payment of sum of money to, authorizing, by	882	1—3
Granite City Electric Supply Company, payment of sum of money to, authorizing, by	134	1—4
McCarthy, Henry S., payment of sum of money to, authorizing, by	645	
Metropolitan district commission, transfer of land from, department of public works, to, highway purposes, in ..	114	
Thayer Fence, Inc., payment of sum of money to, authorizing, by	883	1—3
Bridgewater, Bridgewater-Raynham regional school district, validating proceedings, relative to, in	536	1—3
Brookline, Brookline Arts Center, Inc., lease of fire station to, certain, authorizing, by	79	
Brookline, marsh urban renewal project, urban renewal projects within, may be conducted by	218	1—3
school plant, director of, and school food services, director of, appointment of, authorizing, by	351	
Burlington, appointed officials, removal of certain, relative to, in	248	
employees, certain, removal of, relative to, in	761	1, 2
Scelzo, Robert, permitting taking of civil service examination for police officer, in	310	
Ipswich River watershed district, membership in, terminating, of	712	1—3
Chareton, annual election and town meeting, validating acts at, in	460	
Chelmsford, sinking fund commission, abolishing, in	718	
Cohasset, police department, board of selectmen, shall assume direction of, in	808	
Concord, land abutting state highway Route 2, use of same, authorizing changing by	514	
Cummington, Bryant Free library, grant of easement, by authorizing to Hampshire county, in	316	
Hampshire county, conveyance of land to, highway purposes, authorizing, by	317	
Dalton, commonwealth, reimbursement by, for veterans benefits paid, to	894	
Danvers, Ipswich River, drawing of water from, authorizing, by	268	
Dartmouth, police chief, exempting from civil service laws, in	39	1—4
representative town meetings, adjourned, notice requirements for, in	677	
representative town meetings, relative to, in	692	
Dedham, Joseph DeFillippo and Co., Inc. payment of sum of money to, authorizing, by	174	1—4
Deerfield, water pollution control, division of, grant by, for water treatment works, in	885	

Chap. Section.

CITIES AND TOWNS — Continued.**special provisions relative to particular towns — Continued.**

Dennis, Dennis-Yarmouth Regional school district, assessment by, authorizing certain funds to be paid, by	60	
revenue funds, certain, authorizing restoration of, by	59	
Duxbury, conservation lands, certain, authorizing transfer to water department of	298	
East Bridgewater, Plymouth county, payment of sum of money by, authorizing, to	312	
East Hampton, water pollution control, division of, grant by, for water treatment works, in	885	
Easton, Gill, Richard, Mr. and Mrs. payment of sum of money to, authorizing, by	606	
O'Brien, Joseph E. and Marjorie, payment of sum of money to, authorizing, by	615	
Edgartown, Martha's Vineyard commission, withdrawal from, authorizing, by	836	1, 2
Silva, George T., payment of sum of money to, authorizing, by	547	
Essex, Boutchie Aida, Essex county retirement board, directing, to increase retirement allowance of, retired employee of	406	
Franklin, Charles River Pollution Control District, validating proceedings relative to, town meeting of	1	1—3
Lee, James, payment of sum of money to, authorizing, by	715	
water supply, new well, construction of, contract without competitive bids, authorizing, by	243	
Freetown, school committee, business meetings, may be held outside of town of	710	
special and annual town meetings, may be held outside of town of	711	
Grafton, Commonwealth, grant of easements by, on land owned by, sewer purposes, to	413	
Granby, Granby Water District, establishing, in	404	1—14
Great Barrington, federal and state aid anticipation notes, authorizing issuance of, and validating certain actions	337	1, 2
Groveland, sewerage system, may be extended through land of Pawtucket Regional School District, by	124	
Halifax, Waterman, Howard, L., tenure for, as police chief, providing, in	572	
Harwich, Old Kings Highway Regional Historic District, withdrawal from, authorizing, by	38	1—5
surveyor of highways, retroactive salary increase for, validating, by	105	1—3
Hatfield, education, board of, directing approval of school construction project, in	835	
Holbrook, sewer system, assessment and liens for, providing for, in	539	1—6
Holden, employees, certain, payments of sums of money to, authorizing, by	305	1—3
Jefferson sewer project and betterments, relative to, in	745	1—8
light and power department, employees, of, certain, validating money to, by	616	1—3
Wachusett Regional School District, relative to validating certain proceedings in	461	1—3
	462	1—3
	463	1—3

	Chap.	Section.
CITIES AND TOWNS — Continued.		
special provisions relative to particular towns — Continued.		
Hopedale, centennial anniversary of town, celebration of, annual appropriation, authorizing, by	304	1—3
fire department, members of, exempting from civil service laws, in	123	1—3
municipal buildings, heating systems in, constructing, borrowing for, authorizing, by	303	
police department, members of, exempting from civil service laws, in	122	1—3
Hubbardston, metropolitan district commission, lease of land by, recreational purposes for, directing, in and to	630	
Hudson, Forestvale cemetery, abandonment of part of, use for highway purposes, validating prior action by	430	1—3
Huntington, public works, department of, conveyance of easement by, sewer purposes, authorizing, to	249	
conveyance of land and easement by, sewerage treatment plant, authorizing, to	250	
Ipswich, federal aid anticipation notes, renewal of authorizing, by	632	
Lancaster, public works, department of, acquisition of public lands by, highway purposes, authorizing, in	519	
Lansborough, Harris Printing, payment of sum of money to, authorizing, by	651	1—4
Lenox, alcoholic beverages, sale of, to be consumed on premises, five additional licenses, authorizing, in	253	
fisheries, wildlife and recreational vehicles, department of, conveyance of land and easements by, sewerage purposes, in and to	387	1, 2
Pittsfield, construction of sewage works in, authorizing, by	512	1—3
Littleton, in, John F. McGovern Memorial Bridge, designated as	138	
Ludlow, Government Law Bank, amending law creating, relative to	732	1—12
Green, John, payment of sum of money to, authorizing, by	149	1—4
Springfield, or any other municipality, contract with, for water supply, authorizing, by	343	
town meeting member, candidates for reelection, notice to town clerk, relative to, in	479	
	754	
Westover development project, bonds issued for, proceeds of, reallocation, authorizing, by	605	1—3
sewer and water purposes, at, authorizing borrowing for, by	389	
Lynnfield, South Lynnfield Pharmacy, Inc., payment of sum of money to, authorizing, by	444	
Manchester, Rossi, Alfred Jr., conveyance of park land to, authorizing, by	65	
Mansfield, Norton, easement in, taking of, sewerage purposes, authorizing, by	285	
public works, department of, acquisition by, authorizing, of certain land in	496	

CITIES AND TOWNS — *Continued.*

special provisions relative to particular towns — *Continued.*

Marblehead, Old Historic District Commissions, issuance of certificate by, relative to	478	
park land, certain, authorizing conveyance by	442	
South Essex Sewerage District, acquisition of land by, sewerage purposes, in	31	
Marion, housing for elderly persons, construction of, borrowing for, authorizing, by	41	1—5
Marshfield, Marshfield Boy's Baseball League, Inc., payment on account of, authorizing, by	235	1—4
Mashpee, Henry Godleski, payment of sum of money to, authorizing, by	934	
stabilization fund, transfer of monies from, authorizing, to general treasury of	699	
Maynard, sewage treatment plant, construction of, borrowing in anticipation of federal grant, authorizing, by	330	
Medford, sewer easements, over land by trustees of reservations, authorizing acquisition by	320	
Medway, Charles River Pollution Control District, validating proceedings relative to town meeting of	1	1—3
Methuen, Spicket river, in, problems relative to, special commission, to investigate and study	27	
unpaid bills, certain, authorizing payment, by	12	
Milford, custodian of town hall and police station, exempting from civil service laws, in	809	1—3
Millis, town meeting, special in November, nineteen hundred and seventy-six validating acts, in	27	
Milton, sealer of weights and measures, inspector of plumbing and gas fittings, exempting from civil service laws, in	281	
Monson, Palmer, easements in, sewer purposes for, authorizing acquisition by	515	1—3
sewage works in, construction of, authorizing, by	492	
Montague, Gill, waste water facilities, construction by, authorizing, in	490	
Monterey, board of appeals, terms of members, increasing, in	892	1, 2
Nantucket, Group 4 of Barnstable county retirement system, classification in, providing, for certain employees of	976	
Needham, alcoholic beverage licenses, clubs and veterans organizations, placing on ballot, in	3	1—4
beano, conducting of, placing on ballot, in	2	
North Attleborough, preliminary elections, establishing, in ..	751	1—6
town meeting members, representative town government, nomination of papers of candidates, for, relative to	119	
Vietnam veterans of North Attleborough Memorial Bridge, designated as, in	643	
Northborough, Brockway, David and Virginia L., and Dinicola, Peter and Gwen C., payment of sum of money to, authorizing, by	366	1—3
water resources commission, conveyance of land by, to Aubrey B. Dingley	569	
North Reading, Wilmington and Andover, acquisition of lands, in, water supply purposes, authorizing, by	652	

	Chap.	Section.
CITIES AND TOWNS — <i>Continued.</i>		
special provisions relative to particular towns — <i>Continued.</i>		
Norton, Mansfield, easement for, taking of, sewerage purposes, on certain land in	285	
Norwood, Norfolk county, acquisition of public lands by, highway purposes, in	154	
Oak Bluffs, Brooke, Edward W., exchange of lands with, authorizing, by	309	1, 2
centennial celebration, authorizing appropriation, by	936	
Marthas Vineyard commission, withdrawal from, authorizing, by	836	1, 2
Palmer, Belchertown, agreement with, authorizing, for construction of sewage works in	486	
Monson, acquisition of easements by, sewer purposes, on certain lands, in	515	1—3
sewage works, construction by, authorizing, in	492	
public works, department of, reconstruction by, state highway Route 32, portion of, in	619	
town meetings, special, validating proceedings at certain in nineteen hundred and seventy-six, in	181	1, 2
Pepperell, North Middlesex Regional School District, validating adoption by, of an amendment to certain agreement, with	213	1, 2
Plainville, Philip S. Olszewski, police officer, appointment as, notwithstanding age, authorizing, in	573	
Plymouth, advertising purposes, appropriations for, increasing, in and by	7	
Kennedy, John, Barrett, William H., memorial plaques for, appropriation, authorizing, by	713	
Thanksgiving day, observance of, increasing authorized expenditure by	499	
Paxton, Wachusett Regional School District, relative to validating certain proceedings, in	461	1—3
	462	1—3
	463	1—3
Princeton, Wachusett Regional School District, relative to validating certain proceedings, in	461	1—3
	462	1—3
	463	1—3
Provincetown, bicycles, operation of, relative to, on Commercial street, in	419	1, 2
Randolph, Norfolk county, acquisition of public lands by, highway purpose, in	33	
Raynhan, Bridgewater-Raynhan Regional School District, validating proceedings, relative to, in	536	1—3
Reading, conservation lands, transfer to board of public works, sewer purposes, for, in	528	
rescinding of law, relative to effect of military service on vacation allowance, of employees, authorizing, by	813	
Rehobath, Palmer River school, expenses for, authorizing expenditure by	410	
Rockland, board of selectmen, five members, establishing, in	557	1—4
Rockport, land bank fund, authorizing establishment of, by .	952	1—3

Chap. Section.

CITIES AND TOWNS — Continued.**special provisions relative to particular towns — Continued.**

Royalston, Athol-Royalston Regional School District, validating certain matters relative to, in	6	1—4
state and federal aid anticipation notes, renewal of, authorizing, by	450	
Ruthland, Wachusett Regional School District, relative to validating certain proceedings, in	461	1—3
	462	1—3
	463	1—3
Saugus, Carter, Joseph D., civil service status for, providing, in	571	
metropolitan district commission, lease of highway land by, to Caruso Music Company	189	
Scituate, Driscoll, Walter, T. Jr., payment of sum of money to, authorizing, by	682	1—3
Sharon, Massachusetts Bay Transportation Authority, retention by, in commuter railroad station, ticket agent, in	873	
Shrewsbury, park and cemetery commission, may refund certain monies, in	275	
special town meeting, certain, validating acts at, in	54	
relative to, in	508	
Somerset, Dighton water district, contract with, for taking water from Segreganset river, authorizing, by	489	
Southbridge, Fitzgibbons, Keven P., authorizing appointment of, as police officer, in	393	
Sterling, Central Massachusetts Mosquito Control Project, membership in, providing, for	40	
public works, department of, conveyance of land to, highway purposes for, directing	876	
Wachusett Regional School District, relative to validating certain proceedings, in	461	1—3
	462	1—3
	463	1—3
	487	1—3
Stoughton, voting precincts, redivision of town to, directing .		
Stow, three hundredth anniversary, celebration of, appropriation of money for, authorizing, by	106	1—3
Templeton, Doctor Oscar B. Roberts Memorial Bridge, designated as, in	540	
Gardner, acquisition of easements in, sewage lines, for, authorizing, by	568	1—3
construction of sewage lines in, authorizing, by	562	
Tewksbury, public health, department of, conveyance of land by, to	840	
Topsfield, Peabody, Roger G., retirement allowance to, authorizing grant by	412	1—3
Townsend, North Middlesex Regional School District, validating adoption by, of an amendment to certain agreement, with	213	1, 2
Uxbridge, Kenney, Honorable F. Leo Memorial Square, designated as, in	608	
Walpole, chief of police, office of, exempting from civil service laws, in	396	
sewerage construction costs, methods of apportioning, in . .	472	1—4

	Chap.	Section.
CITIES AND TOWNS — Continued.		
special provisions relative to particular towns — Continued.		
Ware, public works, department of, reconstruction by, state highway, Route 32, portion of, in	619	
Wareham, annual town meeting, validating certain acts and proceedings, in nineteen hundred and seventy-seven, in ...	115	
community development, department of, establishing, in .	270	1 — 11
economic development purposes, borrowing for, authorizing, by	360	
Outcheunis, Joanne, payment of sum of money to, authorizing, by	510	1, 2
Plymouth, fourth district court of, all sessions of, shall be held in	697	
police officers, certain, payment of sum of money to, authorizing, by	575	
public works, department of, acquisition of land by, highway purposes, in	544	
Wareham Historical Society, Inc., grant of easement to, authorizing, by	999	
Watertown, Reddy, Sigrid, payment of increased salary, to, authorizing, by	217	
Wayland, investments, certain, professional investment advice, contract for, authorizing, by	251	1 — 3
Putnam, Carl E., eligible for appointment as police officer, notwithstanding age, in	472	
Westborough, data general corporation, connection with town sewer, validating prior action by	551	1 — 3
New England Power Company, easement to, for transmission of power, authorizing, by	187	
West Newbury, Groveland, may extend sewerage system through certain land, in	124	
Weston, housing for elderly persons, certain, authorizing action by	148	1 — 5
Weston Community Housing, Inc., conveyance of land to, for elderly housing, by	147	1 — 3
West Springfield, police records, clerk matron, exempting from civil service laws, in	352	1 — 3
West Tisbury, Henry W. Goethals and Thomas R. Goethals, Jr., acquisition of land from, authorizing, by	541	
Weymouth, Captain William K. Bebb Memorial Park and John H. Cole Memorial Tower, establishing, in	11	1, 2
environmental management, department of, shall not construct rubbish collection center, in	905	1, 2
Smith, Thomas E., tenure, providing for, as harbor master, in	357	
Whitman, Brier, Louis J., eligibility for appointment as police officer, in	416	
Wilbraham, town treasurer and town collector, merging offices, making same appointive, in	723	1 — 4
Williamsburg, Northampton sanitary sewer system, sewer line construction to tie in with, authorizing, by	488	
Wilmington, alcoholic beverages, sale by certain clubs, licenses for, placing on ballot, in	783	1 — 3
Fred F. Cain Bridge, designated as, in	548	

Chap. Section.

CITIES AND TOWNS — *Concluded.***special provisions relative to particular towns — *Concluded.***

North Reading, acquisition of land by, water supply purposes, authorizing, in	652	
police officers, appointment as, making eligible certain persons, notwithstanding age	802	
notwithstanding age, providing, for Hall, Arthur J., in .	379	
sewer assessments, rate of interest on, increasing, may be, charged by	518	
water supply, transfer of money for, certain, authorizing, by	747	1, 2
Winchendon, Manoni, Armando V., retirement as police officer, authorizing, by	471	
Winchester, alcoholic beverages, sale of, by certain restaurants, placing on ballot, in	908	1—4
Windsor, town meeting, special, validating proceedings at, in nineteen hundred and seventy-seven, in	135	
Woburn, revenue anticipation notes, funding of, authorizing, by	261	1—12
Wrentham, in Wrentham Housing Authority, department of mental health, conveyance of land by, authorizing, to	855	
Citizen band radios, motor vehicles, in, regulating use of	469	

CITY AND TOWN CLERKS:

absent voting ballots, use of, authorizing by persons unable to vote for religious beliefs	426	
birth records, certain, may include name of father	161	
elections, candidate withdrawal, change in law, relative to	622	1, 2
electronic voting machines, ballot labels for, shall be provided by	709	
marriages, requirements, certain, further regulating, of	581	1—4
party enrollment procedure, relative to	546	1—8
punch card ballots, transmission to tabulation centers, relative to	668	1—4
recounts, elections, changes in law, relative to	879	1—7
regional school district committee meetings, notices of, posting of, by	527	
state ballot law commission, restructuring, affecting	927	1—18
voter registration, removal from one portion of city to another, relative to	226	
voters, further regulating information to, by	898	
City council, large cities, certain, providing optional plan for, for organization of	549	1—5

CIVIL SERVICE AND REGISTRATION, DEPARTMENT OF:

civil service, division of, board of registration and discipline in medicine, drug violations, certain, shall be reported to	707
immunity from suit, providing, for good-faith complaints, filed with	623
medical officers, interns, residents and fellows, registration, further limiting, with	252
physicians, conviction of certain criminal offenses, authorizing certain actions by	165

	Chap.	Section.
CIVIL SERVICE AND REGISTRATION, DEPARTMENT OF —		
<i>Concluded.</i>		
board of registration in pharmacy, drug violations, certain, shall be reported to	707	
civil service examinations, employment and experience, credit for, in marking of	91	1, 2
dentistry, board of registration, establishing	757	1—16
hairdressers, board of registration of, aestheticians, regulating, by	806	
nurses, board of registration of, further regulating	884	1—4
nursing, board of registration in, membership, regulating qualifications of licensed practical nurses, in	111	
nurse-midwifery, practice of, providing for, on designation by	129	
plumbers, board of state examiners of, examinations held by, location and number of, providing for	378	1—3
social workers, board of registration of, establishing	818	1—4
commissioner, decision, increasing time for giving notice of, by	230	
state lottery laws, returns filed and taxes paid, further regulating, under	219	1—7
Vietnam veterans, civil service examinations, taking of, further defining eligibility of	169	1, 2
director, management intern examinations, further regulating .	184	
temporary employees, promotional appointments for, qualifications, relative to	139	
CIVIL SERVICE LAWS:		
Acushnet, Joseph Francis, police officer, appointment as, authorizing, under	974	
Agawam, police chief in, exempting from	306	
status of, question of, clarifying, under	633	1—3
Andover, public works, department of, employees, certain, in, exempting from	517	1—3
Arlington, town accountant and workmen's compensation agent, in, exempting from	382	
Brookline, school plant, director of, and school food services, director of, appointment of, exempting from	351	
building construction, bureau of, permanent positions, extending eligible list for, in, under	579	
Burlington, Scilzo, Robert, permitting taking of civil service examination for police officer, in	310	
cancer, past condition, prohibiting discrimination for, under ..	326	
child support enforcement worker, examinations for, may be taken by certain employees in	90	
civil service commission, decision by, increasing time for notice of, under	230	
Dartmouth, police chief in, exempting from	39	1—4
emergency medical care training, positions requiring, use of unassembled examinations, relative to	728	
employment and experience, credit for, in marking of examinations under	91	1, 2
Fall River, Stapleton, Thomas, council on aging, director of, appointment as, under	483	

CIVIL SERVICE LAWS — *Continued.*

firefighters, probationary period, increasing, for certain, under	438	
Gerard, Leonard Jr., correction officer, appointment as, exempting from age requirement, under	626	
Gloucester, fisheries commission, executive secretary and secretary and secretary to same, exempting from	451	
Greater Lawrence sanitary district, employees, certain, of, exempting from	125	
Hadley, chief of police and police officers in, exempting from ..	498	1—3
Hale Hospital and Glenn Memorial Hospital, Haverhill, in, employees, certain, providing status under	702	
Hopedale, fire department, members of, exempting from	123	1—3
police department, members of, exempting from	122	1—3
Lawrence, police sergeant extending time of eligible list for appointments of, in, under	703	
libraries, pages employed in, exempting from	155	
Lynn Port Authority, employees of, exempting from	318	
Marlborough, city engineer in, exempting from	782	
Mental health, department of, area director and associate director and associate director in, shall be exempt from	998	1—4
Milford, custodian of town hall and police station, exempting from	809	1—3
Milton, sealer of weights and measures, inspector of plumbing and gas fittings, exempting from	281	
motor vehicle investigator, appointment as, eligible list for, extending, under	186	
Newton, school positions in, certain, exempting from	380	1, 2
police officers, discharge, hearing prior to, not covered by	246	1, 2
provisional employees, informal hearing upon termination, providing, for certain, under	624	
Public works, department of, employees and technical personnel, appointment and removal of, relative to	969	1, 2
Saugus, Carter, Joseph D., superintendent of public works, incumbent of, relative to, under	571	
Springfield, personnel department, insurance clerk in, exempting from	607	
police cadets appointed to police force of, status under	696	
state racing commission laboratory, further defining, status under	960	1, 2
suspension hearing, results of, increasing time for notification of, under	507	
Taunton, sealer of weights and measures in, exempting from ...	452	
temporary employees, promotional appointments for, qualifications, relative to	139	
temporary employment, notice to employee, requiring, by personnel administrator, under	853	
Walpole, chief of police in, office of, exempting from	396	
Waltham, community services officer in, exempting from	332	
welfare auditing, bureau of, relative to	830	1, 2
Westfield, city clerk, shall serve for term of 3 years, and exempting from	529	1, 2

	Chap.	Section.
CIVIL SERVICE LAWS — <i>Concluded.</i>		
West Springfield, in, police records, clerk matron, exempting from	352	1—3
Wilmington, police officers in, appointment of certain persons as, notwithstanding age under	802	
women, police officers, appointment as, providing equal employment rights as, under	822	
veterans' benefits, extending to spouses and parents, of female veterans, under	815	1—5
Worcester, school department, administrative assistants for business in, exempting from	558	
Class suits (see Practice in civil actions).		
Clay Chevrolet, Inc., metropolitan district commission, conveyance of land by, Boston, in, authorizing, to	851	
Club deposits, credit unions, increasing authorized acceptance of money, by, for	21	
Cluster development, common lands, taxation of, relative to, in	422	
Coal, mining operations, regulating, relative to	957	1, 2
Coastal wetlands (see Waters and waterways).		
Cochituate State Park, environmental management, department of, grant of easements by, to Massachusetts Turnpike Authority, in ..	362	
Cohasset, town of (see Cities and towns).		
Cole, John H. Memorial Tower, Weymouth, in, establishing	11	1, 2
Coletti Bros., Inc., Norfolk county, payment of sum of money by, authorizing, to	931	
Collective bargaining, alcoholic beverages control commission, investigators of, transfer for purposes of	768	
cities and towns (see Cities and towns).		
joint-labor management committee, establishing, to oversee police and firefighter	730	1—3
judicial employees, by, relative to	278	1—4
metropolitan district commission police, relative to	753	
prohibited practices, review of, under public employee	788	
public employees, agents of, service fees for, relative to	903	
state lottery commission, employees of, further regulating, relative to	937	1—3
Collective bargaining agent, state employees, shall be exempt from certain appeals, when represented by	658	1, 2
Collector of taxes, delinquent taxes, collection of, taking of, goods for, relative to	175	
fees, further regulating, of	669	
property taxes, collection of, relative to, by	176	1, 2
taxes, further regulating notice by	525	
COLLEGES, UNIVERSITIES AND INSTITUTES:		
boards, certain, membership of, relative to	864	1—13
Essex Agricultural and Technical Institute, students, post-secondaries, requiring tuition payment by, to	237	
Harvard, metropolitan district commission, conveyance of easements by, traversing John Fitzgerald Kennedy Park, at	844	
higher education, board of, educational assistance program, certain, administration of, transferring, to	771	1, 2

	Chap.	Section.
COLLEGES, UNIVERSITIES AND INSTITUTES — <i>Concluded.</i>		
regional community colleges, student members, election of, to advisory board of	95	
Southeastern Massachusetts University, Commonwealth, scholarship by, relative to, at	913	1, 2
trustees, increasing term of, of	26	1, 2
special police, relative to, in	918	
state colleges, board of trustees of, public works, department of, transfer of land to, Boston, in, directing	764	
tuberculosis, school personnel, further regulating testing of, relative to	67	1, 2
University of Massachusetts, Boston, in, allowing maintenance of existing fill at site for	295	
open-meeting law, shall apply to meetings of trustees of	991	
medical school, dissected bodies, cremation and disposal of, by	171	1—3
Williams College, trustees, increasing number of, authorizing, by	107	
COMMERCE AND DEVELOPMENT, DEPARTMENT OF:		
eligible business facility under urban job incentive bureau program, requirements of, further defining, of	939	
Massachusetts industrial mortgage insurance agency, duties of, expanding, under	688	1—4
COMMISSIONS, STATE:		
special:		
Arlington, town of (see Cities and towns).		
Arson, problems concerning, to investigate and study, reviving and continuing, by	17	
certain, reviving and continuing	7	
contracts, awarding of, by municipalities, counties and districts, to investigate and study, increasing membership of, by	25	
department of education, division of adult education, establishing, in, to investigate and study, by	36	
electric utility generation and transmission facilities, location of, to investigate and study, increasing scope of, by	41	
elementary and secondary education, unequal educational opportunity, to investigate and study, increasing scope of, by	28	
firefighters and police officers, physical and advisory board, question of establishing, to investigate and study, by	19	
forest management and lumber operation to investigate and study, by	16	
gerontology, aspects of, to investigate and study, by .	33	
handicapped persons, transportation and education, training of, to investigate and study, reviving and continuing, by	38	
housing and neighborhood revitalization, to investigate and study, by	39	

	Chap.	Section.
COMMISSIONS, STATE — <i>Concluded.</i>		
<i>special — <i>Concluded.</i></i>		
human clinical investigation and experimental therapy, to investigate and study, increasing scope of, by	Resolve	26
marine boundaries and resources, to investigate and study, reviving and continuing and increasing scope of, by	Resolve	15
Massachusetts unemployment, to investigate and study, by	Resolve	24
medical malpractice and professional liability insurance, to investigate and study, increasing scope of, by	Resolve	34
motor vehicles, compulsory basic insurance for, matters relative to, to investigate and study, reviving and continuing	Resolve	8
prisoner furlough program, to investigate and study, increasing scope of, by	Resolve	22
public higher education, reorganization of, to investigate and study, by	Resolve	12
quality of life, growth patterns of, to investigate and study, increasing scope of, by	Resolve	30
to investigate and study, reviving and continuing, by	Resolve	32
spectator violence at sporting events, to investigate and study, by	Resolve	20
Spicket river in Lawrence and Methuen, problems relative to, to investigate and study, by	Resolve	27
state laws mandating local expenditures, state funding of, to investigate and study, by	Resolve	18
television and movie violence, affects of, to investigate and study, by	Resolve	35
water supply, question of adequacy of, to investigate and study, by	Resolve	13
Common carriers (see Motor vehicles).		
Common day of rest law, days, certain, to be excluded from		722
Common stock (see Corporations).		
Common trust funds, banking associations and corporations, authorized to make collective investment in		92
COMMONWEALTH:		
Agricultural preservation restrictions, acquisition of, providing, by	780	1—10
appropriations for fiscal year	363A	1—76
ballots, data processing cards, shall be furnished to cities and towns, by	756	
boards, certain, membership of, relative to	864	1—13
bonds and notes, certain, terms of, to be issued by	951	
issuing of, procedure for, relative to	336	1—6
terms of, relative to, issued by	269	1—11
campaign media spending restrictions, repealing	294	1, 2
capital outlay program, providing, for	767	1—3
capital resource company, establishing, unemployment, providing for reduction of	816	1—29
coal mining operations, regulating in	957	1, 2

Chap. Section.

COMMONWEALTH — Continued.

competitive bidding statutes, construction contracts, to include certain additional awarding authorities	970	1, 2
comprehensive rail transit, accelerated highway and railroad improvement, bonding authorization, relative to	356	1—24
cost-of-living, salary adjustments, for certain employees of	234	1—198
providing, for certain employees of	872	1—204
councillor and senatorial districts, establishing	180	1—3
Dalton, reimbursement to, for veterans' benefits paid, authorizing, by	894	
eligible business facility under urban job incentive bureau program, requirements of, further defining, of	939	
freight rail fund, rail rights-of-way, abandoned, acquisition of, releasing funds from, by	800	
freight rail transportation program, law, amending, relative to	346	1—3
gas and electric companies, charges by, certain, prohibiting, on	328	
governmental bodies, hearings conducted by, shall be in municipality affected	895	
Government Land Bank, amending law creating	732	1—12
Grafton, grant of easements to, sewer purposes, on land owned by	413	
group insurance commission, rates stabilization reserves or special claims, group life and health insurance policies, relative to custody or transfer by	695	
judicial council, membership, increasing	698	
library commissioners, board of, establishing	565	1—7
lumbering operations, state-owned lands, on, requiring notice of	566	
management intern civil service examinations, further	184	
Massachusetts Bay Transportation Authority, construction projects, relocation of utility facilities on, relative to	640	
Massachusetts national guard, dependents of deceased members, death benefit, optional payment of	68	
Massachusetts national guard educational assistance program, establishing	972	
medical malpractice, special commission on, relative to	475	
military service in Siberia, between certain dates, in armed forces of United States, providing payment of sum of money, by	748	
officers and enlisted personnel, pay and allowance of, of the armed forces, of the	811	
plumbers and gasfitters, board of state examiners of, establishing	843	1—15
probation, assistant supervisor and supervisors, duties of and providing for additional personnel	785	
public assistance, receipt of, further regulating	825	1—3
representative district, establishing one hundred sixty in general court	277	1, 2
Soldiers' Home in Massachusetts, insurance covering buildings, procurement of, authorizing, by	784	
Southeastern Massachusetts University, scholarships, relative to, at, by	913	1, 2

	Chap.	Section.
COMMONWEALTH — <i>Concluded.</i>		
special education reimbursement, further regulating applications by municipalities, by	383	1, 2
Springfield, in, armory, relative to construction of, contribution, by	402	
state advisory board to department of public welfare, increasing membership of	953	1, 2
state employees, collective bargaining agent, represented by, exempted from certain appeals, relative to	658	1, 2
state library, board of, trustees of, term and membership of, further regulating	108	1, 2
state racing commission laboratory, civil service status, further defining, of employees of	960	1, 2
state securities, filing of, providing for, relative to	377	1—4
superior courts, clerks and assistant clerks of, salaries of, relative to	423	
temporary employment, notice to employee, requiring, by personnel administrator of	853	
United States, acquisition of land by, for Charles River natural valley storage project, granting consent of	858	1—5
youth services, department of, advisory committee, membership of, increasing, in	162	
Community Affairs , advisory committee on, membership, changing, of	100	
department of, housing for elderly and handicapped persons, providing, under	996	1—7
Community colleges (see department of Education).		
Community service area directors , department of public welfare, appointment in, regulating, of	736	
Companies (see also Corporations).		
banking (see Banks and banking).		
insurance (see Insurance).		
trust (see Banks and banking).		
Competitive bidding , construction contracts, to include certain additional awarding authorities	970	1, 2
Conciliation and arbitration , industrial disputes, for, creating filing fee, for	790	
Concord, town of (see Cities and towns).		
Condominiums , registrars of voters, information to, certain, requiring, by owners of	263	
Conflict of interest , "state employee", redefining, as to construction contractors, relative to	245	
Conservation commissions , Bedford, sanitary sewer, construction and maintenance, by, on land under jurisdiction of	194	
local permits, eliminating requirement for obtaining, prior to filing with	601	
local permits, obtaining, prior to notice of intent, with	131	
department of, marine fishery violations, certain, increasing penalties for	69	1—4
Conservation , Martha's Vineyard, land and waters, protection of, further regulating, of	831	1—27
mountain regions, activities, certain, regulating, in Berkshire county, for purposes of	418	1—5

	Chap.	Section.
CONSERVATION — <i>Concluded.</i>		
restrictions, public recreational uses, permitting, on lands sub- ject to	81	
Conservators (see Guardians and Conservators).		
Constables , civil and criminal process, service of, fees for, requiring report by	140	
Constitution , commonwealth of (see Commonwealth).		
Construction contractors , "state employee", redefining, under con- flict of laws, relative to	245	
Consumer Affairs, executive office of , CATV, further regulating ...	552	1, 2
hawkers and peddlers licenses, inspection of, by director of standards in	314	
laboratory testing of weights, measures, etc., fees scheduled by director of standards, in	554	
standards, director of, penalties, providing, for violation of rules adopted by	116	
Consumer credit , cost and terms, further regulating disclosure of ...	980	
Consumer protection , consumer credit, costs and terms, disclosure of, further regulating	429	
credit, costs and terms, disclosure of, further regulating	52	1—27
consumer credit, extension of, further regulating	96	
credit plans, open-end, balances on, relative to	10	
fair trade law, repealing	74	1, 2
federal fair credit billing act, compliance with shall be in com- pliance with law of commonwealth, limited time	61	
hearing aids, regulating sale of	978	1, 2
imitation frozen desserts, frozen desserts made with milk, fat substitutes, allowing sale of	694	
insurance, late notice by insured, shall not invalidate coverage except where prejudice shown	437	
insurance policies, must be written in easily understood form ..	801	1—12
mobile home dealers, advertising by, shall include certain charges	160	
motor vehicle manufacturers, distributors and dealers, business practices between, further regulating	717	1—5
security deposits, regulating, for residential real estate	979	1—5
Contempt proceedings , probate court, in, relative to, certain	973	
Contracts , sales (see Sales).		
Controlled substances , department of public health, disposal by, after trial, of certain	798	
narcotic drug poisons, etc., admission in evidence, upon certifi- cate by drug enforcement administration, of United States Department of Justice	128	
substance, certain, classifying, as	824	
Cooperative banks , (see also Banks and Banking).		
term deposit accounts, relative to	202	
Co-operative Central bank , loans, certain, authorizing, by	164	
Corporate nominee partnerships , city and town treasurers, local retirement systems for, may set up	369	
CORPORATIONS:		
in general, banking associations and corporations, collective in- vestment by, authorizing temporary investments	92	
banking corporations, savings banks, special notice accounts, withdrawals from, relative to	168	

	Chap.	Section.
CORPORATIONS — Continued.		
in general — <i>Concluded.</i>		
carry over of investment credit, for corporation excise, providing, to	919	1—3
certificate of condition, relative to filing of, by certain	98	1—10
charitable, property tax exemptions, determination of eligibility for, relative to	992	1—5
cities and towns, reducing tax assessments on, use of federal funds for, authorizing, by	642	
commerce and development, department of, eligible business facility under urban job incentive bureau program, requirements of, further defining, of	939	
cooperative banks, branch officers or depots, corrective changes in law, relative to	205	
home improvement loans, amount and term of, increasing, by	260	
second mortgages on residential property, may be given by	195	
credit unions, investments, relative to, of	313	
East Sudbury, ministerial fund, The First Parish in Wayland, officers of, shall constitute trustees of	174	
employees, provisional, informal hearing upon termination, providing, for certain	624	
gas and electric companies, bonds, concerning law, relative to	288	
capital stock, issuance of, clarifying law, relative to	258	1—4
mortgage of assets, permitting, under certain circumstances, by	276	1, 2
insurance companies, annual statements, date of filing, further regulating	221	
insurance licenses, agents and brokers, clarifying requirements of, for	340	
life insurance companies, domestic, relative to investments by	286	
medical service corporations, non-profit, health insurance to subscribers outside the commonwealth, authorizing, by	341	
reacquired shares of stock, restoration of, to status of unissued shares, by	292	
real estate taxes, exemption from, providing, for certain	964	
research and development, sales by, certain, exempting from sales tax law	620	1, 2
savings banks, branch officers or depots, corrective changes in law, relative to	204	
deposits in, permitting, of funds of retirement plans, by ...	93	
loans, certain, authorizing acquisition of, by	262	
savings bank investment fund, investments in, by	282	
securities investment limitations, relative to	109	
savings bank life insurance council, reorganizing	150	
special provisions relative to particular corporations:		
Bay Colony Railroad Corporation, incorporating	84	1—7
Braemore of Marlborough, Inc., department of public health, classification by, for level II and III patients, authorizing, at	906	

Chap. Section.

CORPORATIONS — *Concluded.***special provisions relative to particular corporations — *Concluded.***

cooperative central bank, loans, certain, authorizing, by	164	
data general corporation, Westborough, validating prior action by, relative to sewer connection by	551	1—3
Economic Development and Industrial Corporation of Lynn, establishing	778	1—18
Grandby Telephone and Telegraph Company of Massachusetts, borrowing power, increasing, for	88	
Greater Boston Young Men's Christian Association, resolve in favor of	6	
medical service corporation, alcoholism, treatment of, corrective changes in law, and relative to board of registration and discipline in medicine	504	
Melrose Firemen's Relief Association, Incorporated, retirement and death benefits, relative to, paid by	896	
Mount Auburn, proprietors of the cemetery of, trustees and officers of, relative to	468	1, 2
New Bedford Firemen's Mutual Aid Society, dissolution, providing, of	388	
North Andover Firemen's Relief Association, benefits, certain, payable to members, authorizing, by	759	
Rogerson House, charter, amending, of	533	
savings bank investment fund, investments, relative to, by . .	384	
savings bank, joint savings accounts, two or more persons may hold	94	1—7
urban redevelopment corporation, insurance companies, certain, may act as	578	
Wareham Historical Society, Inc., Wareham, in, grant of easement by, authorizing, to	999	

CORPORATIONS AND TAXATION, DEPARTMENT OF:

in general, corporations, certificate of condition, filing of, relative to	98	1—10
taxation, income tax, shall be more consistent with Federal Internal Revenue Code	599	1—11
state taxation, administrative provisions, further regulating, relative to	459	1—7
tax refunds, may be credited to taxpayers' tax accounts, by . .	827	
commissioner, assessors' valuation book, copies of, relative to deposit with	200	
New Hampshire, Attorney General, authorizing suit by, for unlawful collection of taxes, by, proceeds to be paid to . . .	102	
state taxes, payment of, under methods prescribed by	583	

CORRECTION, DEPARTMENT OF:

Beal, Earl H., appointment as correction officer, notwithstanding age, authorizing, to	734	
Gennell, Paul, appointment as correction officer, notwithstanding age, authorizing, to	733	
prisoners, male and female, hospitalization of, further regulating, under	582	1, 2
reduction in sentence, eliminating certain time requirement for, under	220	
Stoer, Paul R., correction officer, appointment as, eligibility for notwithstanding age, for	323	

	Chap.	Section.
CORRECTION, DEPARTMENT OF — <i>Concluded.</i>		
Correspondence schools, further regulating	826	1—13
Cost-of-living adjustments, providing, for certain state employees ..	872	1—204
Councillor districts, establishing	180	1—3
COUNTIES:		
agricultural lands, exemption from eminent domain for conser-		
vation purposes, by	350	
appropriations for maintenance of, etc.	192	1, 2
	193	1, 2
	457	
	458	
	484	1, 2
	485	1, 2
beds specifications, certain, to be made available to public,		
relative to	75	
civil service examinations, employment and experience, credit		
for, in marking of	91	1, 2
claims, extending time for payment of, by	50	
constables, civil and criminal process, service of, fees for, re-		
quiring report by, to treasurer of	140	
contracts, certain, awards of, special commission, to investigate		
and study, increasing membership of	25	
county commissioners, reports to, by county treasurers, monthly		
accounts, relative to	48	
county securities, filing of, providing for, relative to	377	1—4
county treasurers, advances of money by, district attorneys to,		
relative to	86	
credit unions, authorizing deposits in, from pensions and retire-		
ment allowances, by	77	1, 2
employees, deceased, relatives of, increasing amounts payable		
to	25	
employees, further regulating discharge of, by	854	
employees, suspension of hearing, results of, increasing time		
for notification of, under civil service laws	507	
gas and electric companies, charges by, certain, prohibiting,		
on	328	
jails or houses of correction, employees, injured by inmates, pay-		
ment of compensation to, authorizing, by	1002	
retirement boards, advisory councils, creating, board pro-		
cedures, certain, reforming	890	1—3
retirement for disability, allowable earnings, relative to	766	
salaries, increasing, of certain employees, of	233	1—9
self-insurers, authorizing	900	
superior courts, clerks and assistant clerks of, salaries of, relative		
to	423	
Veteran's retirement law, extending time for acceptance by ...	432	
County advisory boards, appointment of designees, providing for ...	959	
COUNTY COMMISSIONERS:		
Barnstable county, dredgers, purchase or lease of, authorizing,		
by	725	1—3
Berkshire county, county jail and sheriff, expenses of, certain,		
authorizing payment by	577	
recreational advantages, expenditures for, increasing authori-		
zation for	53	
bid specifications, certain, to be made available to public,		
relative to	75	

Chap. Section.

COUNTY COMMISSIONERS — Continued.

Bristol county, Agricultural school, Bristol county, alteration and equipping of, borrowing for, authorizing, by	923	1, 2
federal grant, expenditure of funds from, authorizing, for renovation of public buildings, certain, by	731	
Lewis, Lois M. payment of sum of money to, authorizing, by	335	1—4
southern district registry of deeds building, repair of roof of, expenditure for, authorizing	78	
superior court, assistant clerk for criminal proceedings, designation for, providing for	439	
Target Communications, Inc., payment of sum of money to, authorizing, by	178	1—4
counties, claims, extending time for payment of, by	50	
county advisory boards, appointment of designees, providing for	959	
county cooperative extension service, trustees, terms of, relative to	113	1, 2
county treasurers, reports by, monthly accounts, relative to, to .	48	
Dukes county, airport, repairs of, authorizing, borrowing, for, by	266	1, 2
recreational advantages, expenditures for, increasing authorization, for	56	
employees, deceased, relative of, increasing amounts payable to, by	25	
Essex county, Essex county jail and house of correction at Lawrence, bills for, certain authorizing payment by	257	
Essex County Jail and House of Correction at Lawrence, improvements at, authorizing, by	935	1, 2
Essex county training school (former), debts incurred for, authorizing payment by	280	
Superior courthouse, Newburyport, in, renovation of, borrowing for, authorizing, by	435	1—3
Superior courthouse, registry, probate and county commissioner's building, renovation of, borrowing for, increasing, by	443	1, 2
unpaid bills, certain, authorizing payment of, by treasurer of	29	1—3
Franklin county, jail and house of correction; renovation of, authorizing expenditure of federal funds, by	795	
promotion of recreational and other advantages of, increasing amount of money which may be spent by	672	
Superior court building, plans for, Greenfield, in, authorizing expenditure, by	772	
unpaid bills, certain, authorizing payment by	563	1—4
Hampshire county, jail and house of correction, borrowing for, authorizing, by	126	1—3
hospital, appropriation for care, maintenance, etc. of	236	
promotion of recreational and other advantages of, increasing amount of money which may be spent by	673	
water and sewage systems, extension of, expenditure of, of federal funds by	796	
Middlesex county, courthouse building, related matters, increasing amount which may be borrowed by	981	1—3

	Chap.	Section.
COUNTY COMMISSIONERS — <i>Concluded.</i>		
Probate court and Registry of deeds, renovation of, federal funds for, authorizing expenditures, by	792	
unpaid bills, certain, authorizing payment, by	72	1—3
Nantucket county, sheriffs, relative to salary of and retention of fees by, upon acceptance by	254	1, 2
Norfolk county, agricultural school, renovation and repair of, borrowing for, authorizing, by	922	1, 2
Coletti Bros., Inc., payment of sum of money to, authorizing, by	931	
Norwood, public lands, in acquisition, highway purposes, authorizing, by	154	
probate court, furnishings for, expending funds for, authorizing, by	71	
Randolph, public lands in, acquisition of, highway purposes, by	33	
Stroy, Joseph, payment of sum of money to and on behalf of, authorizing, by	58	
unpaid bills, certain, authorizing payment by	42	1—4
Plymouth county, collective bargaining contracts, paying unfunded portions of, for employees at Plymouth County Hospital, by	392	
land, certain, purchase of, for office space for Superior and probate courts, Brockton, in, authorizing, by	391	1, 2
Leroy M. Anderson and Russell L. Pittsley, payment of sum of money to, authorizing, by	441	1—3
Plymouth, fourth district court of, new courthouse for, authorizing additional borrowing for, by	83	1, 2
superior courthouse in Brockton, renovation of, federal funds for, authorizing expenditure, by	821	
The Jordan Hospital, payment of sum of money to, authorizing, by	440	1—3
unpaid bills, certain, authorizing payment of, by	312	
salaries, increasing, of certain county employees, by	233	1—9
Worcester county, Worcester County Hospital, repairs and renovations to, authorizing, by	477	
County cooperative extension service, Suffolk county trustees, submission of budget by, regulating, for	924	1—4
trustees, terms of, relative to	113	1, 2
Court officers (see particular courts).		
COURTS:		
appeals court (see Appeals court).		
district courts (see District courts).		
probate courts (see Probate courts).		
superior and supreme courts (Supreme Judicial and superior courts).		
Credit, consumer, costs and terms, disclosure of, further regulating	429	
further regulating	52	1—27
Credit plans, open-end, balances on, relative to	10	
Credit unions, automated facilities, for disbursement of funds, by electronic processing, use of, by	32	
branch offices, permitting establishment outside of county location, of main office, by	143	

Chap. Section.

CREDIT UNIONS — *Concluded.*

certificate of convenience and advantage, reducing filing fee for, paid by	635	
cities, towns and counties, may deposit funds from pension and retirement allowances, in	77	1, 2
club deposits, increasing amount which may be accepted for, by	21	
credit union employees retirement association, conformance to federal law, relative to	47	
energy systems, certain, loans for, authorizing, by	28	1—5
investments, relative to, of	313	
legacies and shares, certain, may be deposited in	17	
legacies or distributive shares, certain, may be accepted as deposits by	16	
open-end loans, relative to method of payment by, members of	24	
personal loans, term of repayment, increasing, to	19	
probate funds, certain, may be deposited in name of judge, in ..	18	
real estate mortgages, increasing amount of money which may be loaned on, by	22	
ninety per cent of value, authorizing, by	20	
real estate, residential, second mortgages on, authorizing, by ..	23	
shares or deposits, increasing amount which may be accepted by	15	

CRIMES:

abortions, changes in certain laws, relative to	397	1—12
animals, lures or bait, prohibiting use of certain, penalty for ...	679	
animals as prizes, prohibiting, penalty for	112	
arson, penalty, increasing, for attempted	975	
broadheads, razorheads, or other arrowheads, sale for hunting purposes, certain, prohibiting	240	
cans, soft drinks and malt beverages, sale of, regulating con- struction of, penalty for violation	399	
child abuse or neglect, failure to report, further penalties for ...	942	
children, abused or neglected, failure to report, penalty for	501	
desertion or non-support, spouses and children of, further regu- lating crime of	848	
eels, commercial harvest of, penalty for violation	971	1—3
electric or gas meters, intentional injury to, diversion of gas or electric, penalty for	191	1, 2
equine animals, dealing in and transportation of, penalty for violation	857	
ferrets and fitchews, violation of laws relative to, increasing penalty for	593	
fisheries and wildlife, division of, field trials, further regulating, under, penalty for violation	921	
food, sale of, containing foreign substance, intentionally, pen- alty for	861	
housing authorities, may regulate parking of certain motor vehicles, penalty for violation	146	
marine fisheries, penalties, increasing, for certain violations, relative to	69	1—4
park or playground land, rules related to, increasing maximum fine for violation	211	
physicians, sterilization procedures, requiring prior written consent from patient, by, penalty for violation	654	

	Chap.	Section.
CRIMES — <i>Concluded.</i>		
polling places, political activities at, further defining penalty for	297	
pornography involving children, providing penalty for	917	1—7
prostitution, deriving support from, relative to	589	
sexual intercourse, unlawful, with mentally ill persons, prohibited, penalty for	588	
traffic violators, failure to respond within 21 days, increasing penalty for	612	
weekly wages, failure to pay, increasing penalty for	664	
wells, digging or drilling, further regulating, penalty for violation	201	1—3
Crime prevention , interstate cooperation, commission on, relative to	470	
Criminal history systems board , criminal information, dissemination, authorizing, under	841	
Criminal information , dissemination, authorizing, of certain	841	
Criminal justice , committee on, public safety, executive office of, secretary of, shall be member of	321	
Criminal justice agency , fair information practice act, relative to ...	691	1—14
Criminal offender , record information, fair information practice act, relative to	691	1—14
CRIMINAL PROCEDURE AND PRACTICE:		
alcoholic beverages, sale of, minors, false representations by, relative to	859	
automobile associations, arrest bond certificates, acceptance as bail, providing for, by	786	
Berkshire and Hampden districts, establishing, for administration of criminal law	659	1—5
controlled substances, substance, certain, clarifying as	824	
corrective changes in law, relative to	829	1—24
employment security cases, statute of limitations, extending to 6 years, complaints under	706	
fair information practice act, relative to	691	1—14
forfeiture of money, relative to, seized in certain criminal cases .	556	1—4
grand juries, counsel, authorizing presence of, at proceedings of	770	
juveniles adjudged delinquents, suffolk county in, appeals to be heard in Boston juvenile court	431	1, 2
Middlesex county, in, grand and trial juries, selection and management of, regulating	415	1—14
monies received by criminals, shall be distributed to victims ...	948	
motor boat offenses, certain, payment of mail by fines, authorizing	576	
narcotic drugs poisons, etc., admission in evidence, upon certificate by drug enforcement administration, of United States Department of Justice	128	
police officers, firefighters and certain others, immunity from criminal liability, for certain emergency first aid, granting to	649	
prisoners, reduction in sentence, eliminating certain time requirement for, for	220	
rape cases, evidence, certain, admissibility of, regulating, in ...	110	
special sentence of imprisonment, to be served at periodic intervals, providing for	537	

Chap. Section.

CRIMINAL PROCEDURE AND PRACTICE — *Concluded.*

Worcester county, grand jurors, shall serve for term of six months 315 1—5

D.

Dalton, town of (see Cities and towns).

Damon Corporation, Metropolitan District Commission, lease of land by, Needham, in, authorizing, to 994

Danvers, town of (see Cities and towns).

Dartmouth, town of (see Cities and towns).

Data general corporation, Westborough, validating prior action by, relative to sewer connection by 551 1—3

Dean, Robert J., resolve in favor of Resolve 37

Death records (see Records).

Dedham, Milton, Natick, Wellesley Regional Vocational School District, land, equipment and buildings, lease of, authorizing, by . 850

Dedham, town of (see Cities and towns).

Deeds (see also Register of deeds).

Deeds excises, premium on bonds for, relative to 584

Deferred compensation program, state employees, certain, authorizing, to participate in 955

Dennis, town of (see Cities and towns).

Dennis-Yarmouth Regional school district, Dennis, payment by, authorizing certain funds, for assessment, to 60

Dental insurance coverage, state employees and retired employees, providing 958 1—13

Dentistry, board of registration in, establishing 757 1—16

Depin, Kenneth Overpass, Fall River, in, designated as 750

Depositions, electronic recording devices, use of, authorizing, for taking of 144

Derby, Roger, R., central Middlesex, district court of, court officer, service notwithstanding age, authorizing 752

Desertion or non-support, spouses and children of, further regulating crime of 848

Determination of need law, health care providers, including, extending provisions of 945 1—7

Dighton water district, Somerset, contract by, authorizing, for use of water from Segreganset river, with 489

Digital Equipment Corporation, Springfield, conveyance of land by, authorizing, to 738

Dingley, Aubrey B., water resources commission, conveyance of land by, Northborough, in, authorizing, to 569

Dinicola, Peter and Gwen C., Northborough, payment of sum of money by, authorizing, to 366 1—3

DISTRICT ATTORNEYS:

Berkshire and Hampden districts, establishing, for administration of criminal law, by 659 1—5

county treasurers, relative to advances of money by, to 86

forfeiture of money, seized in certain criminal cases, petition by 556 1—4

northern district, assistant district attorneys in, relative to 995 1—3

DISTRICT COURTS:

in general, controlled substances, disposal of after trial, upon order of 798

	Chap.	Section.
DISTRICT COURTS — <i>Continued.</i>		
in general — <i>Concluded.</i>		
criminal information, dissemination, authorizing, of certain, by	841	
juvenile courts, advisory juries in, investigation by judicial council, relative to Resolve	4	
custody of child, transferring, emergency court orders, by	799	
juveniles, adjudged delinquents, Suffolk county in, appeals to be heard in Boston Juvenile Court	431	1, 2
juvenile facility, operated by or under contract with de- partment of public welfare, detention of	543	
motor boat offenses, fines, payment by mail, authorizing, to .	576	
narcotic drugs poisons, etc., admission in evidence, upon cer- tificate by drug enforcement administration, of United States Department of Justice	128	
ordinance violations, non-criminal disposition of, in	401	1, 2
rape cases, evidence, certain, admissibility of, regulating, in .	110	
retirement purposes, special funds for, authorizing establish- ment by	559	
special sentence of imprisonment, to be served at periodic intervals, providing for, in	537	
statute, vote of acceptance of, further clarifying, by	870	
summary process, appeals, failure to waive certain bonds, relative to	655	1, 2
use and occupancy, recovering amount for, providing for, in	636	
special provisions relative to particular courts:		
Barnstable juvenile court, composition, further regulating, of	241	1—4
Boston municipal court, criminal business, designation of an assistance clerk for twelve-man jury, authorizing, in	769	1—3
central Berkshire, district court of, chief probation officer, may adjust books to account for moneys stolen from office, in	509	
central Middlesex, district court of, Roger R. Derby, court officer, may serve as, notwithstanding age, in	752	
Holyoke, district court of, assistant clerk, providing for, in	446	1, 2
Marlborough, district court of, assistant clerk, providing for, in	819	1, 2
Plymouth, fourth district court of, additional assistant clerk for, providing for	445	1—3
Plymouth county, new court house for, authorizing addi- tional borrowing for, by	83	1, 2
Wareham, all sessions to be held in, of	697	
third district court of, Plymouth county, indemnification by, for losses suffered by chief probation officer of	45	
indemnification by, for losses suffered by clerk of	44	
South Boston district, municipal court of, additional court officer, providing, in	729	1—4
Springfield juvenile court, clerk of, may adjust books for stolen money, chief probation officer of, reimbursement to, for stolen money	311	1, 2

Chap. Section.

DISTRICTS:

in general, veterans' advisory boards, providing for, in	372	
veterans' retirement law, extending time for acceptance by ..	432	
conservation, Weymouth-Braintree regional recreation- conservation board, members, changes in terms of office, providing for	724	
disposal, south Essex solid waste disposal district, further regu- lating	420	1—7
fire, fire or explosions, investigation by local officials, further regulating	319	
forest wardens, relative to, in	227	
professional firefighters of Massachusetts, AFL-CIO-CLC, firefighters, time off without loss of pay, for attendance at conventions of	36	
historic, Old King's Highway regional historic district, Har- wich, withdrawal by, authorizing, from	38	1—5
regional schools, Bridgewater-Raynham regional school district, elections, district wide, authorizing, by	536	1—3
cities and towns, notice to, requiring, of state aid received by, of school committees of	823	
Dedham, Milton, Natick, Wellesley regional vocational school district, land buildings and equipment, lease of, authorizing, by	850	
Groton-Dunstable regional school district, bonds and notes, authorizing issuance by, and validating certain payment by	603	
school district committee meetings, notices of, posting, rela- tive to	527	
sanitary, greater Lawrence sanitary district, employees, certain, of, exempting from civil service laws	125	
school, Athol-Royalston regional school district, Athol and Royalston, district wide elections in, by	6	1—4
Dennis-Yarmouth regional school district, Dennis, payment by, authorizing certain funds, for assessment, to	60	
Groveland, may extend sewerage system land of Pentucket regional	124	
north middlesex regional school district, validating adoption by, of an amendment to certain agreement	213	1, 2
special education reimbursement, further regulating applica- tion by	383	1, 2
veterans' retirement law, extending time for acceptance by ..	432	
Wachusett regional school district, may incur indebtedness by two-thirds majority district-wide vote, and validating cer- tain proceedings in	462	1—3
school committee to be elected under proportional repre- sentation, and validating certain proceedings in	463	1—3
withdrawal of member town, providing for, and validating certain proceedings in	461	1—3
sewer, Hingham, north sewer district, action outside district, authorizing, by sewer commissioners of	434	
Lancaster sewer district, sewage construction costs, methods of apportioning, relative to	535	
metropolitan sewage district, relative to	714	1, 2

	Chap.	Section.
DISTRICTS — <i>Concluded.</i>		
sewer — <i>Concluded.</i>		
south Essex sewerage district, Marblehead, acquisition of land in, sewerage purposes, by	31	
Upper Blackstone Water Pollution District acceptance and treatment, relative to, by	99	1—3
veterans' services, departments of, district boards of, membership of, relative to	273	1, 2
water, Bourne water district, south Sagamore water district, boundary lines, adjusting of	604	1—3
Charles River pollution control district, Franklin and Medway, validating certain proceedings of town meetings at, relative to	1	1—3
Dighton water district, Somerset, contract by, authorizing, for use of water from Segreganset river, with	489	
Dracut water supply district, clerk, term of, shall be three years	683	
Granby water district, Granby, in, establishing	404	1—14
Ipswich river watershed district, Burlington, membership of, terminating, in	712	1—3
Lunenburg, bond issue, previous, appropriation of funds from, certain, authorizing, by	256	
Raynham center water district, treasurer and clerk, increasing terms for, in	863	
upper Blackstone water pollution abatement district, federal and state aid anticipation notes, renewal of, by	411	1—4
West Warren water district, upgrading and maintenance expenses, borrowing for, authorizing, by	681	1—4
Divers, lobsters, regulating taking of, by	476	
Diving, lobsters, taking of, regulating, by	13	
Divorce (see Probate courts).		
Dogs, police, prohibiting restraint of, certain	385	
Dover-Sherborn Regional School District, department of mental health, conveyance of land by, of Medfield state hospital, directing, to	986	
Dowling, Leo E. Memorial Park, Boston, in, designated as	675	
Dracut water supply district, clerk, term of, shall be three years, of	683	
Drafts, further regulating sale of	491	
Dredging projects, license, certain, exempting from hearing requirements under wetlands law	625	1—3
Driscoll, Walter T. Jr., Scituate, payment of sum of money by, authorizing, to	682	1—3
Drug stores, registration, further regulating, of	653	
Drugs, controlled substances, certain, classifying, as	824	
department of public health, disposal by, after trial, of certain	798	
pharmacy, board of registration in, medicine, board of registration and discipline in, reports to, requiring, for certain violations relating to	707	
DUKES COUNTY:		
airport, county, repairs of, authorizing borrowing for, by	266	1, 2
appropriations for fiscal year, for maintenance of	394	1—16
environmental management, department of, conveyance of land by, airport purposes for, authorizing, to	901	

Chap. Section.

DUKES COUNTY — *Concluded.*

recreational advantages, expenditures for, increasing authorization, for	56	
salaries, increasing, of certain employees of	233	1—9
Durgin Industries, Inc., Braintree, payment of sum of money by, authorizing, to	882	1—3
Duxbury, town of (see Cities and towns).		

E.

East Bridgewater, town of (see Cities and towns).		
Eastern Essex, district court of (see District courts).		
Eastern Hampden, district court of (see District courts).		
Eastern Middlesex, district court of (see District courts).		
Eastern Worcester, district court of (see District courts).		
Easton, town of (see Cities and towns).		
East Sudbury Ministerial Fund, The First Parish in Wayland, officers of, shall constitute trustees of	274	
Economic Development and Industrial Corporation of Lynn, establishing	778	1—18
Economic development, Wareham, borrowing by, authorizing, for purposes of	360	
Edgartown, town of (see Cities and towns).		
Educational collaboratives, school committees, may prepay tuition to certain	348	1, 2
EDUCATION, DEPARTMENT OF:		
in general, division of adult education, creating, special commission, to investigate and study	36	
educational collaboratives, school committees, may prepay tuition to certain	348	1, 2
elementary and secondary education, unequal educational opportunity, special commission, to investigate and study, increasing scope of	28	
Hatfield, school construction project in, directing approval by	835	
library commissioners, board of, establishing, relative to	565	1—7
private trade, business and correspondence schools, further regulating, by	826	1—13
schools, expulsion procedures, relative to	545	
public, pledge of allegiance to the flag, requiring, in	333	
special commission, public, higher, reorganization of, to investigate and study	12	
state college, persons over sixty-five, shall not be charged tuition at	915	
teachers' certification law, further clarifying application to ..	865	
Vietnam veterans, educational assistance, increasing years of eligibility for	842	1, 2
vocational schools, agreements relative to annuities, authorizing, by trustees of	224	
commissioner, cities and towns, lists of persons residing in, relative to, report to	367	1—4
school committees may establish costs for extended school service programs, subject to approval of	480	

	Chap.	Section.
EDUCATION, DEPARTMENT OF — <i>Concluded.</i>		
board of higher education, educational assistance program, certain, administration of, transferring, to	771	1, 2
Massachusetts National Guard educational assistance program, establishing, to be administered by	972	
regional community colleges, student members, election of, to advisory board of	95	
Eels, commercial harvest, relative to, of	971	1—3
Elder affairs, department of, area agency on aging, membership of, defining, within	538	
Elderly persons (see Aged persons).		
ELECTIONS:		
absent voting ballots, use of, authorizing, by persons unable to vote for religious beliefs	426	
campaign media, spending restrictions, repealing	294	
candidate withdrawal and voter registrations, changes in laws, relative to	622	1, 2
census information, failure to furnish may result in omission from voters' list	267	
corrective changes in law, relative to	829	1—24
data processing card ballots, shall be furnished to cities and towns by state	756	
electronic voting machines, ballot labels for, further regulating .	709	
nomination papers, insertion of correct designation of districts, further regulating	329	1—5
party enrollment procedure, relative to	546	1—8
polling places, political activity at, further defining	297	
primaries, elections and town meetings, registration time for, relative to	299	1, 2
signatures required for, reducing, for auditor, state treasurer, and state secretary	136	
punch card ballots, transmission to tabulation centers, regulating	668	1—4
recounts, changes in law, relative to	879	1—7
representative district, establishing one hundred sixty, in general court	277	1, 2
state ballot law commission, restructuring	927	1—18
state secretary, shall publish in newspapers, list of candidates and questions	667	
voter registration, removal from one portion of city to another, relative to	226	
voters, further regulating information to	898	
voting equipment, purchase, use and sale of, uniform regulation of, providing for	930	1—8
ward and town committees, associate members of, regulating appointment of	628	
Electrical components, lien for work labor, or materials, providing for, furnishing	592	
Electricians, state examiners, may establish reciprocity program with other states, for licensing of	163	
Electric and gas companies, electric utility generation and transmission facilities, location of, special commission, to investigate and study, increasing scope of	41	

	Chap.	Section.
Electric or gas meters, intentional injury to, diversion of gas or electric, penalty for	191	1, 2
Electric or gas plant, municipal, management, question whether same shall be appointed or elected, relative to	874	
Electronic processing, credit unions, use by, authorizing, of certain .	32	
Electronic recording devices, depositions, authorizing taking by	144	
Emergency cardiopulmonary resuscitation, civil liability, exemption from, for certain persons rendering	555	
Emergency medical care training, unassembled examinations, use of, relative to civil service laws, for positions requiring	728	
Emergency personnel, first-aid training, required, extending date of, for	324	
Eminent domain, counties, takings for conservation by, exempting agricultural lands from	350	
fiscal year tax proration, shall be included in takings by department of public works, by	832	1, 2
EMPLOYEES AND EMPLOYERS:		
common day of rest law, certain days, excluded from, requiring time-and-a-half payment	722	
credit unions, Credit Union Employees Retirement Association, conformance to federal law, relative to	47	
employment security cases, statute of limitations, extending to six years, in	706	
federal manpower program, extending state law, implementing	985	
federal unemployment benefits, continuation of, providing for .	381	1—5
group life insurance, coverage extending to dependents, under .	741	
labor and industries, commissioner of, authority of, continuing, relative to	600	1, 2
labor law, employee seeking rights under, shall not be punished therefor	590	
labor relations law, representation proceedings under, further regulating	188	
minimum fair wage rate, increasing	946	1—5
weekly wages, failure to pay, increasing penalty for	664	
Employment agencies, models, fees charged, further regulating	203	
Employment security law, federal law, conformity with and modifying financing provisions of	720	1—38
federal unemployment benefits, continuation of, providing for, under	381	1—5
statute of limitations, extending to six years, complaints brought under	706	
Employ the older worker week, annual observance of	265	
Endangered species day, annual observance of, providing, for	82	
Energy facility citing council, labor representation, providing for, in	167	
Energy systems, certain, loans for, authorizing by savings banks, cooperative banks, credit unions and trust companies	28	1—5
exemption for, providing, from sales tax	989	
Engineer, professional, sewage disposal systems, preparation of plans for, relative to, by	374	
Environmental affairs, secretary of, agricultural preservation restrictions, providing for, program to be established by	780	1—10
flora and fauna, quality of life of, to investigate and study, by	31	
Resolve		

	Chap.	Section.
Environmental approval processes, projects, certain, for, further regulating	947	1—5
Berkshire county, mountain areas in, regulating activities, rules by	418	1—5
Dukes county, conveyance of land to, airport purposes for, authorizing, by	901	
environmental approval processes, further regulating, for certain projects	947	1—5
flood plains, laws relative to, to investigate and study, by	11	Resolve
Massachusetts Turnpike Authority, grant of easements to, Cochituate state park in, by	362	
New England Power Company, easements to, Wrentham and Plainville in, authorizing by commissioner of	674	
ocean sanctuaries, regulating activities with, under control of ..	897	1—3
Wachusett mountain state reservation, lease of premises in, for operation of skiing facility, authorizing, by	287	
Weymouth, former nike missile site, rubbish collection center, shall not be constructed thereon, by	905	1, 2
youth services, department of, lease of portion of Nicholson State Park, to, authorizing, by	765	
Boston, south bay flats, filling of tidewaters, licenses made irrevocable	988	
cargo shed and other related matters at State Pier in New Bedford, to investigate and study, by	14	Resolve
coal mining operations, regulating, relative to	957	1, 2
commissioner of, contaminated shellfish, purification of, by methods approved by	331	
dredging projects, previously licensed, exempting from hearing requirements under wetlands law, under	625	1—3
Methuen, Merrimack River, drawing water from under conditions set by	532	1—3
Webb, Captain William K. Memorial Park and John H. Cole Memorial Tower, Weymouth, in, marker by	11	1, 2
New Bedford, West Beach sea wall, restoration of, expenditures of funds by	449	
safe drinking water, provision of, regulating, relative to powers of	526	1—4
Equine animals, regulating, dealing in and transportation of,	857	
Essex Agricultural and Technical Institute, students, post-secondaries, requiring tuition payment by, to	237	
ESSEX COUNTY:		
Boutchie, Ada, retirement allowance of, increasing, by retirement board of	406	
Essex County Jail and House of Correction at Lawrence, bills for, certain, authorizing expenditure by	257	
improvements at, authorizing, by	935	1, 2
Essex county training school, (former), debts incurred for, authorizing payment by	280	
salaries, increasing, of certain employees of	233	1—4
superior courthouse, Newburyport, in, renovation of, borrowing for, authorizing, by	435	1—3
registry, probate and county commissioner's building, renovation of, borrowing for, increasing, by	443	1, 2

	Chap.	Section.
ESSEX COUNTY — <i>Concluded.</i>		
unpaid bills, certain authorizing payment of, by treasurer of . . .	29	1—3
• Estates, fiduciaries, may settle and pay taxes on future interests	179	
probate courts, licenses for sale of property, further regulating .	466	1, 2
tax and probate laws, changing effective dates of law, relative to	76	1, 2
wills, changes in law, relative to, providing	637	1, 2
Evening school instruction, fees for, increasing, for attendance at . . .	137	
Everett, city of (see Cities and towns).		
Evidence (see Practice in civil actions).		
Excises, deeds, premium on bonds for, relative to	584	
Excise tax (see Taxation).		
Executive council district, establishing	180	1—3
Executors and administrators (see Probate courts).		

F.

Fair information practice act, relative to	691	1—14
Fair trade law, repealing	74	1, 2
Falconry, licensing requirements, for falconers, further regulating, relative to	542	1, 2
Fall River, city of (see Cities and towns).		
Farmer-wineries, licensing and regulating, providing for, of	929	1—15
Farm lands, municipalities, may purchase development rights of certain	232	1, 2
Federal aid anticipation notes, Amesbury, borrowing by, extending time for, for	301	
Great Barrington, issuing by, of certain	337	1, 2
Ipswich, authorizing, renewal of	632	
Maynard, sewage treatment plant, construction of, borrowing for, in anticipation of	330	
New Bedford, renewal by, authorizing, of certain	9	
Royalston, renewal by, authorizing, of certain	450	
Upper Blackstone water pollution abatement district, renewal by, of certain	411	1—4
Federal employment security law, employment security law, modifying and providing for conformity with	720	1—38
Federal fair credit billing act, consumer protection, law of commonwealth, shall be complied with, limited time, on compliance with	61	
Federal funds, cities and towns, reduction of tax assessments on, counties, by, by use of certain	642	
Franklin county, renovation of jail and house of correction, by, authorizing expenditure of	795	
Hampshire county, extension of water and sewage systems, by, authorizing expenditure of	796	
Federal highway beautification act, compliance, providing for, with	530	1—6
Federal internal revenue code, income tax laws, state, shall be more consistent with	599	1—11
Federal manpower programs, extending state law implementing . . .	985	
Fees, CATV, further regulating	552	1, 2
certificate of municipal liens, increasing	956	1, 2

	Chap.	Section.
*Fees — Concluded.		
conciliation and arbitration, industrial disputes, relative to filing	790	
constables, civil and criminal process, service of, requiring report by, relative to	140	
credit unions, certificate of convenience and advantage, reducing filing fee for, paid by	635	
employment agencies, models, further regulating	203	
evening school instruction, certain, increasing	137	
general court, bulletins of committee hearings and other documents, increasing fees for mailing, of the	4	1, 2
hunting and fishing licenses, aged persons, certain, for, reducing	983	1—3
identification cards from registrar of motor vehicles, requiring payment of	666	1—3
insurance agents and brokers, examination of, relative to licensing	1000	1—7
laboratory testing of weights, measures, etc., providing for schedule of	554	
shellfish purification plants, users of, increasing	30	
state taxation, administrative provisions, further regulating, relative to	459	1—7
weighing and measuring devices, increasing, for sealing	338	
wells, digging or drilling, further regulating, establishing	201	1—3
wines, manufacture of, relative to	787	1—3
Ferrets , violations of law, increasing penalties for, relative to	593	
Fetal deaths , reporting, further regulating, of	598	1—6
Figgins, Leland, Jr. , Somerville, assistant clerk of committees, tenure as, providing for	618	
Fiore, Angelo, R. , Fitchburg, conveyance of land by, authorizing, to	190	
Fire Department , fire or explosions, investigation by local officials, further regulating	319	
Hopedale, civil service laws, exemption from, for members of ..	123	1—3
Revere, compensation, providing to certain members of	820	
Fire districts (see Districts).		
Firefighters , call, promotion to permanent status, further regulating	307	
cities and towns, authorizing civil actions by, for reimbursement, for payments made to	646	1, 2
collective bargaining impasses, further regulating, relative to ..	347	1—8
commissioner, state, physical advisory board, question of establishing, to investigate and study	19	
immunity from civil or criminal liability, first-aid emergency for, granting to	649	
joint-labor management committee, establishing, to oversee municipal collective bargaining, relative to	730	1—3
motor vehicles, damages resulting from operation of, providing indemnification to	880	1, 2
North Andover Firemen's Relief Association, benefits, certain, payable to members, authorizing, by	759	
probationary period, increasing, for certain	438	
Professional Firefighters of Massachusetts, AFL-CIO-CLC, time-off without loss of pay, for attendance at conventions of	36	

Chap. Section.

Firefighters — Concluded.

real estate tax exemption during nineteen hundred and seventy-seven providing, for certain survivors of certain	700	
Somerville, David Stagnone, payment of sum of money to, authorizing, by, as	453	
Springfield, in, Lee, William, Merriam, Robert and Long, James, eligibility for appointment, notwithstanding age, as ..	409	
Taunton, Leman W. Padelford, shall be deemed resident, for appointment as firefighter	500	
word "firefighters", solicitation using, shall identify sponsoring organization	587	
Firemen and engineers, steam plants, in, defining employment of ...	505	
Fire prevention regulations, board of, inspector of wires, notice shall be uniform throughout commonwealth, under rules by	64	1, 2
First-aid training, emergency personnel, for, extending date of required	324	
First Parish in Wayland, The, East Sudbury Ministerial Fund, trustees of, shall be the officers of	274	
Fish and fishing (see also Natural Resources, department of).		
Fisheries and game, division of (see Natural Resources, Department of).		
Fisheries and wildlife, division of, field trials, further regulating, under	921	
shellfish purification plants, fees increasing, for users of	30	
Fisheries, wildlife and recreational vehicles,		
commissioner of, Stanley, Joanne C., and Handren, William E., conveyance of land to, directing, by	881	1—3
department of, Lenox, conveyance of land and easements to, sewerage purposes, by	387	1, 2
Fishing cooperatives, Massachusetts community development finance corporation, financing by, providing, for	522	
Fitchburg, city of (see Cities and towns).		
Fitchews, violations of law, increasing penalties for, relative to	593	
Fitzgibbons, Kevin P., Southbridge, police officer, authorizing appointment of	393	
Flood control (see Water resources commission).		
Flood plains, laws relative to, department of environmental management, to investigate and study, by	Resolve 11	
Flora and fauna, quality of life of, environmental affairs, secretary of, to investigate and study, by	Resolve 31	
Food, foreign substance intentionally inserted in, prohibiting sale of	861	
FOOD AND AGRICULTURE, DEPARTMENT OF:		
agricultural preservations restrictions, providing for, certain payments by	780	1—10
animals, prizes, offered as, prohibiting, penalty for	112	
brucellosis, control of, in bovine animals, relative to	793	
county cooperative extension service, trustees, terms of, relative to	113	1, 2
equine animals, dealing and transportation of, requiring license for	857	
hog cholera, vaccine, prohibiting use of	43	
milk, distribution, possession, processing, sale and storage, relative to, of	940	1—23
"practicing veterinary medicine", disease eradication procedures, certain, exempting from definition of	132	

	Chap.	Section.
Foreign substance, food, sale of, prohibiting, where intentionally contains	861	
Forestry, division of, lumbering operations on state-owned lands, requiring notice by director of	566	
Forest wardens, fire districts, in, relative to	227	
Fountain Park, Marblehead, conveyance by, authorizing, of portion of	442	
Francesco, Peter, March fifteenth, establishing Commemoration day, for	977	
Franchises, motor vehicle manufacturers, distributors and dealers, business practices between, further regulating	717	1—5
Francis, Joseph, Acushnet, police officer in, appointment as, for	974	
FRANKLIN COUNTY:		
appropriations for fiscal year, for	457	
jail and house of correction, renovation of, authorizing expenditure of federal funds, by	795	
promotion of recreational and other advantages of, increasing amount of money which may be spent by	672	
salaries, increasing, of certain employees of	233	1—9
superior court building, plans for, Greenfield, in authorizing expenditure by	772	
unpaid bills, certain, authorizing payment by	563	1—4
Franklin, town of (see Cities and towns).		
Freetown, town of (see Cities and towns).		
Freight rail funds, rail rights-of-way, abandoned, acquisition of, releasing funds from	800	
Freight rail transportation program, law, amending, relative to	346	1—3
Friel, Edward L., Jr., sick leave, relative to, of	982	
Frozen desserts, sale, allowing, of certain	694	
Fuel oils, municipal light commission, purchase by without bids, authorizing, for	398	
railroads, exempting from sales and use tax, for use of	902	
Funds, banks of (see Banks and banking).		
municipal (see Banks and banking).		
state (see State finance).		

G.

Game, hunting (see Hunting).		
Gardner, city of (see Cities and towns).		
Gas and electric companies, bonds, concerning law, relative to	288	
capital stock, issuance of, clarifying law, relative to	258	1—4
commonwealth and political subdivisions, charges on, certain, prohibiting, by	328	
industrial development financing authorities, pollution control facilities, relative to	206	1—5
mortgage of assets, permitting, under certain circumstances, by	276	1, 2
Gas or electric meters, intentional injury to, diversion of gas or electric, penalty for	191	1, 2
Gas or electric plants, municipal, boards consisting of five members, establishing, for	156	
Gasfitters, establishing, board of state examiners of plumbers	843	1—15
General and special laws, corrective changes, certain, making, in ...	829	1—24

Chap. Section.

GENERAL COURT:

bulletins of committee hearings and other documents, increasing fees for mailing, of	4	1, 2
Massachusetts housing finance agency, requiring notice by, prior to loans by, to members of	375	
Middlesex canal commission, establishing, certain members to be selected from	403	1, 2
representative districts, establishing one hundred sixty, in	277	1, 2
General Marquis de Lafayette day, clarifying status of	130	
Gennell, Paul, correction, department of, appointment to, notwithstanding age, authorizing	733	
Gerard, Leonard., Jr., correction officer, examination for, providing exemption for age requirement, for	626	
Gill, Richard, Mr. and Mrs., Easton, payment of sum of money by, authorizing, to	606	
Gill, town of (see Cities and towns).		
Gloucester, city of (see Cities and towns).		
Godleski, Henry, Mashpee, payment of sum of money by, authorizing, to	934	
Goethals, Henry W. and Goethals, Thomas R. Jr., trustees, West Tisbury, acquisition of land by, authorizing, from	541	
Goldman, Robert H. Doctor Memorial Bridge, Leominster, in, designated as	891	
Government land bank, amending law creating	732	1—12

GOVERNOR:

in general, alcoholic beverages control commission, membership of, further regulating of, appointments by	739	1, 2
boards, certain, membership of, relative to, appointments by	864	1—13
community affairs, advisory committee on, membership, changing of	100	
dentistry, board of registration, in, membership to be appointed by	757	1—16
executive councillors' districts, establishing	180	1—3
government law bank, amending law creating, appointment by	732	1—12
group insurance commission, membership, clarifying, of, appointments by	371	
judges, retired, certain, extending provisions for temporary service, notice to	433	1, 2
Martha's Vineyard commission, relative to appointment by, by	831	1—27
medicalegal investigation committee, position of chief medical examiner, establishing, appointments by	941	1—13
pipefitters and refrigeration technicians, establishing, appointments by	990	1—4
Schooner Ernestina commission, establishing, appointments by	950	
social workers, board of registration of, establishing, members to be appointed by	818	1—4
state library, board of, trustees of, term and membership of, further regulating, appointments by	108	1, 2
water resources commission, ground water industry, representative of, shall be appointed member of, by	120	1, 2

	Chap.	Section.
GOVERNOR — <i>Concluded.</i>		
proclamation by, Brigadier General Ebenezer Learned Day, observance of on October seventh, nineteen hundred and seventy-seven	222	
commemoration days, March fifteenth in honor of Peter Francisco; May twenty-ninth in honor of President John F. Kennedy; and May twentieth in honor of General Marquis de Lafayette	977	
employ the older worker week, annual observance of	265	
endangered species day, observance of	82	
John Carver Day, observance of	428	
July fourth as Independence Day	37	
Pro-life month, annual observance of	141	
Tadeusz Kosciuszko Day, annual observance of	524	
Grafton, town of (see Cities and towns).		
Graichen, Carl, Methuen, payment of money by, to	12	
Granby Telephone and Telegraph Company of Massachusetts, borrowing power, increasing, for	88	
Granby Water District, Granby, in, establishing	404	1 — 14
Grand juries, counsel, authorizing presence of, at proceedings of . . . Norfolk county, two sittings for six months, providing for	770	
	862	1 — 4
Granite City Electric Supply Company, Braintree, payment of sum of money by, authorizing, to	134	1 — 4
Graves (see Cemeteries).		
Gray, William, Taunton, payment of reward by, authorizing, to . . .	456	
Greater Boston Young Men's Christian Association, resolve in favor of	6	Resolve
Greater Lawrence sanitary district, civil service laws, exemption from, for certain employees of	125	
Green, John, Ludlow, payment of sum of money by, authorizing, to	149	1 — 4
Groton-Dunstable Regional school district, bonds and notes, authorizing issuance by, and validating payment by	603	
Ground water industry, water resources commission, membership of, shall include representative of	120	1, 2
Group insurance, traffic supervisors, for, providing	342	
Group insurance commission, membership, clarifying, of	371	
rates stabilization reserves or special claims, group life and health insurance policies, relative to custody or transfer by . .	695	
state employees, children of, who are nineteen or over and students, shall be eligible for group hospital, medical and surgical benefits	914	1, 2
retirees and their dependents, dental coverage, providing for, relative to	958	1 — 13
Group life insurance, dependents, extending coverage to, of	741	
Groveland, town of (see Cities and towns).		
Guardian ad litem (see Probate courts).		
Guardians, wards, commitment to mental health facilities without consent, regulating powers of	567	1 — 3
Habitual traffic offenders, registrar of motor vehicles, hearings by, requiring, for designation of	560	
Hadley, town of (see Cities and towns).		
Halifax, town of (see Cities and towns).		
Hall, Arthur J., Wilmington, police officer in, eligible for appointment as, notwithstanding age, providing, for	379	

	Chap.	Section.
Hall, Harry, Methuen, payment of money by authorizing, to	12	
HAMPDEN COUNTY:		
chief deputy sheriff, providing for, for	264	
district, establishing, for administration of criminal law, in	659	1—5
Holyoke, district court of, assistant clerk, providing for, in	446	
Housing court, powers of, relative to	283	
salaries, increasing, of certain employees of	233	1—4
Springfield juvenile court, chief probation officer of, reimburse-		
ment to, for stolen money, authorizing, by	311	1, 2
Tewksbury, conveyance of land to, authorizing, by	840	
HAMPSHIRE COUNTY:		
appropriations, for fiscal year, for	803	
for maintenance of, etc.	485	1, 2
Bryant Free library, grant of easement by, Cummington, in,		
authorizing, to	316	
Cummington, conveyance of land by, highway purposes, au-		
thorizing, to	317	
Hospital, appropriation for care, maintenance, etc., of	236	
jail and house of correction, construction of, borrowing for		
authorizing, by	126	1—3
promotion of recreational and other advantages of, increasing		
amount of money which may be spent by	673	
salaries, increasing, of certain employees of	233	1—9
water and sewage systems, extension of, expenditure of federal		
funds, authorizing, by	796	
Handicapped children (see Children).		
Handicapped persons, housing, providing, for certain	996	1—7
motor vehicle registration plates, certain, may be issued to	687	
municipal off-street parking areas, shall contain space for	687	
parking areas for, may be provided by municipalities, for	648	
rehabilitation, commissioner of, increasing salary of, relative		
to	701	
transportation and education, training of, special commission,		
investigation and study, reviving and continuing Resolve	38	
Handren, William E., fisheries, wildlife and recreational vehicles,		
commissioner of, conveyance of land by, directing, to	881	1—3
Harris Printing, Lansborough, payment of sum of money to, au-		
thorizing, by	651	1—4
Hart, John J. Father Memorial Bridge, Boston, in, designated as	719	
Harwich, town of (see Cities and towns).		
Hatfield, town of (see Cities and towns).		
Hawkers and peddlers, relative to licenses of	314	
Hayden Oil and Supply Co., Inc., Adams, payment of sum of		
money, authorizing, by	214	1—4
Health, boards of, building insurance, proceeds in event of loss, dis-		
bursement of, regulating, requiring prior notice to	804	1—4
towns, in, relative to membership of	157	
Health care providers, determination of need law, extending pro-		
visions of, to include certain	945	1—7
medical malpractice self-insurance trust funds, authorizing		
establishment by	846	1—18
Hearing aids, regulating sale of	978	1, 2
Higher education, board of (see Education, department of).		

	Chap.	Section.
HIGHWAYS:		
Boston, acquisition of land in, authorizing by public works, department of, for purposes of	638	
Braintree, land in, metropolitan district commission, from, to department of public works, for purpose of	114	
by-pass on U. S. Highway route 20 in Lee, department of public works, to investigate and study, by	5	
Federal highway beautification act, compliance, providing for, with	530	1—6
Gardner, conveyance of land by, to department of public works, for purpose of	570	
conveyance of land in, from Massachusetts board of regional community colleges, to department of public works, for purposes of	662	
public lands in, authorizing acquisition by department of public works, for purpose of	663	
Lancaster, public lands in, acquisition of, by department of public works, for purpose of	579	
Massachusetts bay transportation authority, requiring notice to, of certain repairs to	231	
Newton, rules and regulations by, parking in residential areas, authorizing	170	
Norwood, public lands in, acquisition of, by Norfolk county, for purposes of	154	
Palmer and Ware, in, state highway Route 32, portion of, directing reconstruction by department of public works	619	
private ways, cities and towns, repairs by, relative to, of	693	1—3
state colleges, board of trustees of, conveyance of land to department of public works, Boston, in, for purpose of	764	
Sterling, conveyance of land by, to department of public works, for purposes of	876	
land in, conveyance of, from metropolitan district commission, to department of public works, for purposes of	661	
taxation of property, corrective changes in, on	911	
Wareham, land in, acquisition by department of public works, authorizing, for purposes of	544	
Hingham, town of (see Cities and towns).		
Hingham North Sewer district, Hingham, sewer commissioners of, waste water management plan, relative to	434	
Historic districts, Marblehead, old historic district commission, issuance of certificate by, relative to	478	
Old King's highway regional historic district commission, further regulating authority of	503	1—4
Hog cholera vaccine, prohibiting use of	43	
Holbrook, town of (see Cities and towns).		
Holden, town of (see Cities and towns).		
Holidays, legal, clarifying status of certain	130	
Holyoke, city of (see Cities and towns).		
Holyoke, district court of, assistant clerk, providing for, in	446	1, 2
Hopedale, town of (see Cities and towns).		
Homestead, estate, further regulating, of	791	1—4
HOSPITALS:		
abortions, changes in certain laws, relative to	397	1—12
patients, requiring certain tests on, prior to	497	

	Chap.	Section.
HOSPITALS — <i>Concluded.</i>		
Amesbury Hospital, public health, department of, determination of need by, directing, for	721	
children, health records of, access to, for parents not having custody of	238	
construction requirements, class of, repealing law relative to ...	868	1—4
county, supplemental appropriation for	104	1, 2
female prisoners, hospitalization of, for purpose of giving birth, and hospitalization of other prisoners, regulating	582	1, 2
fetal deaths, reporting, further regulating, by	598	1—6
Hale Hospital, and Glenn Memorial Hospital, Haverhill, in, civil service status, for certain employees of, providing	702	
Hampshire county, appropriation for care, maintenance, etc. of	236	
health care providers, medical malpractice self-insurance trust funds, authorizing establishment, by	846	1—18
medical malpractice insurance, claim made and occurrence basis, repealing law relative to, for	613	
medical officers, interns, residents and fellows, registration, further limiting, of	252	
mental, funds of in-patients, may be deposited in banks, by	631	
nonprofit, children between fourteen and sixteen, relative to working hours of, as volunteers, in	289	
Norfolk county, appropriations for	192	1, 2
"Pap test", must be offered and performed by	359	
Plymouth county, appropriations for	193	1, 2
hospital, Plymouth county, payment by, unfunded portions of collective bargaining contracts, for employees at	393	
police officers, firefighters and medical technicians, immunity from civil liability, for emergency first aid, for admission to ...	649	
Soldiers' Home in Massachusetts, insurance covering building, procurement of, authorizing, by	784	
special police, relative to, in	918	
St. John of God Hospital, Boston, in, providing for expansion and continued operation of	907	
Tewksbury, Frederick Baldwin Jr., conveyance of land to, Tewksbury, in, authorizing, by	926	
Worcester county, repairs and renovations, authorizing, to	477	
Hotels , swimming pools, public or semi-public, enclosures, further regulating, including operated by	233	
Housing , elderly and handicapped persons, providing, for	996	1—7
Marion, elderly persons, for, construction by, borrowing by, for	41	1—5
Massachusetts housing rehabilitation and neighborhood preservation program, amending	561	1—9
women in transition, temporary supportive residence for, providing	647	
Housing authorities , motor vehicle parking, regulating of, by	146	
unfair labor practices, law relative to, shall apply to	610	
Veterans' Retirement law, extending time for acceptance by ...	432	
Housing courts , Housing court of Hampden county, relative to powers of	283	
summary process, appeals, failure to waive certain bonds, relative to	655	1, 2

	Chap.	Section.
Housing court of Hampden county, preliminary injunction, appeal from, providing, in	405	
Housing court of the city of Boston, preliminary injunction, appeal from, providing, in	405	
Housing for the elderly, Weston, authorizing action by, for purposes of	148	1—5
Weston, conveyance of land by, to Weston Community Housing, Inc., for purpose of	147	1—3
Housing, neighborhood revitalization, special commission, to investigate and study	39	
Hubbardston, town of (see Cities and towns).		
Hudson, town of (see Cities and towns).		
Human clinical investigation and experimental therapy, special commission, to investigate and study, increasing scope of	26	
Hunting, broadheads, razorheads or other arrowheads, prohibiting sale of, to persons under 15, for purposes of	240	
Hunting and fishing, licenses for aged persons, reducing fees for	983	1—3
Huntington, town of (see Cities and towns).		
Husband and wife, desertion or non-support, further regulating crime of, relative to	848	
benefits, certain, extending to spouses of certain females	889	1—5
divorce, alimony, payment of, further regulating	467	
irretrievable breakdown of marriage, decreasing time period for	531	1, 2
security for, and notification for alimony judgments, further regulating	495	
venue, change of, hardship	183	
homestead, estate, further regulating, of	791	1—4
real or personal property, sale by abandoned spouse, allowing, by	400	
separation and support, further regulating, of	609	1—4
support orders, factors considered, further regulating	984	1—3
Identification cards, motor vehicles, registrar of, shall issue upon application, of any adult	666	1—3
Idiots or imbeciles, sexual intercourse, unlawful, prohibiting with . .	588	
Imitation frozen desserts, sale of, allowing	694	
Impleader (see Practice in civil actions).		
Imprisonment, special sentence of, to be served at periodic intervals, providing for	637	
Income tax (see Taxation).		
Independence day, July fourth, observation of, proclamation by governor, relative to	37	
Indigent persons, land court, filing of affidavits in, providing for, by	142	
Industrial accident board, impartial physicians, payment of fees to, relative to, by order of	390	
lump sum payments, relative to, approval by	776	
medical reports, admissibility of, further regulating, before	777	
relative to	997	1—5
workmen's compensation, liens for welfare benefits, on payments made under	856	1, 2
Industrial Development Facilities, Massachusetts industrial mortgage insurance agency, duties of, expanding, relative to	688	1—4
Industrial Development Financing Authorities, pollution control facilities, financing of, relative to, by	206	1—5

Chap. Section.

Infants (see Children).

Inheritance taxes (see Taxation).

Initiative petition, Everett, charter of, amendment to allow 308

Ink, certain, use on public records, authorizing state purchasing agent to purchase certain 80 1, 2

Inland waters (see Waters and waterways).

Inspector of wires, notice shall be uniform throughout commonwealth, to 64 1, 2

Installment sales (see Sales).

INSURANCE:

in general, agents and brokers, corporate license for, clarifying requirements of 340

examination of, relative to licensing fee for 1000 1—7

buildings, proceeds in event of loss, disbursement of, relative to 804 1—4

insurers and independent agents, contracts between, further regulating 910

late notice by insured, shall not invalidate coverage except where prejudice shown 437

medical malpractice insurance, joint underwriting association, extending 474

motor vehicles, rates charged for, relative to 365 1—10

reinsurance facility, changes in rates charged, providing for, in 364

personal property, replacement value coverage, authorizing writing of 493

state employees, children of, who are nineteen or over and students, shall be eligible for group hospital, medical and surgical benefits 914 1, 2

classes of insurance, group traffic supervisors, for, providing 342

group insurance commission, membership, clarifying, of 371

rates stabilization reserves or special claims, group life and health insurance policies, relative to custody or transfer by 695

health, medical service corporations, nonprofit, may provide to subscribers outside the commonwealth 341

insurance policies, must be written in easily understood form 801 1—12

legal service plans, establishment, authorizing, of 774 1—19

medical malpractice, claim made and occurrence basis, repealing law, relative to 613

companies, annual statements, date of filing, further regulating, for 221

domestic life, reforming taxation of 816 1—29

life, domestic, relative to investments, by 286

motor vehicles, rates charged for, relative to 365 1—10

personal property, replacement value insurance, authorizing writing of, by 493

political subdivisions, self-insurers, may act as, contracts with 900

urban redevelopment corporation, insurance companies, certain, may act as 578

life, group, extending coverage to dependents 741

savings bank life insurance council, reorganizing 150

Interns, residents, fellows and medical officers, registration, further limiting, of 252

	Chap.	Section.
Interstate carriers (see Motor vehicles).		
Interstate cooperation, commission on, relative to	470	
Intradermal tuberculin tests, tuberculosis, freedom from, requiring use of	513	
Ipswich, town of (see Cities and towns).		
Ipswich river, Danvers, authorized to draw water from	268	
Ipswich River Watershed District, Burlington, membership of, terminating, in	712	1-3
Irretrievable breakdown of marriage, decreasing waiting period for divorce, on grounds of	531	1, 2

J.

Jail and house of correction, Hampshire county, borrowing by, authorizing, for construction of	126	1-3
Jail or houses of correction, employees, injured by inmates, payment of compensation of, relative to	1002	
John Carver Day, annual observance of, relative to	428	
John Fitch Realty Trust, Fitchburg, conveyance of park land by, authorizing, to	145	1, 2
John Fitzgerald Kennedy Library, Boston, in, allowing maintenance of existing fill at site for	295	
John Fitzgerald Kennedy Park, Harvard College, conveyance of easements to, by metropolitan district commission, traversing	844	
Joint savings accounts, savings banks, in, two or more persons, may hold	94	1-7
Jordan Hospital, The, Plymouth County, payment of sum of money by, authorizing, to	440	1-3
Joseph De Fillippo & Co., Inc., Dedham, payment of sum of money by, authorizing, to	174	1-4
Judges, (see also specific courts).		
Judges, retirement of (see Retirement system and pensions).		
JUDICIAL COUNCIL:		
juvenile courts, advisory jurors in, investigation relative to, by	Resolve 4	
membership, increasing, of	698	
wills and trusts, standard clauses for, investigation relative to, by	Resolve 10	
Judicial employees, collective bargaining, relative to, by	278	1-4
Junior Colleges (see Colleges universities and institutions).		
Junk yards, motor vehicles, corrective change in law, relative to	829	
Juries, grand and trial, Middlesex County, in selection and management of	415	1-14
grand, counsel, authorizing presence of, at proceedings of	770	
Norfolk county, two sittings for six months, providing for	862	1-4
Worcester county, shall serve for term of six months	315	1-5
Jury commissioner, Middlesex county, in, establishing office of	415	1-14
Juvenile courts (see District courts).		
Juveniles, Boston juvenile court, appeals to be heard by, in cases involving juveniles	431	1, 2
juvenile facility, operated by or under contract with department of public welfare, detention of	543	

Chap. Section.

K.

Kelly, Frederick Memorial Overpass, New Bedford, in, designated as	789	
Kenney, Honorable F. Leo Memorial Square, Uxbridge, in, designated as	608	
Kennedy, President John F., May twenty-ninth, establishing commemoration day, for	977	
Kennedy, John, Plymouth, appropriation by, authorizing for plaque in memory of	713	
Kessman, Stephen T. Esq., Plymouth county, payment of sum of money by, authorizing, to	386	1—3
Kjersgard, William, resolve in favor of	29	
Kraft, John J., Boston, payment of pension by, authorizing, to	255	1—3
Kuss, Eleanor M., widow of Mathew J. Kuss, resolve in favor of	3	
Kuzdzal, Frederick J., Worcester county, payment of sum of money by, authorizing, to	656	1—3

L.

LABOR:

children, hospitals, non-profit, volunteer work in, relative to hours, by certain	289	
collective bargaining agent, state employees, exempt from certain appeals, when represented by	658	1, 2
collective bargaining impasses, further regulating, relative to police officers and firefighters	347	1—8
collective bargaining, judicial employees; by, relative to	278	1—4
prohibited practices, review of, under public employee	788	
common day of rest law, certain days excluded from, requiring time and a half payment	722	
conciliation and arbitration, filing fee, establishing, for	790	
employment security cases, statute of limitations, extending to 6 years, in	706	
energy facility citing council, labor representation, providing for, in	167	
federal manpower programs, extending state law, implementing	985	
federal unemployment benefits, continuation of, providing for	381	1—5
group life insurance, dependents, extending coverage to, of	741	
industrial accident board, relative to	997	1—5
interstate cooperation, commission on, relative to	470	
labor and industries, commissioner of, authority of, continuing, relative to	600	1, 2
labor law, employee shall not be punished for seeking rights under	590	
legal service plans, establishing, sponsored by	774	1—19
minimum fair wage rate, increasing	946	1—5
unfair labor practices, law relative to, shall apply to housing authorities	610	
weekly wages, failure to pay, increasing penalty for	664	

	° Chap.	Section.
LABOR — Concluded.		
workmen's compensation, impartial physicians, payment of fees to, under	390	
lump sum payments, relative to, under	776	
medical reports, admissibility of, further regulating, under ..	777	
LABOR AND INDUSTRIES, DEPARTMENT OF:		
commissioner, authority of, relative to certain labor laws, in ...	600	1, 2
employment agencies, models, fees charged, further regulating, by	213	
Employment Security Law, federal law, conformity with and modifying financing provisions of, under	720	1—38
joint-labor management committee, establishing, to oversee municipal police and firefighters collective bargaining	730	1—3
labor law, employee shall not be punished for seeking rights under	590	
labor relations law, representation proceedings under, further regulating	188	
weekly wages, failure to pay, increasing penalty for	664	
Labor Relations Commission, alcoholic beverages control commission investigations, transfer for collective bargaining purposes, by	768	
LaFayette, General Marquis de, clarifying status of	130	
Lancaster sewer district, sewage construction costs, methods of apportioning, relative to	535	
Lancaster, town of (see Cities and towns).		
Land bank fund, Rockport, authorizing establishment by, of	952	1—3
LAND COURT:		
cities and towns, increasing amounts which may be expended by, for certain proceedings in	66	
indigency, affidavits of, providing for, for filing in	142	
real property, registration of title, further regulating, in	151	1, 2
Lanesborough, town of (see Cities and towns).		
Landlord and tenant, attorneys fees and other expenses, regulating, in summary proceedings between	158	1, 2
CATV, installation of systems, tenants property on, further regulating	225	
rent payments, overdue notice required, relative to	494	
rent withholding laws, clarifying, for	963	
rooming and lodging houses, termination of occupancy, relative to	182	
security deposits, regulating, for residential	979	1—5
summary process, use and occupancy, recovering amount for, providing for, in	636	
Lawrence, city of (see Cities and towns).		
Lawyers, (see Attorneys).		
Leases, real estate (see Real Estate).		
Lee, James, Franklin, payment of sum of money by, authorizing, to .	715	
Lee, William, Springfield, in, eligible to be appointed firefighter, notwithstanding age	409	
Legal holidays, clarifying status of certain	130	
Legal service plans, establishment, authorizing of	174	1—19
Legislative documents, fees, increasing, for mailing of certain	4	1, 2
Lenox, town of (see Cities and towns).		
Leominster, town of (see Cities and towns).		

	Chap.	Section.
Lewis, Lois M., Bristol county, payment of sum of money by, authorizing, to	335	1—4
Lexington, town of (see Cities and towns).		
LICENSES AND PERMITS:		
alcoholic beverages, licensee to sell, to be consumed on premises, may remain on premises after closing hours	812	
conservation commission, local permits, eliminating requirements for obtaining, prior to filing with	601	
corporate insurance licenses, agents and brokers, clarifying requirements of	340	
electricians, state examiners, may establish reciprocity program with other states, for licensing of	163	
equine animals, dealing and transportation of, requiring license for	857	
falconry, licensing requirements, for falconers, further regulating, relative to	542	1, 2
farmer-wineries, licensing and regulating, providing for, of . . .	929	1—15
hawkers and peddlers, relative to	314	
insurers and independent agents, contracts between, further regulating	910	
licensing boards, may issue licenses for transient sales for charitable purposes	407	
lobsters, taking of, regulating by divers, under	76	
plumbers and gasfitters, board of state examiners of, establishing	843	1—15
plumbers, board of state examiners of, examinations held by, location and numbers of, providing for	378	1—3
practical nurses, schools of professional nursing, graduates of, may be licensed as	85	
public warehousemen, licensing of, transferring, to department of public safety	961	1—5
Liens (see Practice in civil actions).		
Littleton, town of (see Cities and towns).		
Libraries, civil service laws, exemption from, for pages employed by	155	
Library commissioners, board of, establishing	565	1—7
Licensed practical nurses, nursing, board of registration in, regulating qualification of members, who are	111	
registration, further regulating, of	884	1—4
Life insurance (see Insurance).		
Limitations of action (see Practice in civil action).		
Liquors (see Alcoholic beverages).		
Lists of persons, cities and towns, making by, of	676	1, 2
Littleton, town of (see Cities and towns).		
Loans (see also Banks and banking).		
consumer credit, further regulation extension of	96	
cooperative banks, participation loans, increasing amount which may be loaned by	46	
personal loans by, relative to	34	
energy systems, certain, for, authorizing by savings banks, cooperative banks, credit unions and trust companies	28	1—5
mobile homes, savings banks, increasing amount which may be loaned by, for purchase of	73	

	Chap.	Section.
LICENSES AND PERMITS — Concluded.		
Loans — Concluded.		
personal, credit unions, repayment to, increasing term of, of	19	
savings banks, acquisition by, authorizing of certain	262	
Lobsters , diving, regulating, in taking of	13	
Lodging houses , liens, abolishing, of	284	1—3
Long, James , Springfield, in, eligible to be appointed firefighter, notwithstanding age	409	
Long-term care facilities , Massachusetts medical care and assistance program, withdrawal of certain, regulating, relative to	878	
Lopes, Andre overpass, New Bedford, in, designated as	521	
Lottery fund , property tax relief, providing, by increased distribution from	185	
Lowell , city of (see Cities and towns).		
Lower Pioneer Valley Regional Transit Authority , Pioneer Valley Regional Transit Authority, change of name to, formerly	928	1—12
Lowland , reclamation board, composition of, relative to	641	
Ludlow , town of (see Cities and towns).		
Lumbering operations , state-owned lands, on, requiring certain nature of	566	
Lunenburg water district , bond issue, previous, appropriation of funds from, certain, authorizing, by	256	
Lures or bait , animals, use of certain, prohibiting, as	679	
Lynn , city of (see Cities and towns).		
Lynnfield , town of (see Cities and towns).		
Lynn port authority , civil service law, exemption from, for employees of	318	

M.

Machine guns (see Firearms).		
MacDonald, Torbett H. Congressman Memorial Park, Malden, in, designated as	482	
Mahoney, Joseph , Methuen, payment of money by, to	12	
Malden , city of (see Cities and towns).		
Malden River , tide waters, filling of, licenses for, made irrevocable, in	943	
Malt beverages , cans, construction of, regulating, for sale of	399	
Management intern civil service examinations , further regulating	184	
Manchester , town of (see Cities and towns).		
Mandatory retirement age , exemption from, providing, for	735	
Manoni, Armando V. , Winchendon, retirement by, authorizing, as police officer, providing for	471	
Mansfield , town of (see Cities and towns).		
Marblehead , town of (see Cities and towns).		
Marine fisheries , division of, emergency powers, providing for director of	153	
shellfish, contaminated, purification of, under methods approved by commissioner of Environmental Engineering	331	
penalties, increasing, for certain violations, relative to	69	1—4
Marion , town of (see Cities and towns).		
Marlborough , city of (see Cities and towns).		
Marlborough , district court of, assistant clerk, providing for, in	819	1, 2

	Chap.	Section.
Marquis, de LaFayette General, May twentieth, establishing commemoration day, for	977	
Marriage certificates (see Records).		
Marriages, divorce, decreasing waiting period on ground of irretrievable breakdown	531	1, 2
name, change of, procedure for, at time of	869	1—5
requirements, certain, further regulating, of	581	1—4
separation and support, further regulating, relative to	609	1—4
Marshfield, town of (see Cities and towns).		
Marlborough, district court of (see District courts).		
Marshfield Boys' Baseball League, Inc., Marshfield, payment by, authorizing, on account of	235	1—4
Martha's Vineyard commission, Edgartown, authorizing withdrawal by, from	836	1, 2
Martha's Vineyard, land and waters, protection of, further regulating, of	831	1—27
Oaks Bluff, authorizing withdrawal by, from	836	1, 2
Mashpee, town of (see Cities and towns).		
MASSACHUSETTS:		
Bay Transportation Authority, construction projects, relocation of utility facilities on, relative to	640	
department of public works, transfer to, West Fourth Street bridge in Boston, directing, by	726	1—3
metropolitan district commission, conveyance of land by, Revere, in, directing to	877	1, 2
Ogonosky, Gerald H., suitable plaque for, Wellington station, in, by	376	
rapid transit stations, police protection for, to investigate and study, by	Resolve	2
police protection in, continuance of study, by	Resolve	9
Revere, air rights, certain, lease of, to, directing, by	877	1, 2
road and highway repairs, notice of, certain	231	
service changes, significant, requiring public hearings by	207	
Sharon, commuter railroad station in, retention of ticket agent at, providing, for	873	
Board of Regional Community Colleges, department of public works, conveyance of land to Gardner, in, authorizing, by ..	662	
Community Development Finance Corporation, fishing co-operatives, financing of, providing for, by	522	
Criminal justice training council, youth service, commission of, shall be member of	117	
Housing Finance Agency, municipal offices and members of General Court, requiring notice to, before making loans, by	375	
housing mortgage finance agency, housing rehabilitation and neighborhood preservation program, amending, relative to ..	561	1—9
housing rehabilitation and neighborhood preservation program, amending	561	1—9
Industrial mortgage insurance agency, duties, expanding, of ...	688	1—4
medical care and assistance program, providers of long-term medical care & service, withdrawal of certain, regulating, from	878	

	Chap.	Section.
MASSACHUSETTS — <i>Concluded.</i>		
national guard, dependents of deceased members, death benefit, optional payment of, of	68	
officers and enlisted personnel, pay and allowances for, providing, of	811	
Springfield, armory, relative to construction in	402	
educational assistance program establishing	972	
nurses association, Worcester county, authorizing payment by, for implementation of collective bargaining agreement with	611	
parking authority, property, abandoned, may be auctioned by .	197	
Port Authority, Boston, in, land, certain, sale of, authorizing, by	373	
officers, members and employees, providing indemnification to, by	660	1, 2
seafood industry, stability and expansion, of, relative to, to investigate and study, by	1	
tax exempt status, amending, of	949	1—8
Rehabilitation Commission, salary increasing, of commission of	701	
Southeastern Massachusetts University, trustees, increasing term of, of	26	1, 2
Turnpike Authority, Environmental Management, department of, grant of easements by, Cochituate State Park in, to	362	
officers, members and employees, providing indemnification to, by	660	1, 2
unemployment, special commission, to investigate and study	24	
University of, medical school, dissected bodies, cremation and disposal of, by	171	1—3
Maynard, town of (see Cities and towns).		
McCarthy, Henry S., Braintree, payment of sum of money by, authorizing, to	645	
McGovern, John F. Memorial Bridge, Littleton, in, designated as .	138	
McKenna and Mendes Reporting Associates, Inc., Plymouth county, payment of sum of money by, authorizing, to	383	1—3
Meals tax (see Taxation).		
Medfield, city of (see Cities and towns).		
Medford, city of (see Cities and towns).		
Medicaid (see Public welfare, department of).		
Medical examiner, chief, creating position of	941	1—13
Medical malpractice insurance, claim made and occurrence basis, repealing law relative to	613	
joint underwriting association, extending	474	
malpractice, self-insurance trust funds, health care providers, authorizing establishment by, of	846	1—18
special commission on, relative to	475	
Medical officers, interns, residents, and fellows, registration, further limiting of	252	
Medical service corporations, alcoholism, treatment of, corrective changes in law, and relative to board of registration and discipline in medicine	504	
non-profit, health insurance, to subscribe outside the commonwealth, authorizing, by	341	

	Chap.	Section.
Medical technicians, immunity from criminal or civil liability, for emergency first aid, granting to certain	649	
Medicines, pharmacists, return and redistribution by, regulating, of certain unused	339	
Medico legal investigation committee on, establishing	941	1—13.
Medway, town of (see Cities and towns).		
Melrose, city of (see Cities and towns).		
Melrose Firemen's Relief Association, Incorporated, retirement and death benefits, relative to, paid by	896	
MENTAL HEALTH, DEPARTMENT OF:		
area director and associate area director, exempting from civil service laws, in	998	1—4
Dover-Sherborn regional school district, conveyance of land of Medfield state hospital, to, directing, by	986	
guardians, powers of, further regulating, to commit wards without consent, to facilities of	567	1—3
Wrentham housing authority, conveyance of land to, Wrentham, in, authorizing, by	855	
Mental institutions (see Hospitals).		
Mentally ill persons, mental hospitals, may deposit in banks, funds of certain	631	
sexual intercourse, unlawful, prohibiting, with	588	
Merriam, Robert, Springfield, in, eligible to be appointed firefighter, notwithstanding age	409	
Methuen, town of (see Cities and towns).		
METROPOLITAN DISTRICT COMMISSION:		
Beineke Realty trust, sale of land to, Boston, in, authorizing, by	520	
Caruso Music Company, lease of highway land to, Saugus, in, authorizing, by	189	
Clay Chevrolet, Inc., conveyance of land to, Boston, in, authorizing, by	851	
Damon Corporation, lease of land to, Needham, in, authorizing, by	994	
Dowling, Leo E. Memorial Park, Boston, in, designated as, marker by	675	
Harvard College, grant of easement to, traversing John Fitzgerald Kennedy Park, by	844	
Hubbardston, lease of land to, recreational purposes, for, authorizing, by	630	
Malden, in conveyance of land, park purposes for, directing, by	742	
Congressman Torbet H. MacDonald Memorial Park, designated as, marker by	482	
Massachusetts bay transportation authority, conveyance of land to, Revere, in, directing, by	877	1, 2
police, collective bargaining unit of, relative to	753	
Provident institution for savings, conveyance of land to, two parcels in Boston, authorizing, by	591	
public works, department of, conveyance of land to, Sterling, in, highway purposes for, authorizing, by	661	
transfer of land to, Braintree in, highway purposes, from	114	

	Chap.	Section.
METROPOLITAN DISTRICT COMMISSION — <i>Concluded.</i>		
Revere Beach, recreational facilities at, correcting real property descriptions of, for improvements, by	847	
Rossi, Frank J. Sr., conveyance of land to, Southborough, in, authorizing, by	993	
Scanlon, John and Joan, exchange of land with, Medford, in, authorizing, by	209	1, 2
Walnut Street Trust, trustees of, conveyance of land to, Wellesly in, authorizing, by	763	
Metropolitan Sewage District, relative to	714	1, 2
Middleborough, town of (see Cities and towns).		
Middlesex Canal Commission, establishing	403	1, 2
Middlesex Canal Heritage Park, development, authorizing, of	403	1, 2
MIDDLESEX COUNTY:		
Appropriations for fiscal year, for	938	
central middlesex, district court of, Roger R. Derby, court officer, may serve as, notwithstanding age, in	752	
courthouse building, related matters, increasing amount which may be borrowed by	981	1—3
grand and trial jurors, selection, and management of, for	415	1—14
probate court and registry of deeds, renovation of, federal funds for, authorizing expenditure, by	792	
salaries, increasing, of certain employees of	233	1—9
unpaid bills; certain, authorizing payment, by	72	1—3
Middleton, town of (see Cities and towns).		
Midwifery nurse, providing for practice of	129	
Milford, town of (see Cities and towns).		
Military personnel, Massachusetts national guard, pay and allowances for, for	811	
Milk, distribution, possession, processing, sale and storage, relative to, of	940	1—23
Millis, town of (see Cities and towns).		
Milton, town of (see Cities and towns).		
Milton Bradley Company, Springfield, conveyance of land by, authorizing, to	738	
Minimum fair wage rate, increasing	946	1—5
Mining, coal mining operations, regulating	957	1, 2
Minors, abortions, changes in certain laws, relative to	397	1—12
alcoholic beverages, sale of, false representations, relative to, by	859	
children, abused or neglected, failure to report, penalty for	501	
homestead estate, further regulating, for benefit of	791	1—4
pornography, prohibiting, involving	917	1—7
public welfare, department of authorized to bring proceedings, certain, probate court, in, on behalf of	925	
Mobile construction cranes, corrective changes in law, relative to ...	829	1—24
postponing effective date of law, relative to	427	1, 2
Mobile homes, homes destroyed by accident, may be replaced temporarily, by	860	
savings bank, increasing amount which may be loaned by, for purchase of	73	
Mobile home dealers, advertising, shall include certain charges, by ..	160	
Mobile home parks, Chicopee, in, regulating rent and evictions, relative to	596	1—9

	Chap.	Section.
Mobile telephones, motor vehicles, in, regulating use of	469	
Models, employment agencies, fees charged by, further regulating, relative to	203	
Money forfeiture, seized in certain criminal cases, relative to	556	1—4
Moreno, Leonard, state contributory retirement system, member- ship in, relative to	534	
Money orders, further regulating sale of	491	
Monson, town of (see Cities and towns).		
Montague, town of (see Cities and towns).		
Monterey, town of (see Cities and towns).		
Mortgage loans, bank, real estate security, increasing maximum al- lowable	775	
cooperative banks, by, relative to term of certain	70	1—3
home improvements, amount and term of, increasing, by co- operative banks	260	
may give second mortgages on residential property	195	
participation loans, increasing amount which may be loaned by	46	
credit unions, increasing authority to grant loans, on real estate	22	
may grant ninety per cent of value, on real estate	20	
may grant second mortgages on residential real estate	23	
home, savings banks, by, increasing maximum amount of, for ..	62	
real estate, savings banks by, relative to	63	
Mortgages, real estate, foreclosure under power of sale, notice of sale, providing further requirements for	629	
Mosquito Control Projects, central Massachusetts', Sterling; member- ship for, in	40	
Motor boats, fines, payment of by mail, authorizing, for certain offenses, concerning	576	
Motorcycles (see Motor vehicles).		
Motor fuel sales tax (see Taxation).		
MOTOR VEHICLES:		
automobile clubs, insurance, commissioner of, financial condi- tions statements, changing date of filing with, by	353	
buses, outside width of, regulating	35	1, 2
cemetery-owned, may be operated without registration under certain circumstances	705	
certificate of title, issuance of, clarifying	228	1, 2
citizen band radios and mobile telephones, regulating use of, in	469	
compulsory basic insurance for, special commission, to investi- gate and study, reviewing and continuing	Resolve 8	
corrective change in law, relative to stolen or abandoned	829	1—24
disabled veterans and handicapped persons, parking areas for, authorizing, by municipalities	648	
excise tax, abatement for theft, providing for	293	
failure to pay, shall prevent issuance of registration certifi- cate	737	1—3
habitual traffic offenders, registrar of motor vehicles, hearings by, requiring, for designation of	560	
handicapped persons, municipal off-street parking areas, shall contain space for	689	
registration plates, certain, for, relative to	687	

	Chap.	Section.
MOTOR VEHICLES — <i>Concluded.</i>		
housing authorities, may regulate parking of certain	146	
insurance, late notice by insured, shall not invalidate coverage except where prejudice shown	437	
rates charged for, relative to	365	1—10
intersections, rotaries, or turning within an intersection, regu- lating	686	
investigator, appointment as, eligible list for, extending	186	
manufacturers, distributors and dealers, business practices between, further regulating	717	1—5
mobile construction cranes, law relative to, postponing effective date of	427	1, 2
mobile home dealers, advertising, shall include certain charges, by	160	
operators license, suspension of, providing for	899	
reinsurance facility, changes in rates, providing for	363	
school bus operators, training of, providing for	368	
school bus stop, allowing movements at, certain, by	127	
second-hand, eliminating reporting of, to registry	553	
semitrailer units, dimension of, further regulating	781	
stop and yield signs, at, further regulating operation of	838	
traffic violators, failure to respond within twenty-one days, in- creasing penalty for, relative to	612	
vehicle identification numbers, display of, requiring, for cer- tain	417	
Mount Auburn, proprietors of the cemetery of, trustees and officers of, relative to	468	1, 2
Municipal employees, provisional, informal hearing upon termina- tion, providing, for certain	624	
MUNICIPAL FINANCE:		
bonds from gas or electric purposes, income from, appropria- tion of, relative to	866	
cities, annual budgets, submission of extending time for in 1977	57	1, 2
city and town treasurer, payment by, requiring, of assessments, on semi-annual basis, to state treasurer	888	
employees, reimbursement to, for loss or damage to personal property, authorizing	425	
farm lands, purchase of development rights of, authorizing, by .	232	1, 2
industrial development financing authorities, pollution control facilities, financing of, relative to, by	206	1—5
land court proceedings, certain, increasing amounts which may be expended for	66	
municipal light boards, five members, establishing	156	
municipal lighting plants, extension, reconstruction, etc., debts for, authorizing, by	327	
municipal securities, filing of, providing for, relative to	377	1-4
outdoor recreational and athletic facilities construction of, borrowing for, authorizing	121	
pension and retirement allowance funds, may be deposited in credit unions	77	1, 2
recreation and park self-supporting service revolving funds, per- mitting establishment by cities and towns	665	

	Chap.	Section.
MUNICIPAL FINANCE — <i>Concluded.</i>		
school committees, receipts from certain programs, providing for expenditure, by	639	
school property, maintenance of contracts for, relative to time period of	421	
special funds for retirement purposes, authorizing establishment of	559	
teachers, payroll deductions, of, relative to	852	
trust funds, investment of, increasing, by municipalities	51	
Municipal advertising, Plymouth, town of appropriations by, increasing, for purposes of	7	
Municipal liens, fees, increasing, for certificates of	956	1, 2
Municipal light boards, five members, establishing	156	
Municipal light commission, oil and other fuel supplies, purchase without bids, authorizing, by	398	
Municipal lighting plants, bonds from gas or electric purposes, income from, appropriation of, relative to	866	
extension, reconstruction, etc., debts for, authorizing, by	327	
management, question whether same shall be appointed or elected, relative to	874	
MUNICIPAL OFFICERS AND EMPLOYEES:		
mandatory retirement age, exemption from, providing for	735	
personal property, loss or damage to, reimbursement for, authorizing, to	425	
retirement benefits, certain, minimum term of service, requiring, for	744	
suspension hearing, results of, increasing time for notification of, under civil service laws	507	
Municipal police training schools, police positions, appointees to, shall attend	932	
Murray, Daniel F. Esq., Plymouth county, payments of sum of money by, authorizing, to	386	1—3
Mystic River, Medford, tidewaters, filling of, license for, made irrevocable	966	
Mystic River reservation, metropolitan district commission, exchange of land by, with John and Joan Scanlon, in	209	1, 2

N.

Name, change of, relative to	869	1—5
NANTUCKET COUNTY:		
sheriff, fees to be retained by, and relative to salary, in	254	1, 2
Nantucket, town of (see Cities and towns).		
NATURAL RESOURCES, DEPARTMENT OF:		
conservation commission, local permits, obtaining, prior of notice of intent, with, relative to	131	
water resources commission, ground water industry, representative of, shall be appointed member of	120	1, 2
fisheries and game, eels commercial harvest, relative to	971	1—3
falconers licenses, further regulating, by	542	1, 2
lobsters, diving, regulating, in taking of	476	
taking by diving, regulating	13	
marine fisheries, emergency powers, providing for director of division of	153	

	Chap.	Section.
NATURAL RESOURCES, DEPARTMENT OF — <i>Concluded.</i>		
<i>marine fisheries — Concluded.</i>		
penalties, increasing, for certain violations, relative to	69	1 — 4
shellfish, contaminated areas, regulating taking of	447	1 — 3
Needham, town of (see Cities and towns).		
Negligence (see Practice in civil action).		
Negotiable checks, further regulating sale of	491	
New Bedford, city of (see Cities and towns).		
New Bedford Firemens' Mutual Aid Society, dissolution, providing, of	388	
Newburyport, city of (see Cities and towns).		
New England Power Company, environmental management, com- missioner of, easements by, Wrentham and Plainville in, authoriz- ing, to	674	
Westborough, easement by, for power transmission, authoriz- ing, to	187	
New Hampshire, attorney general, authorizing suit by, for unlawful collection of taxes, by	102	
Newspapers, state secretary, selections, shall cause to be published, list of candidates and questions, in	667	
Newton, city of (see Cities and towns).		
Nicholson State Park, environmental management, department of, lease of land by, to department of youth services, in	765	
Non-support or desertion, spouses and children of, further regulating crime of	848	
NORFOLK COUNTY:		
appropriations for care, maintenance, etc., for hospital	192	1, 2
appropriations for fiscal year, for	807	
Coletti Bros., Inc., payment of sum of money to, authorizing, by	931	
grand juries, two sittings for six months, providing for, in	862	1 — 4
Norfolk County Agricultural School, renovation and repair of, borrowing for authorizing, by	922	1, 2
Norwood, public lands in, acquisition, highway purposes, au- thorizing, by	154	
probate court, furnishings for, expending funds for, authorizing, by	71	
Randolph, public lands in, acquisition of, highway purposes, by	33	
salaries, increasing, of certain employees of	233	1 — 4
Stray, Joseph, payment of sum of money to and on behalf of, authorizing, by	58	
unpaid bills, certain, authorizing payment by	42	1 — 4
Norfolk County Agricultural School, borrowing by, authoriz- ing, for renovation and repair of	922	1, 2
North Andover firemen's relief association, benefits, certain, payable to members, authorizing, by	759	
North Adams industrial development commission, northern berk- shire industrial development commission, change of name to, in- creasing membership, formerly	424	1 — 5
North Attleborough, town of (see Cities and towns).		
Northern Berkshire industrial development commission, north adams industrial development commission, change of name from, increasing membership, to be known as	424	1 — 5

	Chap.	Section.
Northern district, assistant district attorney, relative to	995	1—3
Northampton, city of (see Cities and towns).		
Northborough, town of (see Cities and towns).		
Northern Norfolk, district court of (see District Courts).		
North Reading, town of (see Cities and towns).		
Norton, Charette, Richard, veterans' agent, tenure as, providing for, in	755	1, 2
Norton, town of (see Cities and towns).		
Norwood, town of (see Cities and towns).		
Nurse-midwifery, providing for practice of	129	
Nurses, licensed practical nursing, board of registration of, regulat- ing qualification of members, who are	111	
registration, further regulating, of	884	1—4
Nursing homes, construction requirements, class of, repealing law relative to	868	1—4
long-term care facilities, Massachusetts medical care and assist- ance program, withdrawal of certain, regulating, relative to .	878	
Nut Island, Quincy, in, prohibiting construction of additional sewage facilities, at	296	

O.

Oak Bluffs, town of (see Cities and towns).		
O'Brien, David F. Somerville, city physician, as, providing tenure for	833	
O'Brien, Joseph E. and Marjorie, Easton, payment of sum of money by, authorizing, to	615	
Ocean sanctuaries, activities, regulating, with	897	1—3
Officers, counties of (see Counties).		
police (see Police officers).		
state (see Commonwealth).		
Ogonsky, Gerald H., Massachusetts bay transportation authority, placing plaque by, Wellington Station, in, in memory of	376	
Oil burner technician, certificates, regulating application and is- suanee of, to	118	1, 2
Old King's Highway regional historic district commission, further regulating authority of	503	1—4
Harwich withdrawal by, authorizing, from	38	1, 5
Olzewski, Philip S., Plainville, police officer in, appointment as, notwithstanding age, for	573	
O'Neil, Francis, J., Fall River, chairman of election commissioner, providing tenure for	704	1, 2
Open-end credit plans, balances on, relative to	10	
Open-meeting law, corrective changes in law, relative to	829	1—24
University of Massachusetts, trustees of, meetings of, shall be subject to	991	
Ordinances, non-criminal disposition of, cities and towns, authoriz- ing	401	
Outchunis, Joanne, Wareham, town of payment of sum of money by, authorizing, to	510	1, 2
Outdoor advertising, federal highway beautification act, compliance with restricting	530	1—6
Outdoor recreational and athletic facilities, municipal, borrowing for, relative to	121	

Overpasses (see Ways).

P.

Padelford, Leman W. , Taunton, appointment as firefighter in, shall be deemed resident of, providing for	500	
Pages , library, civil service laws, exemption from, providing, for ...	155	
Palmer River School , Rehobath, authorizing expenditure by, for expenses at	410	
Palmer, town of (see Cities and towns).		
"Pap test" , hospitals, certain, required to offer and perform	359	
Parents , children, educational and health records of, access to, for certain	238	
veterans' benefits, certain, extending to spouses and parents of female veterans	815	1—5
Park commissioners , Holyoke, in, decreasing membership in	229	1—3
Park land , Fitchburg, conveyance by, to John Fitch Realty trust, of certain	145	1, 2
Lawrence, construction of school, by extending time for, on certain	210	
Manchester, conveyance to, Alfred J. Rossi, of certain	65	
Marblehead, conveyance by, authorizing, of certain	442	
Springfield, conveyance of land to armory commission, certain .	805	1—3
Parks and recreation , cities and towns, providing funds for, for purposes of	933	
Parks or playgrounds , maximum fine, increasing, for violation of rules, relative to	211	
Parole board , prisoners, reduction in sentence, eliminating certain time requirement for	220	
Party enrollment (see also Elections).		
Party enrollment procedure , relative to	546	1—8
Peabody, city of (see Cities and towns).		
Peabody, Roger G. , Topsfield, authorizing retirement allowance by, to	412	1—3
Pensions (see Retirement systems and pensions).		
Permits (see Licenses and permits).		
Personal property , abandoned, Massachusetts parking authority, may auction certain	197	
assessments, omissions of property from, relative to	166	1, 2
attachments, duration limited to thirty days, after execution issued on	685	
collector of taxes, further regulating fees of	669	
probate courts, licenses by, further regulating, relative to sale of	466	1, 2
public warehousemen, licensing of, transferring to department of public safety	961	1—5
replacement value insurance, authorizing writing of, for	493	
sale of (see Sales).		
spouse, abandoned, permitting sale by, of certain	400	
taxation of (see Taxation).		

	Chap.	Section.
Personnel Administration , division of, Gennell, Paul, appointment as correction officer, notwithstanding age, authorizing, certification by	733	
Personnel Administrator , cost-of-living increase, shall not be required to be made annually, by	773	
Persons , lists of cities and towns, making by, of	676	1, 2
Pesticide board , corrective changes in law, relative to	829	1—24
Pharmacies , registration, further regulating, of	653	
Pharmacists , unused medication, certain, return and redistribution of, regulating, by	339	
Physical therapy , practice of, educational programs for, relative to ..	87	
Physicians , abortions, changes in certain laws, relative to	397	1—12
patients, requiring certain tests on, prior to, by	497	
board of registration and discipline in medicine, action by, authorizing, after convictions of certain	165	
immunity from suit, providing, for good-faith complaints, filed with	623	
fetal deaths, reporting, further regulating, by	598	1—6
health care providers, medical malpractice self-insurance trust funds, authorizing establishment, by	846	1—18
intradermal tuberculin tests, tuberculosis, freedom from, requiring use of, statement by	513	
medical malpractice and professional liability insurance, special commission, to investigate and study, increasing scope of	Resolve 34	
medical malpractice insurance, claim made and occurrence basis, repealing law relative to, for	613	
joint underwriting association, extending, relative to	474	
medical malpractice, special commission, relative to	475	
restrictive covenants, certain, rendered unenforceable upon ...	762	
sterilization procedures, requiring prior written consent from patient, by	654	
workmen's compensation fees, payment of, relative to, to impartial	390	
Pioneer Valley Regional transit authority , lower pioneer valley regional transit authority, change of name from, now called	928	1—12
Pipefitters and refrigerator technicians , bureau of, establishing	990	1—4
Pipe lines , state tax commission, certification of value, changing date for certification by, relative to	199	
Pittsfield , city of (see Cities and towns).		
Pittsley, Russell L. , Plymouth county, payment of sum of money by, authorizing, to	441	1—3
Plainville , town of (see Cities and towns).		
Planning boards , subdivision plans, modifications, amendments and rescissions of prior approvals of, relative to, by	473	
Pledge of allegiance to the flag , schools, in, requiring	333	
Plumbers and gasfitters , board of state examiners of, establishing ...	843	1—15
Plumbers , board of state examiners of, examinations held by, location and number of, providing for	378	1—3
PLYMOUTH COUNTY:		
Anderson, M. Leroy and Pittsley, L. Russell, payment of sum of money to, authorizing, by	441	1—3
appropriation for care, maintenance, etc., for hospital	193	1, 2

	Chap.	Section.
PLYMOUTH COUNTY — <i>Concluded.</i>		
appropriations for fiscal year, for	740	
Brockton, payment of sum of money to, authorizing, by treasurer of	574	
collective bargaining contracts, paying unfunded portions of, for employees at Plymouth County Hospital, by	392	
Kessman, Stephen F., Esq., Murray, Daniel F. Esq., McKenna and Mendes Reporting Associates, Inc., payment of sum of money to, authorizing, by	386	1—2
land, certain, purchase of, for office space for Superior and Probate courts, Brockton, in, authorizing, by	391	1, 2
Plymouth, fourth district court of, additional assistant clerk for, providing for	445	1—3
new courthouse for, authorizing additional borrowing for, by third district court of, chief probation officer of, indemnifying for losses by	83	1, 2
clerk of, indemnifying for losses, by	45	
salaries, increasing, of certain employees of	44	
superior courthouse in Brockton, renovation of, federal funds for, authorizing expenditure, by	233	1—3
The Jordan Hospital, payment of sum of money to, authorizing, by	821	
unpaid bills, certain, authorizing payment of, by	440	1—3
Plymouth town of (see Cities and towns).	312	
Wareham, all sessions to be held in, of	697	
POLICE DEPARTMENT:		
Agawan, police chief in, exempting from civil service law	306	
Arlington, motor vehicles, towing of, authorizing regulations, relative to, by	196	
Cohasset, direction of, shall be under board of selectman of ... criminal information, dissemination, authorizing, of certain, by	808	
Dartmouth, police chief in, exempting from civil service laws .. dogs, prohibiting restraint of, certain, owned by	841	1—4
Hadley, chief and members of department, exempting from civil service laws, in	39	
Halifax, Howard L. Waterman, tenure for, providing, as police chief in	385	
Hopedale, civil service laws, exemption from, for members of .. Lawrence, police sergeant, eligible list for, extending time of, for appointment on	498	1—3
Medford, payment by, authorizing, to certain employees, retro-active pay raise, of	572	
Metropolitan district commission, collective bargaining unit of, relative to	122	1—3
record information, law information practice act, relative to ... Springfield, police commissioners of, may appoint police cadets to	703	
state police, detective lieutenant — inspector, appointments to, relative to	753	
Walpole, chief of police, officer of, exempting from civil service laws, in	691	1—4
Police dogs, prohibiting restraint of, certain	358	1—3
POLICE OFFICERS:		
cities and towns, authorizing civil actions by, for reimbursement, for payments made to	797	1—3
	396	
	385	
	646	1, 2

	Chap.	Section
POLICE OFFICERS — <i>Concluded.</i>		
collective bargaining impasses, further regulating, relative to ..	347	1—8
commission, special, physical advisory board, question of establishing, to investigate and study	19	
discharge, hearing prior to, requiring, in towns not covered by civil service laws	246	1, 2
immunity from civil or criminal liability, first-aid emergency for, granting to	649	
joint-labor management committee, establishing, to oversee municipal collective bargaining, relative to	730	1—3
motor vehicles, certificates of title, issuance of, clarifying	228	1, 2
damages resulting from operation of, providing indemnification to	880	1, 2
school bus stop, allowing movements at, certain, by, when directed by	127	
municipal or regional police training schools, police positions, appointees to, shall attend	932	
Plainville, Philip S. Olszewski; police officer, appointment as, notwithstanding age, authorizing, in	573	
Southbridge, Fitzgibbons, Kevin P., authorizing appointment of, as police officer in	393	
Springfield, cadets appointed to police force of, civil service status, relative to	696	
state buildings, bureau of, department of public works, building, police, transferring, to	954	1—3
Wareham, payment of sum of money by, to certain	575	
Wayland, Putnam Carl E., appointment as, notwithstanding age, in	472	
Whitman, Brier, Louis J., eligibility for appointment as police officer, in	416	
Wilmington, appointment in, notwithstanding age requirement, certain persons, relative to as	802	
police officer in, appointment as, notwithstanding age, providing, for Hall, Arthur J., in	379	
women, equal employment right for, providing, as	822	
Political committees (see Elections).		
Political conventions (see Elections).		
Pollution, cans, soft drinks and malt beverages, sale of, regulating construction of, to prevent	399	
Charles River Pollution Control District, Franklin and Medway, validating certain proceedings of town meetings at, relative to	1	1—3
industrial development financing authorities, action by, relative to financing of certain control facilities for	206	1—5
Pornography, prohibiting, involving children	917	1—7
Practical nurses, schools of professional nursing, graduates of, may be licensed as	85	
 PRACTICE IN CIVIL ACTIONS:		
appellate tax board, authority of single member, increasing, of ..	987	
arbitration proceedings, two or more, consolidation of, relative to	414	
attachments, duration limited to thirty days, after execution issued	685	

	Chap.	Section
PRACTICE IN CIVIL ACTIONS — <i>Continued.</i>		
board of registration and discipline in medicine, immunity from suit, providing, for good faith complaints, filed with	623	
children, land owner's liability for certain conditions caused or maintained, for injuries to	259	
corrective changes in law, relative to	829	1—24
depositions, taking by electronic recording devices, authorizing	144	
divorces, alimony, payment of, further regulating	467	
security for, and notification of alimony judgments, further regulating	495	
venue, change of, hardship, in	183	
emergency cardiopulmonary resuscitation, civil liability, exemption from, for certain persons rendering	555	
estates, laws relative to, certain, changing effective dates of : . . .	76	1, 2
fair trade law, repealing	74	1, 2
habitual traffic offenders, registrar of motor vehicles, hearings by, requiring, for designation of	560	
labor relations law, representation proceedings under, further regulating	188	
land court, indigency affidavits, providing for filing of, in	142	
real property, registration of title, further regulating, in	151	1, 2
landlord and tenant, rooming and lodging houses, termination of occupancy, relative to	182	
lien for work, labor or materials, providing, for furnishing electrical components	592	
lodging and boarding houses, liens, abolishing, of	284	1—3
Massachusetts Turnpike Authority, Massachusetts Port Authority, members and officer of, certain, providing indemnification to, by	660	1, 2
Middlesex county, in, trial juries, selection and management of, regulating	415	1—14
mortgages, foreclosure under power of sale, notice of sale, further requirements for	629	
motor vehicles operator's license, suspension of, providing for, after judgment	899	
police officers and firefighters, payment of expenses to authorizing, suit for reimbursement, by	646	1, 2
and certain others, immunity from civil action, for certain emergency first aid, granting to	649	
preliminary injunction, appeal, providing, from	405	
physicians, restrictive covenants, certain, rendered unenforceable upon	762	
probate court, contempt proceedings, relative to, in	973	
psychotherapist, communications, privilege not to disclose, extending between patient and	817	
public welfare, department of, institution of proceedings by, for minor children and other recipients, authorizing, in	925	
rent payments, overdue, notice required, relative to	494	
rent withholding laws, clarifying	963	
residential real estate, summary proceedings, fees and expenses, relative to, regulating	158	1, 2
schools, expulsion procedure, relative to, allowing tort action . .	545	
seal, lack of, shall not void real estate instrument	152	
securities, validity of, pending appeals of decisions of department of public utilities	621	

	Chap.	Section
PRACTICE IN CIVIL ACTIONS — <i>Concluded.</i>		
summary process, appeals, failure to waive certain bonds, relative to	655	1, 2
use and occupancy, recovering amount for, providing for, in	636	
support orders, factors considered, further regulating	984	1—3
workmen's compensation, lump sum payments, relative to, under	776	
medical reports, admissibility of, further regulating, under ..	777	
payments, liens on, providing, for welfare benefits paid	856	1, 2
"Practicing veterinary medicine," disease eradication procedures, certain, exempting from definition of	132	
Pressure vessel, public safety, department of, regulating first inspection by, of	291	
Primary elections (see Elections).		
Prisoner furlough program, special commission, to investigate and study, increasing scope of	22	
Prisoners, hospitalization, regulating, of certain reduction in sentence, eliminating certain time requirement for, for	220	
Privacy, fair information practice act, relative to	691	1—14
Privilege communications, psychotherapist and patient, extending to	817	
Private ways, cities and towns, repairs by, relative to, on	693	1—3
Prizes, animals, prohibiting offer of, as	112	
PROBATE COURTS:		
alimony, payment of, further regulating, in	467	
children, educational and health records of, access to, for parents not having custody of	238	
contempt proceedings, relative to, in	973	
credit unions, deposits in, of certain undeliverable legacies or distributive shares, by	16	
legacies and shares, certain, may be deposited in, on order of	17	
probate funds, certain, may be deposited in name of judge, in	18	
divorces, irretrievable breakdown of marriage, decreasing time period for, in	531	1, 2
security for, and notification of alimony judgments, further regulating, in	495	
venue, change of, hardship, in	183	
estates, laws relative to, certain, changing effective dates of ...	76	1, 2
fiduciaries, may settle and pay taxes on future interests, in	179	
guardians, words, commitment to mental health facilities without consent, regulating powers of	567	1—3
homestead, estate, further regulating, of	791	1—4
judges, retired, certain, extending provisions for temporary service by, in	433	1, 2
married persons, separation and support of, further regulating, in	609	1—4
Middlesex county, expenditure of, federal funds by, for renovation of	792	
name, change of, relative to	869	1—5
Norfolk county, expenditures by, for furnishings for	71	
Plymouth county, purchase of land by, for additional office space for, authorizing	391	1, 2
public welfare, department of, institution of proceedings by, for minor children and other recipients, authorizing, in	925	

	Chap.	Section.
PROBATE COURTS — <i>Concluded.</i>		
real or personal property, sale by abandoned spouse, allowing, in	400	
sale of property, licenses for, relative to, in	466	1, 2
Suffolk, additional deputy registers, providing for, in	678	
support orders, factors considered, further regulating	984	1—3
wills, changes in laws, relative to	637	1, 2
and trusts, standard clauses for, investigation by judicial council, relative to	Resolve 10	
Probation , commissioner of, supervisor, and assistant supervisor, duties of, and providing for additional personnel, under	785	
fair information practice act, relative to	691	1—14
Probation officers , repealing law requiring bonding of	97	
Process servers (see Practice in civil actions).		
Procurers , prostitution, relative to support deriver, by	589	
Professional firefighters of Massachusetts, AFL-CIO-CLC , fire fighters, time off without loss of pay, for attendance at conven- tions of	36	
Professional nursing , schools of, license practical nurses, for gradu- ates of	85	
Pro-life month , annual observance of, relative to	141	
Prostitution , deriving support from, relative to	589	
Provident institution for savings , metropolitan district commission, conveyance of land by, Boston, in, authorizing, to	591	
Provincetown , town of (see Cities and towns).		
Psychotherapist , communications, privilege not to disclose, extend- ing between patient and	817	
Public assistance , receipt of, further regulating	825	1—3
Public buildings , building construction, bureau of, permanent posi- tions, extending eligible list for, in	579	
counties, bids specifications, certain, to be made available to public, relative to	75	
specifications and plans, providing uniformity in, for	968	
Public employees , collective bargaining by judicial employees, rela- tive to	278	1—4
collective bargaining, service fees, relative to, for agents of ...	903	
prohibited practices, review of, under collective bargaining law, relative to	788	
PUBLIC HEALTH, DEPARTMENT OF:		
abortions, changes in certain laws, relative to	397	1—12
aestheticians, regulating, under	806	
Amesbury hospital, determination of need for, directing, by ...	721	
Braemore of Marlborough, Inc., beds at, classification of, for Level II and III patients, authorizing, by	906	
controlled substances, disposal after trial, providing for, by	798	
determination of need law, to include health care provides, ex- tending provisions of	945	1—7
drug stores, registration of, further regulating, by	653	
drug violations, certain interchangeable, shall be reported to board of registration in pharmacy, and board of registration and discipline in medicine	707	
emergency personnel, first-aid training, required extending date of, under	324	
fetal deaths, reporting, further regulating, to	598	1—6

	Chap.	Section.
PUBLIC HEALTH, DEPARTMENT OF — <i>Concluded.</i>		
intra-dermal tuberculin test, requiring, to show freedom from tuberculosis, in manner approved by	513	
mental hospitals, may deposit funds of in-patients, banks, in ...	631	
milk, distribution, possession, processing, sale and storage, relative to, of	940	1—23
nurse-midwifery, providing for practice of, in facilities licensed by	129	
"Pap test", hospitals, certain, required to offer and perform ...	359	
physical therapy, practice of, educational programs for, relative to	87	
physician, sterilization procedures, requiring prior written consent from patient, by	654	
practical nurses, schools of professional nursing, graduates of, may be licensed as	85	
University of Massachusetts Medical School, dissected bodies, cremation and disposal of, by	171	1—3
unused medication, certain, return and redistribution of, providing for, under rules by	339	
Public projects, specifications and plans, providing uniformity in, for	968	
Public records (see Records).		
PUBLIC SAFETY, DEPARTMENT OF:		
Byrne, Charles F., relative to certain rights, of state police detective lieutenant	839	
criminal justice, committee on, membership shall include secretary of	321	
medicolegal investigation committee on, and position of chief medical examiner, establishing	941	1—13
oil burner technician certificates, regulating application and issuance of, by	118	1, 2
pipefitters and refrigeration technicians, bureau of, establishing, in	990	1—4
pressure vessel, first inspection of, regulating, by	291	
public warehousemen, licensing of, transferring, to	961	1—5
special police in colleges, universities and hospitals, relative to ..	918	
state police, detective lieutenant-inspector, appointments to, relative to	797	1—3
steam plants, firemen and engineers, defining employment of, under	505	
storage tanks above ground, annual inspection, providing for, by	523	
Worcester animal rescue league, the animal rescue league of New Bedford, agents of, may be appointed special police officer, by commissioner of	597	
PUBLIC UTILITIES, DEPARTMENT OF:		
Bay Colony railroad corporation, incorporating, actions subject to approval of	84	1—7
gas and electric companies, capital stock, issuance of, further clarifying law, relative to	258	1—4
securities, validity of, pending appeals of decisions by	621	
PUBLIC WELFARE, DEPARTMENT OF:		
child custody of, transferring upon emergency court order, relative to	799	

	Chap.	Section.
PUBLIC WELFARE, DEPARTMENT OF — <i>Concluded.</i>		
children, abused or neglected, failure to report, penalty for, to . . .	501	
detention of, in juvenile facility, by or under contract with . .	543	
neglect or abuse, failure to report, penalties for, of	942	
child support enforcement worker, examinations for, may be taken by certain provisional employees in	90	
community service area directors, appointment of, further regulating, in	736	
determination of need law, extending provisions of, to include health care providers	945	1—7
Massachusetts medical care and assistance program, withdrawal from, by providers of long-term care services, regulating, rules by	878	
probate court, institution of proceedings in, for minor children and recipients, authorizing, by	925	
public assistance, certain, further regulating receipt of, under . .	825	1—3
state advisory board, increasing membership of	953	1, 2
women in transition, temporary supportive residences for, establishing, under partial control of	647	
workmen's compensation payments, liens on, for benefits paid by	856	1, 2
PUBLIC WORKS, DEPARTMENT OF:		
in general, Ayer, Burr W. Willey Bridge, designated as, in, marker by	354	
Arlington, motor vehicles, towing of, rules by, subject to approval of	196	
Boston, in, Father John J. Hart Memorial Bridge, designated as, marker by	719	
lands in, certain, highway purposes, authorizing acqui- sition by	638	
by-pass on U.S. highway Route 20 in Lee, to investigate and study, by	5	Resolve
Dedham, in, Edward B. Bingham Memorial Bridge, desig- nated as, marker by	506	
department of public works building police, state buildings, bureau of, transferred to, of	954	1—3
employees and technical personnel, appointment and removal of, relative to	969	1, 2
Fall River, in, Kenneth Depin Overpass, designated as, marker by	750	
fiscal year tax proration, shall include takings by eminent domain, by	832	1, 2
Gardner, conveyance of land by, directing, to	570	
public lands in, certain, authorizing acquisition for high- way purposes, by	663	
Huntington, conveyance of easement in and to, sewerage pur- poses, authorizing, by	249	
conveyance of land and easement interest to, sewerage treatment plant, authorizing, by	250	
Lancaster, public lands in, acquisition of, highway purposes, authorizing, by	519	
Leominster, in Goldman, Robert H. Doctor Memorial Bridge, designated as, marker by	891	
Littleton, in, John F. McGovern Memorial Bridge, desig- nated as, marker by	138	

Chap. Section.

PUBLIC WORKS, DEPARTMENT OF — *Continued.***in general — *Concluded.***

Malden River, filling of, licenses for, made irrevocable, issued by	943	
Massfield, public land in, certain, authorizing acquisition by	496	
Massachusetts Bay Transportation Authority, transfer by, West Fourth Street bridge in Boston, directing, to	726	1—3
Massachusetts Board of Regional Community Colleges, conveyance of land by, Gardner, in, authorizing, to	662	
Medford, Riverside avenue, prohibiting travel by certain vehicles on, subject to approval by	448	1, 2
metropolitan district commission, conveyance of land from, Sterling, in, highway purposes for, authorizing, to	661	
transfer of land from, Braintree, in, highway purposes, to	114	
Mystic River, tidewaters, filling of, making irrevocable license issued by	966	
New Bedford, in, Andre Lopes overpass, designated as, marker by	521	
Frederick Kelly Memorial Overpass, designated as, marker by	789	
North Attleborough, in, Vietnam Veterans of North Attleborough Memorial Bridge, designated as, marker by	643	
outdoor advertising signs, removal of, payment of compensation, by	530	1—6
Palmer and Ware, in, state highway Route 32, portion of, directing reconstruction by	619	
railroad corporations, transient authorities or other public authorities or municipalities, agreements with, on advancement of funds, by	893	
state colleges, board of trustees, of, transfer of land by, Boston, in, highway purposes, directing, to	764	
Sterling, conveyance of land by, highway purposes for, directing, to	876	
Templeton, in, Doctor Oscar B. Roberts Memorial bridge, designated as, marker by	540	
Uxbridge, in, Kenney, Honorable F. Leo Memorial Square, designated as, marker by	608	
vehicular bridges, railroads over, directing acceptance of certain, by	944	
Wareham, land in, highway purposes for, authorizing acquisition by	544	
Wilmington, in, Fred F. Cain, Bridge, designated as, marker by	548	
registry of motor vehicles, buses, outside width of, regulating ..	35	1, 2
certificates of title, issuance of, clarifying	228	1, 2
habitual traffic offenders, designation of, requiring hearings by	560	
handicapped person, motor vehicle registration plates, certain, may be issued to, by	687	
identification cards, non-operators of motor vehicles, may receive on request, upon application to	666	1—3
mobile construction cranes, postponing effective date of law, relative to	427	1, 2

	Chap.	Section.
PUBLIC WORKS, DEPARTMENT OF — <i>Concluded.</i>		
registry of motor vehicles — <i>Concluded.</i>		
motor vehicles, cemetery owned, may be operated without registration, under certain circumstances	705	
citizen band radios and mobile telephones, regulating use of, in	469	
intersections, rotaries, or turning within an intersection, regulating	686	
school bus stop, allowing movements at, certain, by	127	
second-hand, eliminating reporting of sales, of to	553	
stop and yield signs at, further regulating operation of	838	
motor vehicle excise tax, failure to pay, shall prevent issuance of registration certificate, information, by	737	1—3
motor vehicle investigator, appointment as, eligible list for, extending, in	186	
motor vehicle licenses, providing for suspension of	899	
school bus operators, training of, providing for	368	
semitrailer units, dimensions of, further regulating, by	781	
vehicle identification numbers, display of, requiring, for certain, rules by	417	
Putnam, Carl E., Wayland, in, appointment as police officer, eligible, notwithstanding age, providing for	427	

Q.

Quality of life, growth patterns of, special commission, to investigate and study, increasing scope of	Resolve	30
reviving and continuing, by	Resolve	32
Quincy, city of (see Cities and towns).		

R.

Railroad Corporations, department of public works, advancement of funds by, certain, under agreements with	893	
Railroads, Bay Colony Railroad Corporation, incorporating	84	1—7
comprehensive rail transit and railroad improvement, bonding for, providing	356	1—24
department of public works, bridges, certain, directing acceptance by, of bridges, over certain	944	
freight rail fund, use of funds from, authorizing, for acquisition by commonwealth, of abandoned rail rights-of-way . . .	800	
freight rail transportation program, law, amending, relative to	346	1—3
fuel, exempting from sales and use tax, used by	902	
Randolph, town of (see Cities and towns).		
Rape cases, evidence, certain, admissibility of, regulating, in	110	
Rapid transit stations, police protection in, Massachusetts Bay Transportation Authority, to investigate and study, by	Resolve	2
police protection in, Massachusetts Bay Transportation Authority, continuance of study, by	Resolve	9
Raynhan Center water district, treasurer and clerk, increasing terms for, in	863	
Reading, town of (see Cities and towns).		

	Chap.	Section.
Real Estate , acquisition after assessment date, abatement of taxes, may be requested by new owner	198	
agricultural preservation restrictions, providing for, relative to certain	780	1—10
arson, penalty, increasing, for attempted	975	
assessments, omissions of property from, relative to	166	1, 2
attachments, duration limited to thirty days, after execution issued on	685	
betterment assessments, payment of, regulating interest on, rela- tive to	749	1—3
rate of interest on, relative to	216	1, 2
building insurance, proceeds in event of loss, disbursement of, regulating, requiring prior notice to building inspector	804	1—4
CATV, installation of systems, tenants property on, further regulating	225	
children, injuries to, liability for, for certain conditions caused or maintained by owner of	259	
cluster development, common lands within, relative to taxation of	422	
collectors of taxes, further regulating fees of	669	
conservation commissions, local permits, eliminating require- ments for obtaining, prior to filing with, relative to	601	
local permits, obtaining, prior of notice of intent, with	131	
conservation restrictions, public recreational uses, permitting, on lands subject to	81	
cooperative banks, home improvement loans, amount and term of, increasing, by	260	
second mortgages on residential property, authorizing, by ...	195	
credit unions, increasing loan authority for, for mortgages on ..	22	
may grant ninety per cent mortgages, on	20	
may grant second mortgages, on residential	23	
eminent domain, fiscal year tax proration, shall be included in takings by department of public works, by	832	1, 2
home mortgage loans by savings banks, increasing maximum amount of	62	
homes destroyed by accident, may be replaced temporarily by mobile homes	860	
homestead, estate, further regulating, of	791	1—4
land court, indegency affidavits, providing for filing of, in	142	
registration of title in, further regulating, relative to	151	1, 2
landlord and tenant, rooming and lodging houses, termination of occupancy, relative to	182	
mortgages, foreclosure of, under power of sale, notice of sale, providing further requirements for	629	
mortgage loans, increasing maximum amount, which may be loaned by banks, on	775	1, 2
term of certain, relative to, by	70	1—3
by savings banks, relative to	63	
municipal liens, certificates of, increasing fees for	956	1, 2
paraplegic veterans, surviving spouses, tax abatements to, rela- tive to	727	
probate courts, licenses by, further regulating relative to sale of	466	1, 2

	Chap.	Section.
Real Estate — Concluded.		
property taxes, lottery fund distribution, increasing, for relief of	185	
public highways, corrective change in law, taxation of property on	911	
registrars of voters, condominiums and multi-units, owners of, shall furnish certain information to	263	
rent payments, overdue, notice required, relative to	494	
rent withholding laws, clarifying, for	963	
residential, summary proceedings, fees and expenses, relative to, regulating	158	1, 2
seal, lack of, shall not void instrument, relative to	152	
security deposits, regulating, for residential	979	1—5
sewer charges, tax lien, shall constitute, on	586	
spouse, abandoned, authorizing sale by, of certain	400	
subdivision plans, modifications, amendments and rescissions of prior approvals of, relative to	473	
summary process, appeals, failure to waive certain bonds, relative to	655	1, 2
use and occupancy, recovering amount for, providing for, in ..	636	
swimming pools, public or semi-public, enclosures, further regulating	223	
taxation, abatement of, amounts refunded, relative to	585	
collection of, relative to	176	1, 2
computation of interest on, relative to	349	
taxes of certain corporations, authorizing exemption from	964	
tax exemption for persons over seventy years of age, increasing ..	967	1—3
tax exemption during nineteen hundred and seventy-seven, providing, for certain firefighters	700	
tax title foreclosures, cities and towns, increasing amount which may be expended for	66	
Records, birth, children, certain, may include father's name	161	
criminal information, dissemination, authorizing, of certain ...	841	
fetal deaths, reporting, further regulating, of	598	1—6
name, change of, relative to	869	1—5
state purchasing agent, ink, certain, authorizing purchase by, for use on certain	80	1, 2
Recreation and parks, cities and towns may establish certain funds for self-supporting servicing of	665	
Recreational uses, public, lands subject to conservation restrictions on, permitting	81	
Reddy, Sigrid, Watertown, payment of increased salary by, to	217	
Referendum, local, towns, in, vote of town meeting, shall, if tabulated, be retained	814	
Regional Community Colleges, student members, election of, to advisory board of	95	
Regional police training schools, police positions, appointees to, shall attend	932	
Regional schools (see Districts).		
Register of deeds, seal, lack of, shall not void real estate instrument ..	152	
sewer charges, shall constitute tax lien, for recording, in	586	
Registry of deeds, Bristol county, southern district, roof repair, expenditures for, authorizing, county commissioners, by	78	

	Chap.	Section.
Registrars of voters, condominiums and multi-units, owners of, shall furnish certain information to	263	
nomination papers, insertion of correct designation of districts, further regulating	329	1—5
party enrollment procedure, relative to	546	1—8
primaries, elections, and town meetings, registration time for, relative to	299	1, 2
recounts, elections, changes in law, relative to	879	1—7
registration, change in law, relative to	622	1, 2
state ballot law commission, restructuring affecting	927	1—18
voters, further regulating information to, by	898	
Rehabilitation, commissioner of, salary, increasing, of	701	
Rehoboth, town of (see Cities and towns).		
Religious beliefs, absent voting ballots, use of, authorizing by persons unable to vote on account of	426	
Representative district, establishing one hundred and sixty, in general court	277	1, 2
Representative town government, North Attleborough in, town meeting members, nomination papers of candidates, relative to ..	119	
Research and development corporations, sales tax law, exempting from, certain sales by	620	1, 2
Restrictive covenants, physicians, unenforceable upon, certain	762	
Retail sales (see Sales).		
Retirement plans, cooperative banks, custodians or trustees under, deposits by, relative to	55	
individual retirement accounts, savings banks, deposits in, under	93	
RETIREMENT SYSTEMS AND PENSIONS:		
in general, Boutchie, Ada, essex county retirement board, directing, to increase retirement allowance of	406	
cities, towns and districts, retirement purposes, special funds for, authorizing establishment by	559	
judges, retired, certain, extending provisions for temporary service for	433	1, 2
Moreno, Leonard, state contributory retirement system, membership in, relative to	534	
retirement for disability, allowable earnings, relative to	766	
Topsfield, Peabody, Roger G., retirement allowance to, authorizing grant by	412	1—3
Winchendon, Manori, Armando V., retirement as police officer, authorizing by	471	
annuities and pensions, Boston, John J. Kraft, payment of pension to, authorizing, by	255	1—3
Brockton police relief association, members, payment of pension to, authorizing, by	344	1, 2
Chicopee permanent firefighters benefit association, inc., increasing benefits to, which may be paid by	345	
county retirement boards, advisory councils to, creating and reforming certain board procedures	890	1—3
group insurance commission, including dental coverage, for retired persons and dependents	958	1—13
Leominster, Chester, George, N., Jr., grant of pension to, authorizing, by	325	

	Chap.	Section.
RETIREMENT SYSTEMS AND PENSIONS — <i>Concluded.</i>		
Annuities and pensions — <i>Concluded.</i>		
mandatory retirement age, exemption from, providing, for ..	735	
Massachusetts National Guard, dependents of deceased members, death benefit, optional payment of	68	
Melrose Firemens' Relief Association, Incorporated, retirement and death benefits, relative to, paid by	896	
retirees, payment by direct credit to bank accounts of, by state treasurer	794	
retirement benefits, certain, minimum term of service, requiring, for	744	
Revere, Vincent A. Steriti, grant of pension to, by	242	1—4
vocational schools, agreements relative to annuities, authorizing, by trustees of	224	
retirement systems, cities and towns, treasurers of, to set up corporate nominee partnerships, for local	369	
contributory, extending time for withdrawal of additional deductions paid to annuity savings fund of	716	
Nantucket, Group 4 of Barnstable county retirement system classification in, providing, for certain employees of	976	
Revere Beach, metropolitan district commission, improvement by, correction of real property descriptions at	847	
Revere, City of (see Cities and towns).		
Rewards, Taunton, William Gray, James Soule and Scott Simmons, payment to, of certain	456	
Rifles (see Firearms).		
Rivers (see Waters and Waterways).		
Roberts, Doctor Oscar B. memorial bridge, Templeton, in, designated as	540	
Rockland, town of (see Cities and towns).		
Rockport, town of (see Cities and towns).		
Rogerson House, charter, amending, of	533	
Rooming and lodging houses, occupancy, termination of, relative to, in	182	
Rossi, Alfred J., Manchester, conveyance of park land by, authorizing, to	65	
Rossi, Frank J. Sr., metropolitan district commission, sale of land by, Southborough, in, authorizing, to	993	
Rent withholding laws, clarifying	963	
Rockland, town of (see Cities and towns).		
Royalston, town of (see Cities and towns).		

S.

SALES:

common day of rest law, days, certain, excluded from, allowing certain	722	
consumer credit, further regulating extension of	96	
consumer credit, costs and terms, further regulating	52	1—27
consumer protection, cost and terms, further regulating disclosure of	980	
consumer protection, federal fair credit billing act, compliance with shall be in compliance with law of commonwealth, limited time	61	

Chap. Section.

SALES — Concluded.

credit costs and terms, disclosure of, further regulating	429	
credit plans, open-end, balances on, relative to	10	
fair trade law, repealing	74	1, 2
hearing aids, regulating sale of	978	1, 2
insurers and independent agents, contracts between, further regulating	910	
lien for work, labor or materials, providing, for furnishing electrical components	592	
motor vehicle manufacturers, distributors dealers, business practices between, further regulating	717	1—5
motor vehicles, second-hand, eliminating reporting of	553	
retail, tax on, exemption from, for certain energy systems	989	
Sales and use tax (see Taxation).		
Sandy Neck Beach, Barnstable, construction by, bathhouse of, authorizing, at	670	
Sanitation, registered, sewage disposal systems, preparation of plans for, relative to, by	374	
Saugus, town of (see Cities and towns).		
Savings bank investment fund, investments, relative to, by	384	
savings banks, investments by, relative to, in	282	
Savings bank life insurance council, reorganizing	150	
Scanlon, John and Joan, metropolitan district commission, exchange of land by, Medford, in, authorizing, with	209	1, 2
Scelzo, Robert, Burlington, police officer in, permitting civil service examination for, by	310	
School building committees, school committee representation, providing, on	158	
SCHOOLS:		
in general, children, educational and health records of, access to, for parents not having custody of	238	
lists of persons, cities and towns in, relative to	367	1—4
school bus operators, training of, providing for	368	
school tax rates, determination of, corrective changes in laws, relative to	322	
private, trade, business and correspondence, further regulating tuberculosis, school personnel, further regulating testing of, relative to	826	1—13
public, cancer, early detection of, relating to women, providing for, in	67	1, 2
cardiopulmonary resuscitation, training in, requiring, in	408	
evening school instruction, fees for, increasing, in	916	
expulsion procedures, relative to, in	137	
large cities, school committees, optional plan for, providing, for certain	545	
maintenance services, contracts for, time period of, relative to	549	1—5
pledge of allegiance to the flag, requiring, in	421	
regional districts school committees, shall notify cities and towns, of state aid received	333	
school building committees, school committee representation, providing, on	823	
school committees, may establish costs for extended school service programs	158	
	480	

	Chap.	Section.
SCHOOLS — Concluded.		
public — Concluded.		
receipts from certain programs, providing for expenditure, by	639	
special education reimbursement, further regulating applications by municipalities	383	1, 2
teachers' appeals to superior court, relative to	671	
teachers, payroll deductions of, relative to, in	852	
tuberculosis, school personnel, further regulating testing of, relative to	67	1, 2
school committees, may prepay tuition to educational collaboratives and schools	348	1, 2
state school building assistance program, further regulating ..	875	
teachers' certification law, further clarifying	865	
vocational, agreements relative to annuities, certain, authorizing, by trustees of	224	
Schooner Ernestina Commission, establishing	950	
Scituate, town of (see Cities and towns).		
Seafood industry, stability and expansion of, Massachusetts Port Authority, to investigate and study, by	Resolve	1
Seal, lack of, shall not void instrument relating to land	152	
Sealer of weights and measures, weighing and measuring devices, fees for, increasing, charged by	338	
Securities, public utilities, department of, decisions of, appeals of, validity, pending of	621	
Semitrailer units, dimensions, further regulating, of	781	
Senatorial district, establishing	180	1—3
Service Employees International Union, AFL-CIO, Worcester county, collective bargaining agreement by, implementation of, expenditure of funds by, authorizing, with	602	
SECRETARY, STATE:		
campaign media, spending restrictions, repealing	294	1, 2
corporations, certificate of conditions, filing of, relative to	98	1—10
data processing cards ballots, shall be furnished to cities and towns, by	756	
elections, list of candidates, and questions, shall be published in newspapers, by	667	
electronic voting machines, ballot labels for, shall be provided by	709	
Lynn, report by mayor of, corrected geographic changes in census, to	5	1—3
primaries, signatures required for, reducing, for candidates for ..	136	
uniform rules of adjudicatory procedure, requiring filing with ..	965	
voters, further regulating information to, by	898	
voting equipment, purchase, use and sale of, uniform regulation of, by	930	1—8
Sewer districts (see Districts).		
SEWERS AND DRAINS:		
Ashburnham, Gardner, acquisition of land in, sewage purposes for, authorizing, by	1001	
Bedford, sanitary sewer, construction and maintenance of, on land under jurisdiction of conservation commission, by	194	
Boston, Boston water and sewer commission, establishing, in and for	436	1—24
Chatham, sewer commission, shall be known as town of Chatham water pollution control board	455	

SEWERS AND DRAINS — *Continued.*

	Chap.	Section.
Fitchburg, conservation land certain, allowing use of, for sewer line, in and by	290	
Grafton, commonwealth, grant of easements by, on land owned by, sewer purposes, to	413	
Groveland, may extend sewerage system through certain land in West Newbury	124	
Hingham, Hingham north sewer district, action outside district, authorizing by sewer commissioners of	434	
Holbrook, sewer system, assessment and liens for, providing for, in	539	1—6
Holden, Jefferson sewer project and betterments, relative to, in	745	1—8
Huntington, public works, department of, conveyance of easement by, sewer purposes, authorizing, to	249	
conveyance of land and easement by, sewerage plant treatment, authorizes, to	250	
Lancaster sewer district, sewage construction costs, methods of apportioning, relative to	535	
Lenox, fisheries, wildlife and recreational vehicles, department of, conveyance of land and easements by, sewerage purposes, in and to	387	1, 2
Pittsfield, construction of sewage works in, authorizing, by ..	512	1—3
Ludlow, Westover development project, sewer and water purposes, borrowing for, by	389	
Mansfield, taking of easement by, Norton, on certain land in, for purposes of	285	
Marblehead, South Essex sewerage district, acquisition of land by, sewerage purposes, in	31	
Maynard, sewage treatment plant, construction of, borrowing in anticipation of federal grant, authorizing, by	330	
Medfield, sewer easements, over land by trustees of reservations, authorizing acquisition by	320	
Monson, Palmer, easements in, sewer purposes for, authorizing acquisition by	515	1—3
sewage works in, construction of, authorizing, by	492	
Nut Island, Quincy, in, prohibiting construction of additional sewage facilities, at	296	
Palmer, Belchertown, agreement with, authorizing, for construction of sewage works, in	486	
Reading, conservation lands, transfer to board of public works, sewer purposes, for, in	528	
sewer charges, tax lien, shall constitute	586	
state environmental code, sewage disposal systems, preparation of plans for, relative to, under	374	
Taunton, sewers, superintendent of, three year term for, providing, in	370	1, 2
Templeton, Gardner, acquisition of easements in, sewage lines, for, authorizing, by	568	1—3
construction of sewage lines in, authorizing, by	562	
Upper Blackstone water pollution district, acceptance and treatment, relative to, by	99	1—3
Walpole, sewerage construction costs, methods of apportioning, in	172	1—4
Westborough, data general corporation, connection with town sewer, validating prior action by	551	1—3

	Chap.	Section.
SEWERS AND DRAINS — <i>Concluded.</i>		
Williamsburg, Northampton sanitary sewer system, sewer line construction to tie in with, authorizing, by	488	
Wilmington, sewer assessments, rate of interest on, increasing, may be charged by	518	
Sexual intercourse, idiots, imbeciles, etc., prohibiting, unlawful . . .	588	
Sharon, town of (see Cities and towns).		
Shellfish, contaminated areas, regulating taking of	447	1—3
environmental quality engineering, commission of, approval of methods by, permitting, for purification of contaminated . .	331	
lobsters, diving, regulating, in taking of	476	
Shellfish purification plants, fees, increasing, for users of	30	
Sherriffs, Berkshire county, payment by, authorizing, of certain expenses of	577	
Hampden county, providing for, chief deputy	264	
Nantucket county, relative to salary of and retention of fees, by	254	1, 2
Shotguns (see Firearms).		
Shrewsbury, town of (see Cities and towns).		
Silva, George T., Edgartown, payment of sum of money by, authorizing, to	547	
Simmons, Scott, Taunton, payment of reward by, authorizing, to . .	456	
Skin, aestheticians, regulating, relative to	806	
Smith, Thomas E., Weymouth, in harbormaster, providing tenure for	357	
Social workers, licensing, providing, of	818	1—4
Soft drinks, cans, construction of, regulating, for sale of	399	
Soldiers' Home in Massachusetts, insurance covering buildings, procurement of, authorizing, by	784	
Solid waste, South Essex Solid Waste Disposal District, further regulating	420	1—7
Somerset, town of (see Cities and towns).		
Somerville, city of (see Cities and towns).		
Somerville municipal employees association, collective bargaining agreement with Somerville, relative to	644	1—6
Sotir, Paul R., correction officer, appointment as, eligibility for, notwithstanding age, for	323	
Soule, James, Taunton, payment of reward by, authorizing, to	456	
South Boston district, municipal court of, additional court officer, providing, in	729	1—4
Southeastern Massachusetts University, commonwealth, scholarships by, relative to, at	913	1, 2
Southeastern Massachusetts University, trustees, increasing terms of, of	26	1, 2
Southbridge, town of (see Cities and towns).		
South Essex Sewerage District, Marblehead, acquisition of land in, sewerage purposes, by	31	
South Essex Solid Waste Disposal District, further regulating	420	1—7
South Lynnfield Pharmacy, Inc., Lynnfield payment of sum of money by, authorizing, to	444	
South Sagamore Water District, Bourne water district, boundary lines, adjusting of	604	1—3
Special commissions (see also Commission, state).		
Special commission, marine boundaries and resources, to investigate and study, reviving and continuing and increasing scope of	Resolve	15

Chap. Section.

Special justices (see Judges).

Special notice accounts, savings banks, in, relative to withdrawals from 168

Special police officers, colleges, universities and hospitals, in, relative to 918

Spectator violence, special commission, to investigate and study Resolve 20

Spouse, abandoned, real or personal property, sale of, authorizing, by 400

Springfield, city of (see Cities and towns).

Springfield civil service promotion fund, authorizing establishment of 511 1—4

Springfield juvenile court, clerk, may adjust books to account for stolen money; chief probation officer of, reimbursement to, for stolen money 311 1, 2

Springfield television broadcasting corporation, Springfield, conveyance of land by, authorizing, to 89 1—3

Stagnone, David, Somerville, payment of sum of money by, authorizing, to 453

Standards, director of, penalties, providing, for violation of rules adopted by 116

Stanley, Joanne Co., fisheries, wildlife and recreational vehicles, commissioner of, conveyance of land by, directing, to 881 1—3

Stapleton, Thomas, Fall River council on aging, director of, appointment under civil service laws, providing for 483

State agencies, governmental bodies, hearings conducted by, shall be in municipality affected 895

State aid anticipation notes, Amesbury, borrowing by extending time for, for 302

Great Barrington, issuing by, of certain 337 1, 2

New Bedford, renewal by, authorizing, of certain 8

Royalston, renewal by, authorizing, of certain 450

Upper Blackstone Water Pollution Abatement District, renewal by, of certain 411 1—4

State ballot law commissioner, restructuring 927 1—18

State building code commission, inspectors of buildings, building commissioners and local inspectors, qualifications of, certification, by 743

State buildings, bureau of, department of public works buildings police, transferring, to 954 1—3

State colleges, persons over sixty-five, shall not be charged tuition at 915

STATE EMPLOYEES:

child support enforcement worker, examinations for, may be taken by certain employees in 90

collective bargaining, state lottery commission, employees of, further regulating, relative to 937 1—3

collective bargaining agent, represented by, exempted from certain appeals, relative to 658 1, 2

conflict of interest, construction contractors, relative to redefining 245

contributory retirement, extending time for withdrawal of additional deductions, paid to annuity savings funds of 716

cost-of-living, salary adjustments, for certain 234 1—198

providing, for certain 872 1—204

deferred compensation program, participation in, authorizing, for certain 955

	Chap.	Section.
STATE EMPLOYEES — <i>Concluded.</i>		
group insurance commission, including dental coverage for	958	1—13
rates stabilization reserves or special claims, group life and health insurance policies, relative to custody or transfer by	695	
group medical and surgical benefits, children age nineteen who are students, eligible for, of	914	1, 2
mandatory retirement age, exemption from, providing, for	735	
personnel administrator, cost-of-living increase, shall not be required to be made annually by, relative to	773	
provisional, informal hearing upon termination, providing, for certain	624	
public works, department of, employees and technical personnel, appointment and removal of, relative to	969	1, 2
retirement benefits, certain, minimum term of service, requiring, for	744	
retirement for disability, allowable earnings, relative to	766	
suspension of hearing, results of, increasing time for notification of, under civil service laws	507	
temporary employees, promotional appointments for, qualifications, under civil service laws	139	
temporary employment, notice to employee requiring, by personnel administrator	853	
State environmental code, sewage disposal systems, preparation of plans for, relative to, under	374	
State examiners of electricians, reciprocity program with other states, relative to licensing, authorizing, by	163	
STATE FINANCE:		
appropriations for fiscal year	363A	1—76
appropriations, dredging activities, certain, making available certain	271	
supplemental	103	1—3
	104	1, 2
	300	1—4
	361	1—3
	721A	1—14
bonds and notes, issuing of, procedures for, relative to	336	1—6
terms of, relative to	269	1—11
bonds, certain, terms of, to be issued by commonwealth	951	
capital outlay program, providing, for	767	1—3
	920	1—23
comprehensive rail transit, accelerated highway and railroad improvement, bonding authorization, relative to	356	1—24
deferred compensation program, state employees, certain, authorizing, to participate in	955	
state securities, filing of, providing for, relative to	377	1—4
State fish pier, Gloucester, in, disbursements of funds for, the new . .	464	
State House, Afro-American Veterans, Inc., quarters for, assigning, in	779	
State library, board of trustees of, term and membership of, further regulating, of	108	1, 2
State lottery, returns filed and taxes paid, further regulating, under laws relative to	219	1—7
State lottery commission, collective bargaining by employees, further regulating, of	937	1—3

	Chap.	Section.
State purchasing agent, ink, certain, for use on public records, purchase of, authorizing, by	80	1, 2
State racing commission laboratory, civil service status, further defining, of employees of	960	1, 2
State reclamation board, composition, relative to, of	641	
State recreation areas, ocean sanctuaries, regulating activities with ..	897	1—3
State school building assistance program, further regulating	875	
State tax commission, pipe lines, valuation of, changing dates for certification of, by	199	
Statute, cities and towns, further clarifying, vote of acceptance by, of	870	
Steam plants, firemen and engineers, defining employment of, in ...	505	
Sterilization, physicians, required to obtain consent in writing, prior to act resulting in	654	
Steriti, Vincent A., Revere, grant of pension by, authorizing, to	242	1—4
Sterling, town of (see Cities and towns).		
St. John of God Hospital, Boston, in, providing for expansion and continued operation of	907	
Storage tanks, above ground, providing for annual inspection of	523	
Stoughton, town of (see Cities and towns).		
Stow, town of (see Cities and towns).		
Stroy, Joseph, Norfolk county, payment of money by, authorizing to and on behalf of	58	
Subdivision plans, modifications, amendments and rescissions of prior approvals of, relative to	473	
SUFFOLK COUNTY:		
Boston juvenile court, composition, further regulating, of	241	1—4
Boston municipal court, criminal business, designation of an assistant clerk for twelve-man jury, authorizing, in	769	1—3
juveniles judged delinquents, appeals to be heard in Boston juvenile court, in	431	1, 2
register of probate, additional deputies, providing for, in	678	
South Boston district, municipal court of, additional court officer, providing, in	729	1—4
trustees, budget for county cooperative extension service, budget, submission of, regulating, by	924	1—4
Sunday laws, common day of rest law, days, certain, to be excluded from	722	
SUPREME JUDICIAL AND SUPERIOR COURTS:		
in general, controlled substances, disposal of after trial, upon order of	798	
criminal information, dissemination, authorizing, of certain, by	841	
judicial council, membership of, increasing, relative to	698	
narcotic drugs poisons, etc., admission in evidence, upon certificate by drug enforcement administration, of United States Department of Justice	128	
pornography involving children, injunctions, by	917	1—7
probation officers, repealing law requiring bonding of	97	
special sentence of imprisonment, to be served at periodic intervals, providing for, in	537	
summary process, appeals, failure to waive certain bonds, relative to	655	1, 2
use and occupancy, recovering amount for, providing for, in	636	

	Chap.	Section.
SUPREME JUDICIAL AND SUPERIOR COURTS — <i>Concluded.</i>		
teachers' appeals, relative to, to	671	
superior court, arbitration proceedings, two or more, consolidation of, relative to, in	414	
Bristol county, assistant clerk for criminal proceedings, designation of, providing for, in	439	
clerks and assistant clerks, salaries of, relative to	423	
Essex county, courthouse building, renovation of, borrowing for, increasing, for	443	1, 2
courthouse in Newburyport, renovation of, borrowing for, authorizing, for	435	1—3
Franklin county, authorizing expenditure by, for plans for addition to	772	
judges, retired, certain, extending provisions for temporary service by, in	433	1, 2
judicial council, membership of, increasing, relative to	698	
Plymouth county, expenditure of federal funds by, authorizing, for renovation of, for courthouse for	821	
purchase of land by, for additional office space for, authorizing	391	1, 2
preliminary injunction, appeal from, providing, in	405	
rape cases, evidence, certain, admissibility of, regulating, in ..	110	
Worcester county, grand jurors shall serve for term of six months	315	1—5
Supreme judicial, Middlesex county, in, juries, grand and trial, rules relative to, by	415	1—14
Swamps, state reclamation board, composition of, relative to	641	
Swimming pools, public or semipublic, enclosures, further regulating, certain	223	

T.

Tadeusz Kosciuszko Day, annual observance of, providing for, relative to	524	
Target Communications, Inc., Bristol county, payment of sum of money by, authorizing, to	178	1—4
Taunton, city of (see Cities and towns).		
TAXATION:		
in general, agricultural preservation restrictions, land under, special taxation of	780	1—10
assessments, omissions of, property from, relative to	166	1, 2
charitable organizations, property tax exemptions for, eligibility of, relative to	992	1—5
collector of taxes, delinquent taxes, collection of, taking of goods for, relative to	175	
commission, state, state laws mandatory, local expenditures, state funding of, to investigate and study	18	
domestic life insurance companies, and savings, and insurance banks, reforming	816	1—29
interstate cooperation, commission on, relative to	470	
local, further regulating, relative to notice	525	
Massachusetts Port Authority, tax exempt status, amending, of	949	1—8

	Chap.	Section.
TAXATION — Concluded.		
in general — concluded.		
New Hampshire, attorney general, authorizing suit by, for unlawful collection of taxes, by	102	
pipe lines, state tax commission, certification by, changing date of	199	
property, abatement of, amounts refunded, relative to	585	
railroads, fuel, exempting from sales and use tax, used by	902	
state taxation, administrative provisions, further regulating, relative to	459	1—7
state taxes, method of payment, may be prescribed by commissioner	583	
tax benefits, certain, extending to spouses, of certain females	889	1—5
schools, determination of, corrective changes in laws, relative to	322	
estates , changing effective dates, of certain	76	1, 2
fiduciaries, may settle and pay taxes on future interests	179	
excise , carry over of investment credit, providing, under corporation	919	1—3
motor vehicle, abatement for theft, providing for	293	
failure to pay, shall prevent issuance of registration certificate	737	1—3
income , refunds, may be credited to taxpayers' bank account ..	827	
taxation, income tax, shall be more consistent with Federal Internal Revenue Code	599	1—11
inheritance , state taxation, administrative provisions, further regulating, relative to	459	1—7
property , lottery fund distribution, increased, for relief of	185	
real estate , acquisition after assessment date, abatement of taxes, may be requested, by new owner of	198	
cluster development, taxation of common land, relative to, in	422	
computation of interest on, relative to	349	
exemption during nineteen hundred and seventy-seven, providing, for certain survivors, of certain firefighters	700	
exemption for certain corporations, authorizing	964	
increasing exemption, for certain aged persons	967	1—3
paraplegic veterans or surviving spouses, abatements, relative to	727	
property, collective of, relative by, by city collector	176	1, 2
public highways, corrective change in law, taxation of property on	911	
sales , energy systems, certain, exemption for, providing, from ..	989	
research and development corporations, sales, certain, by, exempting from	620	1, 2
state lottery , returns filed and taxes paid, further regulating ..	219	
Teachers (see Schools).		
Teachers' certification law , further clarifying, issuance of certificates under	865	
Tedesco, Anthony L. , administrator of the estate of Antonio Tedesco, resolve in favor of	21	Resolve
Telephone and telegraph company , Granby telephone and telegraph company of Massachusetts, borrowing power, increasing, for	88	
Television and movie violence , effects of, special commission, to investigate and study	35	Resolve

	Chap.	Section.
Templeton, town of (see Cities and towns).		
Tenancies at will (see Real estate).		
TENURE:		
Fall River, O'Neill, Francis J., chairman of election commissioners, providing	704	1, 2
Halifax, Waterman, Howard, L., police chief, providing	572	
Norton, Richard Charette, veterans' agent, providing	755	1, 2
Somerville, Figgins, Leland, J., assistant clerk of committees, providing	618	
O'Brien, David F., city physician, in, providing	833	
Weymouth, harbor master in, Smith, Thomas E., providing ...	357	
Tewksbury, town of (see Cities and towns).		
Tewksbury Hospital, Baldwin, Frederick, Jr., conveyance of land to, Tewksbury, in, authorizing	926	
Thayer Fence, Inc., Braintree, payment of sum of money by, authorizing, to	883	1—3
Theatrical exhibition, Peabody, city council of, shall be licensing authority of, for	904	
Three hundredth anniversary, Stow, appropriation by, authorizing, for celebration of	106	1—3
Topsfield, town of (see Cities and towns).		
Torts (see Practice in civil actions).		
Trade schools, further regulating	826	1—13
Traffic supervisors, contributory group, general or blanket insurance, providing, for	342	
Traffic violators, fine, increasing, for failure to respond within twenty-one days, by	612	
Transient authorities, department of public works, advancement of funds by, certain, under agreements with	893	
Transportation, Massachusetts Bay Transportation Authority, service changes, significant, requiring public hearing by	207	
Trapping licenses (see Licenses and permits).		
Travel clubs, arrest bond certificates, acceptance as bail, providing for, by	786	
TREASURER, STATE:		
appropriations, dredging activities, certain, making available certain	271	
supplementary, for	104	1, 2
	103	1—3
	300	1—4
	361	1—3
	363A	1—76
	721A	1—14
beano, further regulating game commonly called, under	845	
bonds and notes, issuing of, procedures for, relative to	336	1—6
terms of, relative to	269	1—11
capital outlay program, providing, for	767	1—3
	920	1—23
cities and towns treasurers, payment by, requiring, of assessments, on semiannual basis, to	888	
commonwealth, bonds to be issued by, terms of, relative to ...	951	
comprehensive rail transit, accelerated highway and railroad improvement, bonding authorization, relative to	356	1—24
cost-of-living salary adjustments, providing, for certain state employees	872	1—204

	Chap.	Section.
TREASURER, STATE — <i>Concluded.</i>		
deeds excises, bonds for, premiums on, shall be paid by	584	
lottery fund, property tax relief, providing, for increased distribution from	185	
monies received by criminals, shall be distributed to victims, by primaries, signatures required for, reducing, for candidates for	948	
retirees, payment by direct credit to bank accounts of, by	136	
state employees, cost-of-living salary adjustment, for certain	794	
state lottery laws, returns filed and taxes paid, further regulating, under	234	1—198
state securities, filing of, providing for, relative to	219	1—7
Tree wardens, towns, in, providing for appointment of	377	1—4
Trespassers, children, land owner's liability for certain conditions caused or maintained, for injuries to	690	1—3
Trials, civil (see Practice in civil actions).	259	
Trucks (see Motor vehicles).		
Trust companies (see Banks and banking).		
Trustee process (see Practice in civil actions).		
Tuberculosis, intradermal tuberculin tests, requiring, to show freedom from	513	
school personnel, further regulating testing of, relative to	67	1, 2

U.

Unemployment, capital resource company, establishing and providing for reduction of	816	1—29
Unemployment benefits (see Employment security law).		
Unfair trade practices (see Consumer protection).		
Unions, credit (see Credit unions).		
UNITED STATES:		
commonwealth, consent of, for acquisition of certain land by	858	1—5
department of justices, controlled substances, narcotic and drug poisons, admission in evidence, upon certificate by drug enforcement administration	128	
federal unemployment benefits, continuation of, providing for	381	1—5
“practicing veterinary medicine,” disease eradication procedures, certain, exempting from definition of, by agents of	132	
recognition of military service in Siberia, between certain dates, providing, in armed forces of	748	
University of Massachusetts, open-meeting law, shall apply to meetings of trustees of	991	
Upper Blackstone Water Pollution Abatement Board, two-thirds vote requirement, relative to, by	99	1—3
Upper Blackstone Water Pollution Abatement District, federal and state aid anticipation notes, renewal of, by	411	1—4
sewerage, acceptance and treatment, relative to, by	99	1—3
Urban redevelopment corporation, insurance companies, certain, may act as	578	
Urban renewal projects, Brookline, may conduct within marsh urban renewal project, certain	218	1—3
Use and sales tax (see Taxation).		
Used-car dealers, second-hand motor vehicles, sales of, eliminating reporting by	553	

	Chap.	Section.
U. S. S. Joseph P. Kennedy, Jr., Massachusetts Korean emergency and Vietnam conflict memorial, designated as	614	
U. S. S. Massachusetts, Massachusetts World War II Memorial, designated as	614	
Uxbridge, town of (see Cities and towns).		
V.		
Vehicle identification numbers, motor vehicles, requiring display of .	417	
Vehicles (see also Motor vehicles).		
Venue (see Particular courts).		
VETERANS:		
Afro-American Veterans Inc., state house, quarters in, assign- ing, for	779	
benefits, certain, extending to spouses and parents of female ...	815	1—5
Dalton, commonwealth, reimbursement by, for veteran's bene- fits paid, to	894	
disabled, parking areas for, may be provided by municipalities, for	648	
educational assistance, increasing years of eligibility for Viet- nam	842	1, 2
higher education, board of, educational assistance program, cer- tain, administration of, transferring, to, relative to children of certain	771	1, 2
Needham, alcoholic beverage licenses, placing on ballot, for veteran's organizations	3	1—4
paraplegic, or surviving spouses, real estate tax abatements, relative to	727	
service in armed forces of United States, in North Russia be- tween certain dates, recognition of, providing, for certain ...	748	
tax benefits, certain, extending to spouses, of certain females ...	889	1—5
veteran's advisory boards, providing for, in municipalities and districts	372	
veteran's benefits law, "widower" shall be included as "depend- ant", under	828	
veterans' services, departments of, district boards of member- ship of, relative to	273	1, 2
Vietnam, civil service examinations, taking, further defining, eligibility of	169	1, 2
World War II, korean emergency and vietnam conflict me- morial commission, reviving	614	
Veterinarians, animals, bovine, brucellosis, relative to control of, in, by	793	
Veteran's Retirement law, county, municipality, district or housing authority, extending time for acceptance by, of	432	
Victims of crimes, proceeds of crimes to be paid to state treasurer, then to be paid to	948	
Vietnam veterans, civil service examinations, taking, further defin- ing eligibility of	169	1, 2
educational assistance, increasing years of eligibility, for	842	1, 2
Vietnam veterans of North Attleborough, in, designated as	643	
Voting equipment purchase, use, and sale of, uniform regulating of, of	930	1—8
Voters (see Elections).		
Voting machines (see Elections).		

Chap. Section.

W.

Wachusett Mountain State Reservation, environmental management, department of, lease by, authorizing, for operation of skiing facility, of premises, in	287	
Wachusett Regional School district, may incur indebtedness by two-thirds majority districtwide vote, and validating certain proceedings in	462	1—3
school committee to be elected under proportional representation, and validating certain proceedings in	463	1—3
withdrawal of member town, providing for, and validating certain proceedings in	461	1—3
Wages (see Labor).		
Walnut Street Trust, trustees of, metropolitan district commission, conveyance of land by, Wellesley, in, authorizing, to	763	
Walpole, town of (see Cities and towns).		
Waltham, city of (see Cities and towns).		
Ward and town committees, associate members of, regulating appointment of	628	
Ware, town of (see Cities and towns).		
Wareham, town of (see Cities and towns).		
Wareham Historical Society, Inc., Wareham, in, grant of easement by, authorizing, to	999	
Wards (see Probate Court).		
Waste water facilities, Gill, construction by, authorizing in Montague, of certain	490	
Water district (see Districts).		
Waterman, Howard, L., Halifax, police chief in, providing tenure for	572	
Water pollution, Upper Blackstone Water Pollution Abatement Board, two-thirds vote requirement, relative to	99	1—3
Water pollution control, division of, grant, modification of project for treatment works, certain, authorizing, by	885	
Water resources commission, Dingley, Aubrey B., conveyance of land to, Northborough, in, authorizing by	569	
encroachment lines and flood plain zones, authorizing establishment by	858	1—5
ground water industry, representative of, shall be appointed member of	120	1, 2
wells, digging or drilling, further regulating, by	201	1—3
WATER SUPPLY:		
Danvers, may draw water from Ipswich river, for purposes of ..	268	
Duxbury, conservation lands, certain, authorizing transfer to water department of, for purposes of	298	
environmental quality engineering, department of, safe drinking water, providing, regulating, relative to powers of	526	1—4
Franklin, new well, construction of, contract without competitive bids, by, for	243	
Holyoke, water commissioners, board of, increasing annual payments by, to	212	1, 2
Ludlow, Springfield, or any other municipality, contract with, authorizing, for purposes of	343	
Westover development project, borrowing for, authorizing, by, for purpose of	389	

	Chap.	Section
WATER SUPPLY — <i>Concluded.</i>		
Methuen, Merrimack river, drawing water from, authorizing, for purposes of	532	1—3
Motor boats, offenses, fines, payment by mail, authorizing, concerning	576	
North Reading, acquisition by, lands in Wilmington and Andover, authorizing for purposes of	652	
Somerset, Dighton Water District, contract with, for taking water from Segreganset river, for puposes of	489	
special commission, to investigate and study, question of adequacy of	13	
wells, digging or drilling, further regulating	201	1—3
Wilmington, transfer of money by, certain, authorizing for purpose of	747	1, 2
WATERS AND WATERWAYS:		
in general, Barnstable county, dredgers, purchase or lease of, authorizing, by, for dredging of	725	1—3
Martha's Vineyard, land and waters, protection of, further regulating, of	831	1—27
tidewaters, Malden River, filling, licenses for, made irrevocable, of certain	943	
coastal wetlands, dredging projects, previously licensed, exempting from hearing requirements under wetlands law, relative to	625	1—3
lobster, taking by diving, regulating, in	13	
harbors, dredging activities, certain, making available appropriation for	271	
tidewaters, Boston, south bay flats, licenses to fill made irrevocable, issued by department of environmental quality engineering	988	
Watertown, town of (see Cities and towns).		
Wayland, town of (see Cities and towns).		
Webb, William K. Captain Memorial Park, Weymouth, in, designated as	11	1, 2
Weights and measures, consumer affairs, executive officers of, director of standards in, fees scheduled by, laboratory testing of	554	
Standards, director of, penalties, providing, for violation of rules adopted by	116	
Welfare auditing, bureau of, relative to	830	1, 2
Wellesley, town of (see Cities and towns).		
Wells, digging or drilling, further regulating	201	1—3
Westborough, town of (see Cities and towns).		
Westfield, city of (see Cities and towns).		
Weston Community Housing, Inc., Weston, conveyance of land by, for elderly housing, to	147	1—3
Weston, town of (see Cities and towns).		
Westover Development Project, Chicopee, reallocation by, authorizing, of proceeds of bond issued for	684	
Ludlow, reallocation by, authorizing, of proceeds of bonds issued for	605	
West Springfield, town of (see Cities and towns).		
West Tisbury, town of (see Cities and towns).		
West Warren Water district, upgrading and maintenance expenses, borrowing for, authorizing, by	681	1—4

	Chap.	Section.
Weymouth, town of (see Cities and towns).		
Weymouth-Braintree Regional Recreation Conservation Board, members, changes in terms of office, providing, for	724	
Whitman, town of (see Cities and towns).		
Widower, shall be included in word "dependent", under veterans' benefits law	828	
Wilbraham, town of (see Cities and towns).		
Willey, Burr W., Bridge, Ayer, in, designated as	354	
Williamsburg, town of (see Cities and towns).		
Williams College, trustees, increasing number of, authorizing, by ..	107	
Wilmington, town of (see Cities and towns).		
Winchendon, town of (see Cities and towns).		
Winchester, town of (see Cities and towns).		
Windsor, town of (see Cities and towns).		
Wines, license fee, relative to, for manufacture of	787	1—3
Wires, inspector of, notice shall be uniform throughout Commonwealth, to	64	1, 2
Woburn, city of (see Cities and towns).		
Women, cancer, early detection of, providing for, relating to	408	
police officers, appointment as, providing equal employment rights for	822	
temporary supportive residents, establishing, for certain	647	
Worcester Animal rescue league, agents, appointment as special police officers, authorizing, of	597	
Worcester, city of (see Cities and towns).		
WORCESTER COUNTY:		
grand jurors, shall serve for term of six months, in	315	1—5
hospital, repairs and renovations, authorizing, to	477	
Kuzdzal, Frederick J., payment of sum of money to, authorizing, by	656	1—3
Massachusetts nurses association, collective bargaining agreement with, implementation of, funds for, authorizing payment by	611	
salaries, increasing, of certain employees of	233	1—4
service employees international union, AFL-CIO, collective bargaining agreement with, providing funds for implementation of	602	
Workmen's compensation, impartial physicians, payment of fees to, under	390	
jails or houses of correction, employees, injured by inmates, payment of compensation to, in addition to	1002	
liens for welfare benefits, on payments made under	856	1, 2
lump sum payments, relative to, under	776	
medical reports, admissibility of, further regulating, under	777	
World War II, Korean Emergency and Vietnam Conflict Memorial Commission, reviving	614	
Wrentham, town of (see Cities and towns).		
Wrentham Housing Authority, department of mental health, conveyance of land by, Wrentham, in, authorizing, to	855	

Y.

Youth services, commissioner of, Massachusetts criminal justice training council, membership in, shall include	117
--	-----

	Chap.	Section.
Youth Services — <i>Concluded.</i>		
department of, advisory committee, membership of, increasing, in		162
environmental management, department, lease of portion of Nicholson state park, by, authorizing, to		765
 Z.		
Zoning act, corrective changes in, relative to	829	1 — 24